

# 2015 NURSING LEGISLATIVE AGENDA

## WORKPLACE ADVOCACY

### Reducing Workplace Violence Against Nurses

Violence against nurses should not be part of the job. While violence cannot be eliminated from the workplace, it can be reduced and nursing will support initiatives designed to achieve that goal. Possibilities being explored include better reporting when violence occurs, funding of research and pilot programs on the most effective ways to reduce violence, de-escalation training, and enhanced penalty for assaulting a nurse.

*HB 2695 & HB 2696 by Howard*

### Protecting Nurses' Right To Report Unsafe Practitioners Without Fear of Retaliation

Nursing opposes any legislation, similar to that filed in previous sessions, which would require or authorize the Texas Medical Board or any other agency to disclose the identity of a nurse who reports a physician, other practitioner or facility to that agency. Disclosing the identity of a nurse to the reported practitioner, or facility increases the nurse's exposure to retaliation and will likely have a chilling effect on reporting. Requiring an agency to maintain the confidentiality of the nurse's identity does not obligate the agency to accept anonymous reports. Nursing's concern is not with the agency knowing the reporting nurse's identity but rather the agency disclosing the nurse's identity to the practitioner or facility reported.

*Oppose: SB 1813 by Kolkhorst; HB 4008 by Zerwas*

### Personal Protection Against Infectious Diseases

The recent Ebola cases in Texas highlighted the need 1) to have appropriate standards for what is adequate personal protection equipment (PPE) and 2) for nurses and other health care practitioners to have adequate access to and be adequately trained in the use of PPE. Nursing will support initiatives to assure these goals are met.

## SCHOOL NURSING

### Parental Notification If No School Nurse

Require public and open enrollment charter schools to notify parents if the school does not have a school nurse (or full time equivalent) assigned to the school. To make informed decisions about their child's health while at school, parents have a need and a right to know if their child will have access to a school nurse.

*SB 69 by Ellis; HB 1938 by Coleman*

### Spinal Curvature Screening

Amend mandate that schools' screening of students for abnormal spinal curvature occur in grades 6 and 9 by permitting school districts to set the grades in which

spinal screening occur based on nationally recognized screening recommendations such as those of the Am Academy of Orthopaedic Surgeons and the Scoliosis Research Society. Nursing supports an evidence-based approach to mass spinal curvature screening by schools.

*HB 2323 by Blanco*

## ADVANCED PRACTICE NURSING

Address legislative and regulatory restrictions which unnecessarily limit access to care and hinder the delivery of care by APRNs to their patients. Priority initiatives include:

### APRNs in HMO and PPO Networks

Giving HMOs and PPOs option to enroll APRNs as primary care providers in their networks whether or not the delegating physician is an in-network provider.

*HB 3398 by Paddie; SB 1980 by Garcia*

### Delegation of Prescribing Controlled Substances

Addressing the extent of a physician's authority to delegate prescribing Schedule II Controlled Substances (CS IIs) by:

- permitting physicians to delegate prescribing CS IIs to Psych/MH APRNs and to APRNs providing palliative care to address Texas' huge need for access to mental health care and the need to serve patients living with pain, but who are not at the end of their life;  
*HB 3632 by Zerwas (addresses palliative care)*
- permitting physicians to delegate prescribing hydrocodone-containing meds to APRNs to address FDA's decision to move such medications from Schedule III to Schedule II and thereby changing what Texas law has permitted APRNs to prescribe since 2003;
- clarifying 2013 legislation to explicitly state community pharmacies may fill legally delegated discharge prescriptions written by APRNs for CS IIs

*HB 2602 by Coleman; (addresses all three issues)*

### APRNs' Authority to Sign Forms and Certifications

Authorizing APRNs to sign forms documenting a patient's needs based on an illness or health condition the APRN is managing, e.g., jury exemption forms, death certificates and disabled parking placards.

*HBs 1185 & 1473 by Bell; HBs 3912 & 3913 by Phelan; SB 466 by Rodriguez*

### Synchronizing Licensing and Registrations

Synchronizing renewal of APRN license and Controlled Substances Registration so both renewals occur at the same time every 2 years.

