

**Sunset Implementation Plan
 Statutory Changes / Management Action**

Change	Statutory Citation	Staff Action	Board Review/Action
Agency Name Changed to Texas Board of Nursing	Section 301.002(1), Texas Occupations Code	Beginning 09/01/07 Agency website, Newsletter, Letterhead, E-mail addresses, Publications should be updated to reflect name change	
Issue #1 - Nursing Education			
Change in Statute			
Clarify that nursing programs, once accredited by an agency recognized by the U.S. Department of Education, are exempt from Board approval - clarify that the accreditation agency is a nursing accrediting organization, not just any accrediting agency recognized by the U.S. Department of Education.	301.157(b)(5) 301.157(b-1)	Initiate a review of accrediting bodies (CCNE and NLNAC) in comparison to Board requirements. Develop questions and forward to the Sunset Commission regarding effect on specific board requirements not required by accreditors.	Consider recommendations regarding accreditors at October 2007 Board meeting.
Limit the Board's role to approving nursing education programs leading to initial licensure.	301.157(d-5) 301.157(d-6)	Establish guidelines for initial approval of APN with the accrediting bodies. Discontinue approval of programs that do not lead to initial RN licensure; notify programs. Ask Sunset staff to clarify whether the Board will continue to approve APN programs until the accrediting bodies do so.	
Clarify the Board's authority to approve nursing education programs approved by other state boards of nursing.	301.157(d-4)	Develop policies to ensure other state boards standards are substantially equivalent to our requirements. Examine curriculum models of CGFNS and NCSBN.	Consider policies at the October 2007 Board meeting.

Change	Statutory Citation	Staff Action	Board Review/Action
Require the board to streamline its initial approval process for nursing education programs.	301.157(d-5)	Work with TWC and THECB to eliminate duplication in initial approval programs.	Consider report and recommendations at the October 2007 Board meeting.
Require all diploma programs in the State of Texas be associated with a degree-granting institution by 2015.	301.157(a-1)	Develop rule to reflect what is in the statute for the October agenda.	Consider proposal of rule at the October Board 2007 meeting.
Management Action			
The Board should review and revise its education rules, policies, and procedures to ensure they do not exceed the Board's responsibility to certify minimum competence to enter the profession of nursing.		Prepare charge to A.C.E. and present to the Board.	Consider proposal of rule at the July 2007 Board meeting.
The Board should delegate approval of nursing education programs to staff.		Staff develop a policy which sets forth criteria for Staff recommendations for approval and placement on Consent Agenda with policy to be presented to the Board for approval.	Consider policy at the October 2007 Board meeting.
The Board should develop a process to allow for Board approval of hospital based diploma programs.		Refer to A.C.E. to recommend process to approve hospital based programs.	Consider charge to ACE at the July 2007 Board meeting and consider recommendations at the October 2007 Board meeting.
The Board should approve nursing education programs for a period longer than one year.		Refer to A.C.E. for recommendation.	Consider charge to ACE at the July 2007 Board meeting and consider recommendations at the October 2007 Board meeting.
The Board should discontinue its policy of requesting letters of support from surrounding nursing programs.		Remove any reference to letters from rule/guidelines/policies.	Completed in January 2007.
The board should discontinue the use of waivers for nurse faculty requirements.		Modification to rule 214.7/215.7 (done).	Completed in January 2007.

Change	Statutory Citation	Staff Action	Board Review/Action
Issue #2 - Encourage an Innovative Approach for Dealing with the Nursing Shortage			
Change in Statute			
Implement a statewide plan for creating these innovative models for nursing education and to report back to the Sunset commission by September 1, 2008 regarding the plan and the board's efforts to increase enrollment in nursing education programs.	301.157(h)	Develop a detailed plan for innovation with stakeholders to increase graduates in nursing education programs. Final written report must be submitted to the Sunset Commission by 09/01/08.	Consider Report at the July 2008 Board meeting.
Issue #3 - Criminal History Information in Licensing and Disciplinary Decision			
Change in Statute			
Require the Board to more clearly identify which crimes relate to the practice of nursing.	301.1545(a)(b)	Eligibility and Disciplinary Task Force will make recommendations to amend current rule 213.28 to list specific crimes. Disciplinary Grid will be used as the guideline. Must adopt rules by 01/01/08.	Consider proposal of rule at the July 2007 Board meeting.
Require the Board to establish guidelines to direct its use of arrest information when determining an applicant's eligibility for licensure or disciplining a nurse.	301.452(d)	Eligibility and Disciplinary Task Force will make recommendations to adopt rule amendment to rule 213.28. Must adopt by 01/01/08.	Consider proposal of rule at the July 2007 Board meeting.
Issue #4 - Advisory Committees Purpose and Structure			
Change in Statute			
Require the Board's advisory committees to meet standard structure and operating criteria.	301.1595	Review 211.6 to comply with Sunset recommendations and to reconstitute membership of committees.	Consider proposal of rule amendment at the July 2007 Board meeting.

