



NLAC Update: DECEMBER 2021

Happy Holidays to All!



December marks the end of the NLAC 2020-2021 membership term. This past session was like none other as legislators navigated lawmaking during a pandemic and were interrupted by a winter freeze. With only seven percent of bills making it to the governor's desk, three special sessions followed to address his policy priorities.

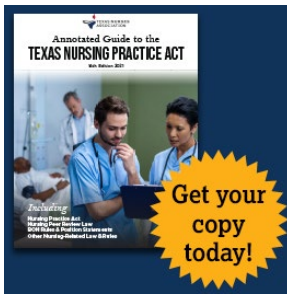
The interim will soon be winding up as the speaker and lieutenant governor set their priorities for committee work in preparation for the next session. NLAC members are also exploring nursing priorities for 2023.

Thank you for your membership in NLAC! Through our unity we are able to leverage one strong voice to advance the profession and the health of Texas.

Enrollment for 2022-2023 is open and invoices will be sent to representatives on record. Payment is due on or before January 31, 2022. Find out how you can get involved in TNA's policy and legislative advocacy efforts [here](#) or email governmentalaffairs@texasnurses.org.

Welcome Jack Frazee, JD!

Jack joins TNA as Director of Government Affairs and General Counsel on December 6. He has a JD from the University of Houston Law Center, where he was a Legislative Fellow at the Health Law and Policy Institute and worked as an intern with Garnet Coleman during the 85th legislature. Before law school, Jack worked with the Scott & White Center for Healthcare Policy. Since obtaining his law degree, he has worked at a boutique law firm in Houston and in private practice focusing on health care cases. Please join us in welcoming Jack!



The Texas Nursing Practice Act provides nurses with the authority to practice, but it can be challenging to understand. The Annotated Guide to the Texas Nursing Practice Act cuts through the legalese. The new edition includes relevant statutory and rule updates through the 87th Texas Legislature and all relevant Board of Nursing rules and Texas Administrative Code updates through May 2021. [Check out the guide, in hardcopy or PDF, here.](#) If you are a TNA member, make sure to log in for reduced member pricing.



Capitol Brief Update

by Kevin C. Stewart, II

We are officially in the interim! After three near-consecutive special sessions, legislators are finally able to return to their districts. As you may already know from all the media attention, the special sessions were a bit hectic. The first special session was focused almost entirely on partisan issues. Shortly after the first special session began, Democrats in the House of Representatives fled the state, using a tactic called “quorum breaking” to prevent the legislature from taking any action. Thus, the first special session ended without any of the leadership’s agenda items passing.

The second special session began almost immediately after the first ended. Democrats had still not returned, but they eventually did, leading to most of the leadership’s agenda items ultimately making it across the line. The third special session was primarily about redistricting and the allocation of federal funds, and things seemed to move relatively smoothly. Included in the federal funds allocations was a significant amount of funding for surge staffing and other healthcare workforce shortages, which we were pleased to support.

Now that the special sessions have concluded, legislators are shifting their focus to elections. Since the interim began, there have been a significant number of retirement announcements. There have been at least 20 announcements so far, and the expectation is that there will be another 20 or so before the ballot application deadline. I won’t list out all the names here, but you should certainly look up the names of your Representative and Senator to see if they are running in the next election.

Given the turnover in the legislature, this will be an important election cycle for outreach and advocacy. First-time candidates are typically extremely responsive to constituents, so for those of you without an incumbent in your district, this would be a great time to build a new relationship. If you are planning to meet with candidates, use [these](#) handy resources. Of course, don’t hesitate to reach out to us—we’re always happy to assist.



Check out our policy resources!

Head to the TNA [website](#) for podcasts, policy positions, our advocacy toolkit, volunteer opportunities, [Nurses in Office](#) initiative information and more!

Join NLAC and help nurses make a difference where it matters!



*** Follow us on Twitter at [@TXNursesLege](#), the twitter handle for Nursewatch.*

Nurses, Politics and Policy: A New Podcast Series to Mobilize Nurses

by Elizabeth Clark, MSN, APRN, FNP-BC

I'm Elizabeth Clark, a nurse practitioner at Parkland Hospital in Dallas and a member of TNA's Communications Committee. I'm currently pursuing my Doctorate of Nursing Practice in Healthcare Leadership, Systems, and Policy at Yale. I've created a new podcast titled [Nurses, Politics, and Policy](#) with TNA as part of my doctoral project. We hope the podcast will both inspire and prepare nurses and nursing students to run for office or become involved with policymaking.

The podcast features six 15-minute interviews with experts on politics and policy, including nurse advocates, nurse politicians, policy experts, a member of Congress, and a law professor. All episodes are compiled into one [90-minute featured podcast](#) so that listeners had the option to play through all at once or pause and return. There is a short demographic survey at the beginning to gauge listeners' interests and starting points, and a shorter survey at the end to see what was gained from their listening and how the project may be improved in the future. If they complete both surveys, listeners receive a certificate of completion, plus a chance to win a \$50 Amazon gift card.

