

**Consideration of New Policy on Advisory Committees and Task Forces**

HB 2426 amended the Nursing Practice Act by adding Section 301.1595, which provides:

Sec. 301.1595. ADVISORY COMMITTEES. (a) The board may appoint advisory committees to perform the advisory functions assigned by the board.

(b) An advisory committee shall provide independent expertise on board functions and policies, but may not be involved in setting board policy.

(c) The board shall adopt rules regarding the purpose, structure, and use of advisory committees, including rules on:

- (1) the purpose, role, responsibility, and goal of an advisory committee;
- (2) the size and quorum requirements for an advisory committee;
- (3) the composition and representation of an advisory committee;
- (4) the qualifications of advisory committee members, such as experience or area of residence;
- (5) the appointment procedures for advisory committees;
- (6) the terms of service for advisory committee members;
- (7) the training requirements for advisory committee members, if necessary;
- (8) the method the board will use to receive public input on issues addressed by an advisory committee; and
- (9) the development of board policies and procedures to ensure advisory committees meet the requirements for open meetings under Chapter 551, Government Code, including notification requirements.

(d) A board member may not serve as a member of an advisory committee, but may serve as a liaison between an advisory committee and the board. A board member liaison that attends advisory committee meetings may attend only as an observer and not as a participant. A board member liaison is not required to attend advisory committee meetings. The role of a board member liaison is limited to clarifying the board's charge and intent to the advisory committee.

(e) To the extent of any conflict with Chapter 2110, Government Code, this section and board rules adopted under this section control.

In March of 2007, Section 211.6 of the Board's rules concerning advisory committee was amended to comply with the Sunset Commission Staff's recommendations which were subsequently incorporated into HB 2426. Additionally, in July of 2007, the Board adopted amendments to rule 211.6 for the purpose of implementing this statute as applicable to the committees' make-up. The Policy will provide general procedural guidance to the advisory committees when conducting their activities. The Policy will replace the Board's previous Policy applicable to advisory committees that existed prior to HB 2426. Staff requests that the Board move to adopt the attached policy related to advisory committees and task forces.

## TEXAS BOARD OF NURSING

### POLICY ON ADVISORY COMMITTEES AND TASK FORCES

Advisory Committees and Task Forces are appointed by the Board of ~~Nurse Examiners~~ Nursing to assure a broad base for the development of regulations and Board position(s) on nursing issues. These may be established as standing committees or focused and time limited task forces. Coordination and management of these groups center on dissemination of information to and feedback from constituent groups. The executive director coordinates the activities of staff to support these committees. Robert's Rules of Order, by Henry M. Robert, is the source of reference for some of the following information and may be helpful to use, although the Nursing Practice Act does not require it.

#### I Establishing Advisory Committees/Task Forces

- A. Advisory committees and task forces will be established by the Board.
- B. In October of odd years, the President shall appoint or reappoint a representative to serve as the liaison chair to begin serving in January.
- C. The Executive Director shall appoint staff to support the committee/ task force.
- D. All deliberations of the Committee/Task Force are subject to Texas Open Meetings Act, Chapter 551, Texas Government Code.

#### II Roles of Staff and Board Members

1. Staff supporting the committee/task force shall do all relevant research, prepare all written materials, make arrangements, communicate with committee/task force members, prepare minutes of the meeting, and prepare written reports for the full Board as needed.
2. Staff will brief a new Chair on the history of the committee/task force prior to the Chair's first meeting.
3. Staff will prepare a draft agenda and minutes of the previous meeting and review with the Board liaison and member Chair prior to the meeting.
4. A Board member may not serve as a member of an advisory committee/task force, but may serve as a liaison between a committee/task force and the board.
5. A Board member liaison is not required to attend committee/task force meetings, however he/she may attend as an observer, not a participant, whose role is limited to clarifying the Board's charge and intent to the committee/task force.

#### III. Charges to the Committee/Task Force

- A. The Board shall develop and communicate specific charges to the Chair and committee/task force members.
- B. The ~~Board member chairing~~ Chair of the committee/task force shall relay the charges of the Board to the committee/task force, preside over meetings, and report on the progress of the committee/task force to the full Board.

- C. The Committee/Task Force Chair may consult with Board Liaison members to authorize committee/task forces to investigate identified topics or issues pending the development and communication of a formal charge by the Board.
- D. ~~Advisory~~ The Committees/Task Force will provide reports and recommendations to the Board.

