



NLAC Update: New Faces



Happy Fall!

We have some new faces on NLAC, including new TNA General Counsel and Government Affairs Director Julie Davis, as well as new representatives for TNSA - Allison Sheridan, TOBGNE - Stephanie Woods, TADDPNP - Eileen Breslin, and PPN Texas – Dianne Lavin.

Welcome to NLAC!

Hello and Happy October to everyone! I am excited to be working with you all and look forward to a productive interim.



Prior to coming to TNA, I worked at the Texas Sunset Advisory Commission, where I gained significant experience analyzing, drafting, and implementing legislation. While I didn't work on the Board of Nursing review directly, I was fortunate to work on a wide variety of reviews of agencies, including several health occupational regulatory agencies, as well as other occupational regulatory issues, at the Dental Board, Department of Public Safety, and Funeral Service Commission, to name a few.

I hope my experience can help this coalition capitalize on the broad perspectives and membership bases we have to share. Please feel free to reach out to me at 512-452-0645 x157 or jdavis@texasnurses.org.



Reminder: ALL the Texas House seats, and **15** Texas Senate seats are in play this election cycle. That gives nurses a little over a year to engage current state lawmakers and the candidates who may win office in 2020, so that our nursing health care concerns have support in the next Texas Legislature. If we want a successful session in 2021, we need our members to engage and educate their state lawmakers and candidates on nursing's legislative priorities now.

TNA will be promoting an initiative to encourage Texas nurses to register to vote. The [League of Women Voters of Texas](#) website has a great **Be a Texas Voter** program. The Texas Secretary of State [VoteTexas.Gov](#) is also a great resource for Lone Star State voters. Check them out and encourage your memberships to amplify their voice and influence by registering to vote now!

The American Nurses Association (ANA) recently announced it will no longer endorse presidential candidates and has, instead, launched a new and improved [#NursesVote website](#) for each nurse to make an informed choice.

Between now and November 2020, nurses may check there to educate themselves on how each candidate has worked to advance the nursing profession, and volunteer and advocate for the candidate of your choice.

Congratulations to CTCNM! The [March of Dimes](#) recently released a [position statement](#) on midwifery care and birth outcomes, supportive of efforts to expand access to midwifery care and further integrate midwives and their model of care into maternity care in all states. Stating, "This can help improve access to maternity care providers in under-resourced areas, reduce interventions that contribute to risk of maternal mortality and morbidity in initial and subsequent pregnancies, lower costs, and potentially improve the health of mothers and babies." Read the full position statement [here](#)."

**** Be sure to follow @TXNursesLege, the twitter handle for Nursewatch.**

Capitol Brief Update

by Kevin C. Stewart, II

Bonnen Update

This summer the capitol was abuzz with news of a meeting between House Speaker Greg Bonnen and Michael Quinn Sullivan, head of far-right group Empower Texans.

At the meeting, Bonnen allegedly asked Sullivan to target a list of Republicans in exchange for House media credentials. Sullivan immediately went public with this alleged quid pro quo and let select Republican legislators hear a recording of the meeting. While the news has slowed down a bit, questions still linger. Lt. Governor Dan Patrick asked Sullivan to release the recordings, but they still have not come out.

Rep. Klick Appointed to Caucus Chair

Rep. Dustin Burrows, chair of the Ways & Means Committee, was also in the meeting between Bonnen and Sullivan. Burrows was allegedly working with Bonnen to provide that list of Republicans to Sullivan. After this news broke, Burrows resigned his position as the House GOP Caucus Chair. The Vice-chair, Representative Stephanie Klick, therefore moved up to the Chair position.

Klick is a nurse, and one of the strongest proponents for nursing issues, alongside Representative Donna Howard. Last session, Klick carried both the APRN Full Practice bill, as well as a bill that increased the number of facilities that must have Nursing Peer Review Committees. The nursing community could not be happier about Klick's new position. It is well deserved, and we're confident that she will be an outstanding Caucus Chair.

Dr. Zerwas Retires

In addition to Klick rising up the House ladder, Representative John Zerwas, arguably the most powerful House physician, retired. Zerwas was the Chair of the extremely powerful House Appropriations Committee, which determines the state budget from the House each session. It is unclear who will move into that Chair position next session. Dr. Zerwas will now serve as the Executive Vice Chancellor for Health Affairs at the UT System.

NLAC should be very excited about the recent changes at the capitol. We expect this election season to bring even more change, with the potential for many new faces, and possibly even a shakeup in House leadership. Stay tuned!

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



Texas Register: Rules and Regulations

September 20, 2019

Department of State Health Services

22 TAC 157.125, Requirements for Trauma Facility Designation. (PROPOSED)

HB 871, 86th Legislative Session, authorizes hospitals located in a county with a population of less than 30,000 to utilize telemedicine to comply with the physician requirements for Level IV Trauma Designations. The agency is still engaged in a

rewrite process for Trauma Designations, but the bill required that this rule be adopted by December 1. The rule language mirrors the bill language.