Change	Statutory Citation	Staff Action	Board Review/Action
Issue #5 - APRN Multi-State Compact			
Change in Statute			
Adopt the Advanced Practice Registered Nurse Multi-state Compact	305.001	Rules due by 12/31/2011. Meet w/APRN compact states and Texas stakeholders to review APRN compact concerns by 09/01/08.	
Issue #6 - Discipline of Impaired Nurses who Commit Practice Violations			
Change in Statute			
Clarify that individuals and organizations required to report impaired nurses must notify the Board if they suspect the nurse also committed a practice violation - with modification to amend the statutory reporting requirement regarding chemical dependency or diminished mental capacity, to require all third-party referrals involving practice errors to be reported to the Board.	301.410(b)	Amend 217.11(k) to clarify reporting requirements. Refer to E&D Task Force to amend 213.29 to discuss rule amendment to include diminished mental capacity. Must adopt by 01/01/08.	Consider amendment to clarify reporting requirements at the July 2007 Board meeting. Refer definition of diminished mental capacity to the E&D Task Force at the July 2007 Board meeting; consider proposal of these rule amendments at the October Board meeting.
Require the Board to adopt rules clearly outlining its peer assistance program.	301.4106	Amend 217.13 to reflect new peer assistance requirements. Must adopt by 01/01/08.	Consider proposal of amendments to Rule 213 at the July 2007 Board meeting.
Management Action			
The Board should establish a process to ensure that it consistently evaluates complaints involving impaired nurses suspected of also violating standards of practice.		This may be referred to E&D Task Force to recommend guideline.	Consider guideline at future meeting.

Change	Statutory Citation	Staff Action	Board Review/Action
Issue #7 - Continuing Education			
Change in Statute			
Authorize the Board to establish guidelines for targeted continuing education requirements.	301.303	Submit question to Sunset on how to meet this change in statute.	Guidelines to be considered at future meeting.
Issue #8 - Licensing and Regulatory Functions			
Change in Statute			
Require applicants to pass a jurisprudence exam on or after 09/01/08 as a condition of licensure.	301.252(3)(a-1)	Adopt amendment to rule 217.2, 217.4, 217.5 issuing requirement to pass jurisprudence exam. Rule by 01/01/08. Develop jurisprudence exam.	Consider proposal of amendments to Rule 217 at the July 2007 Board meeting. Approve process by the April 2008 Board meeting.
Require the Board to adopt clear procedures governing all parts of the testing process, including test admission and administration.	301.253(c-1)	Develop policies for publication on the BNE website explaining the examination process, referencing NCSBN exam process.	
Direct the Board to establish a policy for non-refundable examination fees.	301.253(f)(1)(2) 301.253(g)(1)(2)	Develop policy for examination fee refunds that describe emergencies which would result in board recommendation to the vendor to refund the fee.	Consider policy at October 2007 Board meeting.
Change the basis for the Board's late renewal penalties.	301.301(c)(c-1)	Rule 223.1 already reflects statutory change. However, Rule 223 will be amended to adjust fees for special purposes and collect budget requirements.	Consider Rule 223 amendments at the July 2007 Board Meeting.
Require the Board to adopt an enforcement matrix in rule.	301.4531(b)(c)	Refer to E&D Task Force to recommend a schedule of sanctions in 213.33. Develop an enforcement matrix (policy) Rule by 01/01/08	Consider proposal of amendment to Rule 213 at the July 2007 Board meeting. Consider adoption of Enforcement Matrix (Policy) at the October 2007 Board meeting.