#### IV. Committee/Task Force Membership

- A. The structure of the committee/task force shall reflect its purpose. The selection of members and organizations to be represented will be based on recommendations of Board members and staff. Organizations, if invited to participate, will submit nominations to the Board. Final committee/task force membership is contingent upon Board approval.
- B. The Chair of the committee/task force will be elected by a majority vote of a quorum of members present. The Chair will serve in one year terms with no limit on the number of term as Chair subject to only to reappointment as a member and committee/task force reelection.
- C. Members will serve limited terms (2-3 years). Terms will be staggered to ensure continuity. The Board may reappoint individuals if it desires.
- D. Members will be expected to attend meetings. The Chair has the discretion to recommend to the Board President that he/she dismiss a member who does not regularly attend and appoint a new member.
- E. As determined by the Chair, members may designate alternates and must provide materials to the alternate prior to the meeting. Designated alternates may vote for the members, in the members absence, only.
- F. A quorum of the members and designated alternates of the committee/task force shall make recommendations to the Board.
- G. Advisory Committee/Task Force Chairs may invite individuals as expert resources to participate in committee/task force discussions and deliberations. Invited experts serve as ad hoc members and do not have voting privileges.
- H. When possible, the ~~Board~~ committee/task force member shall participate in committees/task forces prior to assuming the Chair position.

#### V Meetings

- A. Advisory committees/task forces will meet on a schedule established by the Chair of each committee/task force.
- B. Members and/or designated alternates must pay their own expenses as the agency is prohibited from expending funds for this purpose.

C. Each member and all concerned parties should receive a copy of the agenda before each meeting. The items discussed at the meeting should only include those listed in the publicized notice.

D. Discussion should be limited to one topic at a time.

E. The Committee/Task Force Chair may recognize persons who wish to speak, and only they should be allowed to speak. Others should hold their comments until they have the floor.

F. If many people want to speak on a topic, the Chair may set some time limit on how long each may speak and the number of times per topic.

## VI Procedural Rules

A. Making a Motion. Begin the discussion by having a member make a motion in the proper form ("Mr./Ms. Chairperson, I move the following..."). The motion should be made and seconded. After this, debate may follow.

B. Amending a Motion. Any motion may be amended as follows: "Mr./Ms. Chairperson, I move that we amend the motion by (adding, striking out, etc.) the words...." If there is a second, an amendment can be discussed. When discussion ends, first vote on whether to accept the motion to amend. Then, whether the amendment passes or fails, the original motion is subject to further debate and then a vote.

C. Laying a Motion on the Table. When discussion on the main motion has ended, a member may move that a main motion is laid on the table to delay a decision. For something to be laid on the table, it must be seconded. A vote, without discussion, is taken immediately. If the committee/task force brings a motion from the table, they may discuss and vote on this main motion. Although a tabled motion may be brought from the table during the same meeting, this usually occurs at a later meeting on consideration of unfinished business. It is often better to postpone a motion to a certain time as this makes it unnecessary to recall the motion.

D. Point of Order. Complicated procedural questions should be researched in Robert's Rules of Order, Revised. Whenever a member believes an incorrect procedure is being used, he can interrupt with a point of order to require the Committee/Task Force Chair to decide the correct procedure.

E. Making a Motion to Suspend the Rules. Occasionally, committee/task force members may want to discuss an item of business without the constraints of any rules. The members must move and second a motion to suspend the rules. Unless the bylaws require otherwise, two-thirds of the members present must vote on this motion which is not debatable and must be voted upon once seconded.

F. Minutes. There are no specific legal requirements concerning the form and content of the minutes. Generally, the minutes should provide a concise summary of the business conducted at the meeting. Meetings considering particularly important or controversial matters may merit more detailed information or transcripts. When completed, the minutes should be approved by the Committee/Task Force. In addition, the board must permanently maintain its minutes and certain other records in a safe place. For most committee/task force meetings, the minutes should contain the following:

- Date, time, and location of the meeting.
- Names of the presiding officer and other members present.
- Names of visitors and guests present.
- A brief summary of all business discussed or considered.

- A record of all motions and their disposition, including the person making and seconding the motion, and the outcome of the vote.

- Copies of orders or other evidence of official action, attached to the minutes unless indexed records are kept by the board of such actions.

∇ VII Board Committee/Task Force Action

- A. Decisions of the committee/task force are advisory only.
- B. Recommendations of the advisory committee/task force will be presented to the Board for action. Any final actions of the Board will be communicated to the Board's constituents.