September 13, 2019

Department of State Health Services

25 TAC 131.2, Definitions. (PROPOSED) This proposed amendment adds definitions of SAFE- ready facility, sexual assault forensic examiner, and sexual assault survivor to the rules that apply to Freestanding Emergency Medical Care facilities (FEMCs). The definition of sexual assault examiner includes “a certified sexual assault nurse examiner.”

25 TAC 131.46, Emergency Services. (PROPOSED) This proposed amendment would require FEMCs to comply with Chapter 323, Health and Safety Code. That chapter was amended during the 86th Legislative Session to require facilities to provide sexual assault survivors the option to transfer to a facility that is SAFE-ready.

25 TAC 133.2, Definitions. (PROPOSED) This proposal would add the definitions proposed in Section 131.2, above, to the rules that apply to hospitals.

25 TAC 133.41, Hospital Functions and Services. (PROPOSED) This proposal mirrors Section 131.46, above, in the rules that apply to hospitals.

25 TAC 135.15, Facility Staffing and Training. (PROPOSED) This proposal clarifies that Ambulatory Surgical Centers must have a nursing peer review committee if the facility meets or exceeds the thresholds in Occupations Code Chapter 303.

September 6, 2019

Texas Medical Board

22 TAC 172.21, Other Health Care Providers and Limited License for Disasters and Emergencies. (PROPOSED) The TMB has proposed adding language to this rule to clarify that APRNs, and the physicians who delegate to them, are exempt from the written Prescriptive Authority Agreement requirements during a declared disaster.

22 TAC Chapter 194, Medical Radiologic Technology. (PROPOSED) The TMB has proposed rules that will create a new radiologist assistant certificate type, in accordance with HB 1504. The proposal includes definitions, temporary license provisions, continuing education requirements, and other eligibility requirements.

22 TAC 193.8, Prescriptive Authority Agreements. (ADOPTED) TMB has repealed this rule entirely. They had initially considered removing provisions of the rule that were merely restatements of the law, but then determined that the entire rule was superfluous.

22 TAC 193.17, Nonsurgical Medical Cosmetic Procedures. (ADOPTED) The TMB has adopted an amendment that requires facilities that provide nonsurgical medical cosmetic procedures to post a notice concerning complaint procedures and the name of the delegating physician at that facility.

August 30, 2019

Texas Board of Nursing

22 TAC 216.3, Continuing Competency. (PROPOSED) Due to legislation passed in the 86th Session, the Board is amending its continuing education requirements. An APRN who holds prescriptive authority and prescribes opioids will be required to take courses related to opioid safety. At the same time, the Board is removing three hours that are currently required. Therefore, APRNs that are subject to the new requirements will be required to complete 33 hours of continuing education in their next renewal period. In the renewal period that follows, an APRN will be required to complete 31 hours of continuing education. After the first two renewal periods are complete, an APRN will be required to complete 29 hours of ongoing continuing education each renewal period. In addition to the requirements for APRNs, all nurses who provide direct care will be required to complete a human trafficking prevention course. This is an ongoing requirement, but it will count towards the existing hour requirements.

22 TAC 222.5, Safe Harbor Nursing Peer Review and Whistleblower Protections. (PROPOSED) Under current law, if a nurse believes they are requested to engage in conduct that violates the nurse's duty to a patient, the nurse may request a peer review committee to determine if the requested conduct violates the nurse's duty to the patient. In order to invoke this review, the nurse must complete a written request. Pursuant to HB 2410, passed in the 86th Session, this proposal will allow a nurse to orally request this peer review determination if the nurse is unable to complete a written form due to immediate patient care needs. The nurse is still required to file a more comprehensive written report before leaving the practice setting at the end of the work period.

22 TAC 195.5, Physician Liability for Delegated Acts and Enforcement. (WITHDRAWN) This proposal would have added language requiring physicians to report providers to the TMB who are not otherwise licensed, certified, or regulated by the state. Such providers would include any unlicensed person sponsored by a physician or delegated to by a physician.

Don't forget ...

- The [Texas Register](#) may be found on the Texas [Secretary of State](#) website. You'll find **ALL** the rule proposals and adoptions from the Texas BON and other state regulatory agencies in the Texas Register, which is updated weekly on Fridays. 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 on the S.O.S. website.

Upcoming Events

- [TNA Nurse Talks Empowerment Series](#) – ongoing. Web series designed to bring more nurses into conversations and inform TNA's decision-making processes and policy priorities to ultimately benefit all Texas nurses. CE available for most sessions.
- **The League of Women Voters of Texas celebrate 100 years** on October 19 in San Antonio. Details and registration [here](#).

- [41st Annual Mock Trial](#), 8 a.m.-4 p.m. November 4 in Dallas - Serve as a member of this "jury" that will examine the case of an RN who discharges a newly diagnosed diabetic patient. The patient is readmitted to the ER 22 hours later unresponsive and the family blames the nurse for inadequate discharge teaching, resulting in permanent harm. Participants receive six (6) contact hours for successful completion of this educational activity. Registration is available via the link.

*If your NLAC organization/association is having an open event, please send the information to TNA Government Affairs Coordinator [Cathy White](#) for inclusion in upcoming issues of **Nursewatch**.*



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