The Inspiration

The DNP program at Yale asked us to consider what types of reforms the nursing profession needs most. Thinking about dozens of well-known problems always brought me back to a

fundamental truth: the profession is shaped in countless ways by policies formulated largely by non-nurses.

That realization drove my project, and led me to Dr. Lisa Summers, who had worked at the American Nurses Association in its department of Nursing Practice and Policy before joining Yale. She had two students who were active in politics and policy on a national level as well as close ties to Cindy Zolnierak, CEO of the Texas Nurses Association. Cindy and I discussed an initiative called Nurses in Office, created by Lolly Lockhart, a legend in Texas nursing and politics. Another invaluable resource was Ellen Martin, previous Director of Practice at TNA, who helped brainstorm about the project and introduced me to nurses involved in politics all over the state.

I wanted my project to complement the NIO initiative by offering a structured program for informing and inspiring nurses to get involved, and possibly identify future candidates for office that TNA can endorse and elevate. It was also important to me to raise awareness among Texas nurses about how important our voices can be on the issues that affect our profession and our patients.

To accomplish this, I needed to talk to as many amazing nurses in the state as possible, particularly those fighting for policies they believe in, and those with experience running for office and influencing the law. Their knowledge and experience helped me identify the most important topics for the podcast curriculum—particularly the biggest barriers nurses perceive when considering running for office or influencing policy. Guided by Cindy and my DNP advisor, Dr. Joan Kearney, chair of the DNP program at Yale, was proud to develop a project that could further TNA's mission statement: to empower Texas nurses and advance the profession.

The Project

The Nurses, Politics and Policy Podcast is a pilot program to measure how many nurses and nursing students in Texas are interested in policymaking and what they need to know in order to get started. You can help us answer these questions through the project website.

To receive a certificate of completion and be eligible for a \$50 Amazon Gift Card drawing, participants must: (1) [complete a brief 4-minute survey](#) before listening the podcast; (2) listen to the full [90-minute podcast](#); and (3) complete an [even shorter 12-question survey](#) after finishing the podcast. If you complete both surveys, we can gauge how helpful the program was and use that data to improve it.

Thanks for your support! It takes all of us. We have strength in numbers that can improve conditions for our patients and our profession. Please participate to make yourself heard!



Bookmark [Texas Tribune](#)
to get the latest political news!

Texas Register: Rules and Regulations

Texas Board of Nursing

22 TAC §213.28, Licensure of Individuals with Criminal History (ADOPTED) – HB 757, 87th Legislative Session, prohibits agencies from taking action against a licensee based on a successfully completed deferred adjudication, unless the licensee regularly comes into contact with children. This adoption clarifies that, because nurses regularly come into contact with children, the Board may continue taking action against licensees.

22 TAC §213.33, Factors Considered for Imposition of Penalties/Sanctions (ADOPTED) – HB 1434, 87th Legislative Session, created a disciplinary cause of action against providers who conduct pelvic examinations on unconscious or anesthetized patients without proper informed consent. This adoption adds corresponding language to the BON's disciplinary matrix. This adoption also clarifies that TPAPN and KSTAR are not available as a result of a contested case hearing and may only be used as a condition of settlement.

22 TAC §214.4, Approval (ADOPTED) – This adoption adds conforming language to this section based on the BON's approval of a new accrediting organization for licensed vocational nurse education programs.

22 TAC §215.4, Approval (ADOPTED) – This adoption adds conforming language to this section based on the BON's approval of a new accrediting organization for registered nurse education programs.

22 TAC §217.24, Telemedicine Medical Service Prescriptions (ADOPTED) – This adoption makes the BON's COVID-19 pain management flexibilities semi-permanent. It allows APRNs to utilize telemedicine to continue issuing previous prescriptions to established chronic pain patients if the APRN has, within the past 90 days, seen a patient in-person or through telemedicine. The rule also requires an APRN to give due consideration to factors that include, at a minimum, the date of the patient's last in-person visit, patient co-morbidities, and occupational related COVID-19 risks. Further, the APRN must document in the patient's medical records the reason that a telemedicine visit was conducted instead of an in-person visit.

Remember ... You can find the [Texas Register](#) on the Texas [Secretary of State](#) website, where **ALL** the rule proposals and adoptions from the Texas BON and other state regulatory

agencies are updated weekly on Fridays and published. *Nursewatch* will print some of the more pertinent updates to nursing rules and regulations but you can delve deeper into current and past issues of the *Texas Register* at your leisure on the S.O.S. website.

Upcoming Events

*If your NLAC organization/association is having an open event or you know of a relevant activity/event, please send the details to [TNA Government Affairs](#) for inclusion in upcoming issues of **Nursewatch**.*