

Agenda Item No. 6.4

Prepared by: Dusty Johnston
Meeting Date: July 17 & 18, 2008

Adopted Rule Reviews of Chapters 213 (Practice and Procedure), 216 (Continuing Education), and 221 (Advanced Practice Nurses)

Section 2001.039 of the Texas Government Code requires each agency to review each of its rules every four (4) years and consider whether to re-adopt, re-adopt with amendments, or repeal each rule. The proposed reviews of Chapters 213 (Practice and Procedure), 216 (Continuing Education), and 221 (Advanced Practice Nurses) were posted in the April 11, 2008, *Texas Register* and were done pursuant to this statutory requirement. No comments were received, so the rule reviews were adopted and published in the May 23, 2008, *Texas Register* (attached). These rules are continuously assessed to determine whether the reason(s) for originally adopting these chapters continues to exist. Each section of these chapters is continually re-evaluated to determine whether it is obsolete, reflects current legal and policy considerations, reflects current procedures and practices of the Board, and/or whether it is in compliance with chapter 2001 of the Texas Government Code (The Administrative Procedure Act).

These rule reviews continue the implementation of the Board's rule review plan for 2007 - 2011 that is available on the Secretary of State's web site and complete the rule reviews for 2008. The next rule reviews are due January 2009.

Tex. Reg. publication attached

Rule Review

Agency Rule Review Plan

Board of Nurse Examiners

Title 22, Part 11

TRD-200702811

Filed: July 2, 2007

Board of Nurse Examiners

Title 22, Part 11

The Board of Nurse Examiners will review and consider whether to re-adopt, re-adopt with amendments, or repeal Chapter 211, relating to General Provisions. This review is done pursuant to Texas Government Code §2001.039.

The Board will assess whether the reason(s) for adopting or re-adopting this chapter continues to exist. Each section of the chapter will be reviewed to determine whether it is obsolete, reflects current legal and policy considerations, reflects current general provisions in the governance of the Board, and/or whether it is in compliance with Chapter 2001 of the Texas Government Code (Administrative Procedures Act).

Comments on the review may be submitted in writing within 30 days following the publication of this rule review in the *Texas Register* to E. Joy Sparks, Assistant General Counsel, 333 Guadalupe St., Suite 3-460, Austin, Texas 78701, Fax: (512) 305-8101, or joy.sparks@bne.state.tx.us. Any proposed changes to the sections of this chapter as a result of the review will be published in the Proposed Rules Section of the *Texas Register* and will be open for an additional 30 day public comments period prior to final adoption of any repeal, amendment, or adoption.

TRD-200702806

Joy Sparks

Assistant General Counsel

Board of Nurse Examiners

Filed: July 2, 2007

The Board of Nurse Examiners will review and consider whether to re-adopt, re-adopt with amendments, or repeal Chapter 217, relating to Licensure, Peer Assistance and Practice. This review is done pursuant to Texas Government Code §2001.039.

The Board will assess whether the reason(s) for adopting or re-adopting this chapter continues to

exist. Each section of the chapter will be reviewed to determine whether it is obsolete, reflects current legal and policy considerations, reflects current procedures and practices of the Board, and/or whether it is in compliance with Chapter 2001 of the Texas Government Code (Administrative Procedures Act).

Comments on the review may be submitted in writing within 30 days following the publication of this rule review in the *Texas Register* to E. Joy Sparks, Assistant General Counsel, 333 Guadalupe St., Suite 3-460, Austin, Texas 78701, Fax: (512) 305-8101, or joy.sparks@bne.state.tx.us. Any proposed changes to the sections of this chapter as a result of the review will be published in the Proposed Rules Section of the *Texas Register* and will be open for an additional 30 day public comments period prior to final adoption of any repeal, amendment, or adoption.

TRD-200702807

Joy Sparks

Assistant General Counsel

Board of Nurse Examiners

Filed: July 2, 2007

The Board of Nurse Examiners will review and consider whether to re-adopt, re-adopt with amendments, or repeal Chapter 219, relating to Advanced Nurse Practitioner Program. This review is done pursuant to Texas Government Code §2001.039.

The Board will assess whether the reason(s) for adopting or re-adopting this chapter continues to exist. Each section of the chapter will be reviewed to determine whether it is obsolete, reflects current legal and policy considerations, reflects current procedures and practices of the Board, and/or whether it is in compliance with Chapter 2001 of the Texas Government Code (Administrative Procedures Act).

Comments on the review may be submitted in writing within 30 days following the publication of this rule review in the *Texas Register* to E. Joy Sparks, Assistant General Counsel, 333 Guadalupe St., Suite 3-460, Austin, Texas 78701, Fax: (512) 305-8101, or joy.sparks@bne.state.tx.us. Any proposed changes to the sections of this chapter as a result of the review will be published in the Proposed Rules Section of the *Texas Register* and will be open for an additional 30 day public comments period prior to final adoption of any repeal, amendment, or adoption.

TRD-200702808

Joy Sparks

Assistant General Counsel

Board of Nurse Examiners

Filed: July 2, 2007

The Board of Nurse Examiners will review and consider whether to re-adopt, re-adopt with amendments, or repeal Chapter 223, relating to Fees. This review is done pursuant to Texas Government Code §2001.039.

The Board will assess whether the reason(s) for adopting or re-adopting this chapter continues to exist. Each section of the chapter will be reviewed to determine whether it is obsolete, reflects current legal and policy considerations, reflects current general provisions in the governance of the Board, and/or whether it is in compliance with Chapter 2001 of the Texas Government Code (Administrative Procedures Act).

Comments on the review may be submitted in writing within 30 days following the publication of this rule review in the *Texas Register* to E. Joy Sparks, Assistant General Counsel, 333 Guadalupe St., Suite 3-460, Austin, Texas 78701, Fax: (512) 305-8101, or joy.sparks@bne.state.tx.us. Any proposed changes to the sections of this chapter as a result of the review will be published in the Proposed Rules Section of the *Texas Register* and will be open for an additional 30 day public comments period prior to final adoption of any repeal, amendment, or adoption.

TRD-200702809

Joy Sparks

Assistant General Counsel

Board of Nurse Examiners

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