Change	Statutory Citation	Staff Action	Board Review/Action
Require the Board to develop a method for analyzing trends in complaints and violations.	301.203(d) 301.203(e)	Develop method for analyzing sources and types of complaints and education strategies. Develop by 12/31/2008.	Consider adoption of policy at the October 2007 Board meeting.
Authorize staff to dismiss baseless cases.	301.204(a)(6)(a)(b)(f)	Amend 211.7 for the July brd. mtg. by 01/01/08	Consider proposal to amend Rule 211 at the July 2007 Board meeting.
Increase the amount of the Board's administrative penalty authority.	301.502(a)	No action needed.	
Authorize the Board to require refunds as part of the agreed settlement process.	301.470	No action needed.	
Authorize the Board to issue cease-and-desist orders.	301.471	No action needed.	
Authorize Board members to receive reimbursement for travel expenses	301.056(b)	Educate Accounting Staff on change to policy.	
Management Action			
The Board should remove the requirement that applications for licensure filed with the Board be notarized.		Amend Rules 217.2, 217.5 and 217.4	Consider adoption of amendments to Rule 217 at the July 2007 Board meeting.
The Board should track the number and types of non-jurisdictional complaints it receives.		Add non-jurisdictional complaint "types" to the report.	
The Board should post information about disciplinary actions on its website.		Develop plan for posting disciplinary actions on the website.	Consider approval of policy on posting disciplinary actions at a future meeting.
Issue #9 - Continuing Board of Nurse Examiners			
Change in Statute			
Continue the Board of Nurse Examiners for 10 years.	301.003		

Across the Board Provisions		Legal will review the across the board provisions to determine changes made to the statute and any necessary policy changes.	
Require public membership on the agency's policymaking body.	Updated		
Require provisions relating to conflicts of interest.	Updated		
Require unbiased appointments to the agency's policymaking body.	Already in statute	No change.	
Provide that the Governor designate the presiding officer of the policymaking body.	Already in statute (301.057)	No change.	
Specify grounds for removal of a member of the policymaking body.	Updated 301.055(a)(c)		
Require training for members of the policymaking body.	Updated 301.059(a)(b)		
Require separation of policymaking and agency staff functions.	Already in statute	No change.	
Provide for public testimony at meetings of the policymaking body.	Already in statute 301.1595(c)(8)	No change.	
Require information to be maintained on complaints.	Update 301.203 301.204	Policy	No deadline
Require the agency to use technology to increase public access.	New (301.166)	Visit other agency websites and develop a policy for consideration by the Board. By 01/01/08	Consider adoption of a policy on use of technology at the October 2007 Board meeting.
Develop and use appropriate alternative rule-making and dispute resolution procedures.	New (301.167)	Develop Rule 213. 20. Must be in place by 01/01/08	Consider adoption of amendment to rule Rule 213 at the July 2007 Board Meeting.



Staff Contact: Joe Walraven

H.B. 2426 Truitt, et al. (Deuell)

Summary

The mission of the Board of Nurse Examiners (the Board) is to protect the public and promote the welfare of Texans by regulating the practices of professional and vocational nursing. The Board seeks to accomplish its mission by licensing qualified individuals to practice nursing; authorizing the advanced practice of qualified professional nurses for such things as issuing prescriptions; establishing standards for and approving nursing education programs; and investigating and taking disciplinary action to enforce the Nursing Practice Act and Board rules. The agency operated with a budget of about \$6.5 million in fiscal year 2006 and employs 79 staff.

House Bill 2426 continues the Board of Nurse Examiners and contains all of the Sunset Commission's recommendations, including legislative guidance in areas such as approving nursing education programs and the Board's use of criminal history information. The list below summarizes the major provisions of H.B. 2426, and a more detailed discussion follows.

Sunset Provisions

1. Streamline the Nurse Board's process for approving nursing education programs to remove unnecessary complexity, eliminate duplication, and accommodate changes in the delivery of nursing education.
2. Encourage an innovative approach by the Board for dealing with the nursing shortage.
3. Require the Board to clarify how it will use criminal history and arrest information in licensing and disciplining nurses.
4. Change the way the Board uses advisory committees to ensure objective, independent advice on Board functions and policies.
5. Adopt the Advanced Practice Registered Nurse Multistate Compact to make it easier for nurses to come to Texas.
6. Improve the Board's ability to deal with impaired nurses who commit practice violations.
7. Strengthen the Board's oversight of targeted continuing education to make the requirements workable for the Board and beneficial for nurses.
8. Conform key elements of the Board's licensing and enforcement functions to commonly applied licensing practices.
9. Continue the Board of Nurse Examiners for 10 years.

Provisions Added by the Legislature

10. Change the name of the agency to the Texas Board of Nursing.
11. Establish the Texas Hospital-Based Nursing Education Partnership Grant Program.
12. Allow flexibility in employment policies for nurses in medical and dental units.