*SB 196 by Schwertner*

## Full Practice Authority

Provides for APRNs to have full practice authority, including prescribing, under their nursing license.

*HB 1885 by Bell; SB 751 by Rodriguez/Burton*

## NURSING WORKFORCE/EDUCATION

### Professional Nursing Shortage Reduction Program

Maintain funding for the Professional Nursing Shortage Reduction Program (PNSRP) for the 2016-17 biennium at least at the \$33.75 million level appropriated for the current biennium. Texas continues to lack the number and types of RNs it needs. To not continue funding the PNSRP risks losing the gains Texas has made over the past decade.

*THECB bill pattern in Appropriations Bill*

### Nursing Innovative Grant Program

Extend the dedication of certain Texas Tobacco Lawsuit Settlement funds to nursing education and the authority of the Coordinating Board to make grants from those funds to nursing programs at all types of schools – public universities, community colleges and independent universities.

*HB 495 by Howard; SB 448 by Hinojosa*

### Increasing Primary Care APRN Graduates

Nursing will actively support an initiative by the Texas Association of Business to increase the number of primary care APRNs (NPs, CNMs, CNSs) produced by Texas APRN education programs. The request will be for a \$20 million appropriation to produce an additional 500 primary care APRNs. This will be a request for additional appropriations and not for reallocating existing appropriations to increase registered nurses or primary care physicians.

*THECB bill pattern in Appropriations Bill*

## BOARD OF NURSING APPROPRIATIONS

### Appropriations

The Board of Nursing has several exceptional item appropriation requests which nursing supports including:

- Additional staff needed for effective regulation;
- Additional legal funding;
- Merit funding to retain staff;
- Information technology upgrade; and
- Move executive director salary to a higher classification group and increase up to \$152,583.

### Self-Directed, Semi-Independent Status

The Sunset Commission has recommended a moratorium for the 2015 session on granting additional agencies “self-directed, semi-independent status” (SDSI status) while clearer criteria are established for granting

that status. Accordingly, nursing will not seek the initiation of legislation this session to grant the Board of Nursing SDSI status. However, nursing continues to support the Board of Nursing being granted SDSI status because it would give the board the budgetary flexibility needed to more efficiently regulate its 375,000 licensees without removing it from effective legislative oversight.

## HEALTH CARE COALITIONS

The Texas Nurses Association and other nursing organizations participate in a variety of coalitions committed to improving the quality of and access to health care for Texans. Nursing supports the legislative initiatives of these coalitions.

### Texas Public Health Coalition

Focus will be on cancer prevention and research, immunization, smoking cessation, eating healthy and eliminating driving distractions.

### Texas Women’s Health Coalition

Focuses on ensuring availability of preventive services for low income women

### CHIP Coalition

Focuses on maintaining and improving the Children’s Health Insurance Program.

### Texas Coalition for Healthy Minds

Focuses on improving mental health services.

## Nursing Legislative Agenda Coalition

Texas Nurses Association  
Licensed Vocational Nurses Association of Texas  
Assn of Operating Room Nurses of Greater Houston  
Assn of Women’s Health, Obstetrics & Neonatal Nurses  
Coalition for Nurses in Advanced Practice  
Houston Chapter Oncology Nursing Society  
Houston Organization of Nurse Executives  
Tx Assn of Deans & Directors of Prof Nursing Programs  
Texas Association of Vocational Nurse Educators  
Texas Association of Nurse Anesthetists  
Texas Clinical Nurse Specialists  
Texas Council of periOperative Registered Nurses  
Texas Emergency Nurses Association  
Texas Nurse Practitioners  
Texas Nursing Students’ Association  
Texas Organization of Associate Degree Nurses  
Tx Org of Baccalaureate & Graduate Nurse Educators  
Texas Organization of Nurse Executives  
Texas School Nurses Organization

### FOR MORE INFORMATION CONTACT:

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