

Agenda Item: 7.6
Meeting Date: October 19 & 20, 2006
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Proposed Amendments to 22 Texas Administrative Code § 211.6, Regarding Committees of the Board Addressing Board Committees' Structure and Operating Criteria

In September 2006, the Staff of the Sunset Commission recommended in its report that the Board adopt “rules regarding the purpose, structure, and use of its advisory committees, including:

- the purpose, role, responsibility, and goal of the committees;
- size and quorum requirements of the committees;
- composition and representation provisions of the committees;
- qualifications of the members, such as experience or geographic location;
- appointment procedures for the committees;
- terms of service;
- training requirements, if needed;
- the method the Board will use to receive public input on issues acted upon by the advisory committees; and
- the requirement that the Board comply with the requirements of the Open Meetings Act.”

The proposed amendments to rule 211.6 will comply with chapter 2110 of the Government Code pertaining to State Agency Advisory Committees.

Staff recommends that the Board move to propose amendments to 22 Texas Administrative Code section 211.6 pertaining to the Board's advisory committees, as attached, and have it published in the *Texas Register* for a 30-day comment period. If no negative comments are received, adopt the rules as proposed.

§ 211.6. Committees of the Board

(a) The following are standing and permanent committees of the board, as established by the board in accordance with the Nursing Practice Act. The responsibilities and authority of these committees include those duties and powers as set forth including other responsibilities and charges which the board may from time to time delegate to these committees.

(b) Eligibility and Disciplinary Committee.

(1) Members of the committee shall be appointed by the president and shall consist of one consumer member and two nurse members. The President shall have authority to substitute committee members when necessary to establish a quorum due to absences of standing members.

(2) The chair shall be named by the president.

(3) Duties and powers. The disciplinary committee shall have the authority to determine matters of eligibility for licensure and discipline of licenses, including temporary suspension of a license, and administrative and civil penalties.

(4) Quorum. Two eligible voting members shall establish a quorum of the Committee of which at least one member is a nurse.

(5) Tele-conference. A meeting by the Committee may be held by telephone conference call or video conference call as authorized by Texas Government Code chapter 551.

(c) Education Liaison. The three board members representing nursing educational programs shall serve as advisory to the staff on matters pertaining to faculty waivers, proposed curriculum revisions and other issues that may arise between regular board meetings. The recommendations of the liaison members are presented to the board at the next regular meeting for consideration. ratification.

(d) Advanced Practice Liaison. Three members shall be designated by the president to serve as advisory to the staff on matters pertaining to advanced practitioner waivers and other issues that may arise between regular board meetings. The recommendation of the liaison members are presented to the board at the next regular meeting for consideration. ratification.

(e) Other standing or ad hoc committees. The board may designate other standing or ad hoc committees as deemed necessary. Such committees shall have and exercise such authority as may be granted by the board.

(f) Advisory Committees. The president may appoint, with the authorization of the board, advisory committees for the performance of such activities as may be appropriate or required by law.

(1) The board has established the following committees that advise the board on a continuous basis or as charged by the Board:

(A) the Advanced Practice Nursing Advisory Committee (APNAC) advises the Board on practice issues and regulations that have or may have an impact on advanced practice nursing. The APNAC is comprised of representatives from the following:

(i) Texas Association of Nurse Anesthetists (TANA);

(ii) Coalition for Nurses in Advanced Practice (CNAP);

(iii) Texas Nurse Practitioners (TNP);

(iv) Consortium of Texas Certified Nurse-Midwives (CTCNM);

(v) Texas Clinical Nurse Specialists (TxCNS);

(vi) Texas Organization of Nurse Executives (TONE);

(vii) Texas Nurses Association (TNA);

(viii) CRNA Educator;

(ix) CNS Education;

(x) CNM Education;

(xi) NP Educator; and

(xii) other members approved by the Board.

(B) the Advisory Committee on Education (ACE) advises the Board on education and practice issues

that have or may have an impact on the regulation of nursing education in Texas. The ACE is comprised of representatives from the following:

- (i) Licensed Vocational Nurses Association of Texas (LVNAT);
- (ii) Texas Association of Vocational Nurse Educators (TAVNE);
- (iii) Texas Organization of Baccalaureate and Graduate Nursing Education (TOBGNE);
- (iv) Texas Organization of Associate Degree Nursing (TOADN);
- (v) Texas League for Vocational Nursing (TLVN);
- (vi) Texas Organization of Nurse Executives (TONE);
- (vii) Texas Nurses Association (TNA);
- (viii) Texas Primary Care Educators;
- (ix) Texas Association of Deans and Directors Professional Nursing Programs (TADDPNS);
- (x) various educators in Texas nursing programs;
- (xi) interested state agencies; and
- (xii) other members approved by the Board.

(C) the Nursing Practice Advisory Committee (NPAC) reviews and analyzes issues that affect the practice of nursing. The NPAC is comprised of representatives from the following:

- (i) Licensed Vocational Nurses Association of Texas (LVNAT);
- (ii) Texas Association of Vocational Nurse Educators (TAVNE);
- (iii) Texas League for Vocational Nursing (TLVN);
- (iv) Texas Organization of Nurse Executives (TONE);
- (v) Texas Nurses Association (TNA);
- (vi) Texas School Nurses Organization (TSNO);
- (vii) Texas Department of Aging and Disability Services (DADS);
- (viii) Texas Association for Home Care (TAHC);
- (ix) Texas Department of State Health Services (DSHS);
- (x) Texas Association of Homes and Services for the Aging (TAHSA); and
- (xi) other members approved by the Board.

(2) The Board may amend the committee memberships as needed.

(3) A board member or members appointed by the President of the board or the board may serve as a liaison(s) to a committee and report to the Board the recommendations of the committee for consideration by the Board.

(4) Each committee shall select from among its members a presiding officer who shall report to the agency or Board as needed.

(5) Each committee's work and usefulness shall be evaluated annually.

(6) The committees will provide notice of meetings as feasible on the Secretary of State's web site to allow the public an opportunity to participate.

(7) The Executive Director shall appoint staff to support the committee.

(8) The committee may consult with the board liaison(s) to authorize the committee to investigate identified topics or issues pending the development and communication of a formal charge by the Board.

(9) Committee members will be expected to attend meetings. The chairperson has the discretion to dismiss a member who does not regularly attend.

(10) Advisory committees chairs may invite individuals as expert resources to participate in committee discussions and deliberations. Invited experts serve as *ad hoc* members and do not have voting privileges.

(11) The committees will meet on a schedule established by the chair of each committee.

(12) The decisions of the committee are advisory only.