Sunset Provisions

1. Streamline the Nurse Board's process for approving nursing education programs to remove unnecessary complexity, eliminate duplication, and accommodate changes in the delivery of nursing education.

The bill allows any nursing program that maintains accreditation through a nursing accrediting agency recognized by the U.S. Department of Education, and determined by the Board to have acceptable standards, to be approved by the Board and exempt from Board rules regarding ongoing program approval if the program's pass rate on the licensing examination does not indicate a problem. The Legislature modified this provision to require approved nursing education programs to provide the Board reports related to their accreditation and to provide other information for nursing workforce analysis in Texas. The Legislature added language to clarify that the Board can withdraw its approval from a nursing program that fails to meet the standard under which it is approved by the Board.

House Bill 2426 also clarifies that the Board can recognize and accept as approved for educational and licensing purposes, nursing education programs that are approved by another state board of nursing that meet the Texas Board's standards. The Board may no longer consider students in Texas enrolled in these programs to be practicing nursing without a license. In addition, the bill limits the Board to approving only nursing education programs that lead to initial licensure as a professional or vocational nurse.

The bill requires the Board to streamline its initial approval process by identifying and eliminating tasks that are duplicated or overlap between the Board and the Texas Higher Education Coordinating Board or the Texas Workforce Commission. The Board must work with these agencies to establish guidelines for initial program approval, specifying that approval by either of these agencies must precede the Board's approval because of those agencies' primary roles in approving education programs.

The Legislature modified the Sunset provision regarding phasing out hospital-based diploma programs by 2015 to specify that such a program of study completed on or after December 31, 2014 must entitle a student to receive a degree upon successful completion of a degree program of a public or private institution of higher education recognized by the Coordinating Board.

The Legislature further modified the bill's provisions regarding nursing education to require the governing institution of a professional nursing school to be accredited by an agency recognized by the Coordinating Board, or be in the process of gaining accreditation. The bill prohibits the Nurse Board from requiring such accreditation on its own.

2. Encourage an innovative approach by the Board for dealing with the nursing shortage.

The bill requires the Board to implement, monitor, and evaluate a plan for creating innovative models for nursing education that promote increased enrollment in Texas nursing programs as part of a plan to alleviate the nursing shortage in Texas. The Legislature modified the Sunset provision to include the Texas Health Care Policy Council with the Coordinating Board and nursing education stakeholders in the collaboration to create the plan. The Board must implement a statewide plan for creating these models and must report back to the Sunset Commission by September 1, 2008, regarding the plan and the Board's efforts to increase enrollment in nursing education programs.

3. Require the Board to clarify how it will use criminal history and arrest information in licensing and disciplining nurses.

House Bill 2426 requires the Board to establish guidelines to ensure that criminal history and arrest information used in making license eligibility and disciplinary decisions relates to the individual's ability to practice nursing.

4. Change the way the Board uses advisory committees to ensure objective, independent advice on Board functions and policies.

The bill requires the Board to adopt rules regarding the purpose, structure, and use of its advisory committees. The bill prohibits Board members from serving on the Board's advisory committees, and requires the Board to change its current advisory committee structure to ensure that it is consistent with these requirements. The Legislature modified the Sunset provision to delete language that had prohibited Board members from being entitled to travel expenses for attending advisory committee meetings as a liaison from the Board.

5. Adopt the Advanced Practice Registered Nurse Multistate Compact to make it easier for nurses to come to Texas.

House Bill 2426 adopts the Advanced Practice Registered Nurse (APRN) Multistate Compact and allows qualified advanced practice nurses from other member states to practice in Texas without having to go through the Board's authorization process. Authority to establish criteria for recognizing advanced practice nurses remains with the Board and is not dictated by the APRN Compact. The Board must adopt rules necessary for implementation of the APRN Compact by December 31, 2011 or the authority to implement the Compact expires.

6. Improve the Board's ability to deal with impaired nurses who commit practice violations.

The bill requires third parties, who already have an obligation to report impaired nurses to a peer assistance program, to report to the Board when a practice violation occurs as a result of a nurse's chemical dependency or diminished mental capacity. In these cases, the Board is responsible for determining if a nurse violated the Act, and is therefore subject to appropriate discipline by the Board. The Board must also develop guidelines, in rule, to improve information sharing and communication between the Board and its peer assistance provider.

7. Strengthen the Board’s oversight of targeted continuing education to make the requirements workable for the Board and beneficial for nurses.

House Bill 2426 requires the Board to define the parameters of targeted continuing education (CE) requirements imposed by the Legislature or the Board. The Board’s guidelines may specify the nurses affected, the types of courses required, the time frames for completing the CE and other requirements. The bill does not preclude targeted CE from being required for nurses and does not change the current requirement for 20 hours of CE in each two-year period.

8. Conform key elements of the Board’s licensing and enforcement functions to commonly applied licensing practices.

The bill includes 10 provisions that bring the Nurse Board in line with standard licensing agency practices, including the following.

- ◆ Requires applicants to pass a jurisprudence exam as a condition of licensure.
- ◆ Requires the Board to adopt clear procedures governing all parts of the testing process, including test admission and administration.
- ◆ Directs the Board to establish a policy for nonrefundable examination fees.
- ◆ Changes the basis for the Board’s late renewal penalties, as modified by the Legislature to provide for the Board to establish late fees to encourage timely renewal of licenses and to remove the requirement for a person whose license is expired for more than one year to obtain new license through reexamination.
- ◆ Requires the Board to adopt an enforcement matrix in rule.
- ◆ Requires the Board to develop a method for analyzing trends in complaints and violations.
- ◆ Authorizes staff to dismiss baseless cases.
- ◆ Increases the amount of the Board’s administrative penalty authority.
- ◆ Authorizes the Board to require refunds as part of the agreed settlement process.
- ◆ Authorizes the Board to issue cease-and-desist orders, as modified by the Legislature to issue the order without first having to provide notice and opportunity for hearing.
- ◆ Authorizes Board members to receive reimbursement for travel expenses.

9. Continue the Board of Nurse Examiners for 10 years.

House Bill 2426 continues the Board as an independent agency for 10 years, until 2017. The 10-year renewal period will put the Board on the same review schedule as other similar healthcare regulatory boards, such as the Texas Medical Board.

Provisions Added by the Legislature

10. Change the name of the agency to the Texas Board of Nursing.

The bill changes the name of the agency from the “Board of Nurse Examiners” to “Texas Board of Nursing” and updates references in the Nursing Practice Act and other statutes to reflect the name change. The bill also clarifies that current Board members continue to serve as members of the Texas Board of Nursing for the remainder of their terms.

11. Establish the Texas Hospital-Based Nursing Education Partnership Grant Program.

House Bill 2426 establishes a new Texas Hospital-Based Nursing Education Partnership Grant Program. The bill requires the Texas Higher Education Coordinating Board, to the extent funds are available through legislative appropriation or from gifts, grants, and donations, to make grants to hospital-based nursing education partnerships to assist those partnerships to meet the State’s needs for registered nurses. Nursing education programs participating in the partnership must meet Nurse Board standards for instruction and student competency.

12. Allow flexibility in employment policies for nurses in medical and dental units.

The bill requires the president of a medical and dental unit to determine whether a nurse employed by the unit for patient care or clinical activities is a full-time employee for purposes of employees group benefits, leave, and longevity pay. The bill also allows the medical or dental unit to contribute to the cost of any coverage or benefit above the state contribution from money other than that appropriated from general revenue.

Fiscal Implication Summary

House Bill 2426 will not have a fiscal impact to the State. Although the bill establishes the Texas Hospital-Based Nursing Education Partnership Grant Program, the Legislature did not appropriate funding for this provision.



Board of Nurse Examiners

Staff Contact: Joe Walraven

Management Action Recommendations

1.6 The Board should review and revise its education rules, policies, and procedures to ensure they do not exceed the Board's responsibility to certify minimum competence to enter the profession of nursing.

The Board should review and revise its education rules, policies, and procedures to ensure that they appropriately reflect the Board's role as a regulatory body. In this review, the Board should maintain its focus on public protection through ensuring minimum competence to enter the practice of nursing according to the statutory direction of the Legislature, and should revise or delete rules, policies, or other requirements that do not relate to its public safety mission. The Board's concern should not be with the professional advancement of practitioners or the image of the nursing profession. Instead, the Board, as a regulatory agency, should concentrate on ensuring that nurses meet the requirements to receive a license in Texas and that they comply with state laws and Board rules once licensed. This philosophy should be communicated consistently among Board members, such as in Board training, and to staff and advisory committee members, to ensure that future Board policies and actions continue to serve the Board's regulatory mission.

1.7 The Board should delegate approval of nursing education programs to staff.

Delegating decisions regarding initial and ongoing approval of education programs to agency staff, as the Board has done for licensing and disciplinary decisions, would streamline the education program approval process and allow the Board to focus on setting policy and addressing practice concerns. The Board would retain final decision-making authority, as it does with licensing and disciplinary decisions. Staff could refer a proposal to the full Board that requires the Board's input. In addition, the Board would be able to pull education decision items from a consent agenda to allow for discussion and separate decision by the Board. Members of the public who wish to address the Board about a proposed program would still have the opportunity to do so during the public hearing portion of the Board's quarterly meetings.

1.8 The Board should develop a process to allow for Board approval of hospital-based diploma programs.

To comply with statute, the Board should change its rules to allow an avenue for new diploma programs to gain Board approval and become operational in Texas. For example, the Board should discontinue requiring regional accreditation for nursing education programs, as diploma programs are not eligible for regional accreditation. The Board could use other forms of accreditation to allow flexibility in accreditation eligibility or could adopt a broader policy of accepting any form of accreditation recognized by the U.S. Department of Education.

1.9 The Board should approve nursing education programs for a period longer than one year.

The Board should extend its continuing approval of those nursing education programs subject to Board approval for longer than one year. For example, the Board could review continuing approval in conjunction with its site visits every six years. The Board retains authority to move up consideration of a program's continuing approval status if problems are indicated through a program's annual report, which would still be required for informational purposes.

The Board should also revise its policy for maintaining licensing examination pass rates to allow nursing programs an opportunity for self-correction before submitting to Board review. Under this recommendation, the Board should revise its standard to allow for exemptions for mitigating circumstances before a nursing education program would be subject to automatic Board review for low pass rates on licensing exams, which usually result in such measures as a self-study or change in approval status.

1.10 The Board should discontinue its policy of requesting letters of support from surrounding nursing programs.

The Board should discontinue its policy of requesting letters of support for new nursing programs from nursing programs within a 25-mile radius. The Board could instead provide opportunity for programs to support or object to proposed nursing programs in a public hearing or by responding to a notice of intent to open a new nursing program. This change eliminates a conflict of interest for existing schools of nursing, as well as eliminate potential bias by the Board against schools that lack support from other nursing programs.

1.11 The Board should discontinue the use of waivers for nurse faculty requirements.

The Board should adopt its current requirements for waivers of faculty requirements into Board rule. Thus, existing waiver qualifications for nurse faculty, allowing nurses with a bachelor's degree in nursing to serve as nurse faculty if they meet current eligibility conditions such as working towards a master's degree or having a certain amount of clinical experience, should become Board rule, and the Board no longer needs to issue waivers. The Board should also adopt other stipulations used with waivers, such as a limit on the total number of bachelor's-prepared nurses eligible to serve as faculty in each nursing program.

Issue 6 The Nursing Practice Act Does Not Address Discipline for Impaired Nurses Who Commit Practice Violations.

Management Action Recommendation

6.3 The Board should establish a process to ensure that it consistently evaluates complaints involving impaired nurses suspected of also violating standards of practice.

Under this recommendation, the Board would establish a process to consistently evaluate impairment cases to determine whether a nurse ordered or referred to Texas Peer Assistance Program for Nurses (TPAPN) committed other violations of the Act or Board rules, including standards-of-practice or unprofessional conduct violations. If an investigation reveals that such a violation did occur, the Board would determine whether it should assess disciplinary sanctions in addition to ordering the nurse to TPAPN.

Issue 8 Key Elements of the Board's Licensing and Regulatory Functions Do Not Conform to Commonly Applied Licensing Practices.

Management Action Recommendations

Licensing

8.5 The Board should remove the requirement that applications for licensure filed with the Board be notarized.

The Board should eliminate its requirement that applicants who file a paper application must have it notarized. Existing provisions of the Penal Code that make falsifying a government record a crime would continue to apply to all license applications.

Enforcement

8.12 The Board should track the number and types of nonjurisdictional complaints it receives.

The Board should document the nonjurisdictional complaints it receives by keeping track of the number of complaints received, the subject matter of complaints, and the agency to which the Board referred the complaint. Doing so would allow the Board to get a more accurate picture of the types of complaints received, address areas of confusion to the public, and better coordinate with other agencies.

8.13 The Board should post information about disciplinary actions on its website.

Under this recommendation, consumers would have improved access to the Board's disciplinary information. The Board should provide more detailed information about nurses disciplined by the Board, including a citation of the law or Board rule violated, the Board's action, and the date of the Board's order.