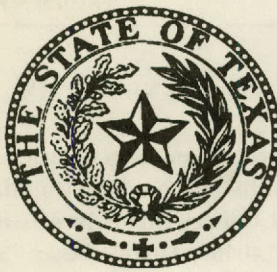


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REPORT FROM THE BOARD OF NURSE EXAMINERS

Government Publications
Texas State Documents

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Volume 21, No. 2

April/ May, 1990

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SHARE THIS NEWSLETTER

Please share the information in this newsletter with as many nurses as possible by posting the newsletter, duplicating portions or all of the newsletter, or using excerpts in your own newsletter.

OPEN FORUM

This is a reminder that individuals or representatives of groups have an opportunity to communicate directly with the Board of Nurse Examiners during Open Forum, which is held during each Board meeting.

Interested persons are requested to notify the Executive Secretary in writing or by telephone prior to the scheduled Board meeting so that the request to address the Board is assured, and to confirm the time, date and location of the open forum.

CONTINUING EDUCATION PROGRAMS

We get many inquiries as to how an individual or organization can obtain Continuing Education Contact Units for programs they are planning to offer. We suggest that the individual or organization contact their local college or university to see how CEU credits can be obtained. Another option is to contact the Continuing Nursing Education (CNE) Program of the Texas Nurses' Association at 300 Highland Mall Blvd., Suite 300, Austin, Texas 78752, (512) 452-0645.

SPEAKING TOUR OF TEXAS

The Board is continuing its twenty-three site speaking tour. Thus far, seven workshops have been held with approximately 1,500 RNs attending.

The workshops are designed to update the RN's knowledge about the Nurse Practice Act; roles and functions of the Board; current legislation, such as prescriptive authority and mandatory continuing education; peer review; the investigatory process; and various other topics.

Evaluations by workshop participants indicate that the information provided is very informative and useful. We encourage you to register early when the workshop is presented in your area. The program is approved for 6 contact hours of continuing education credit.

The following dates and sites for upcoming workshops are confirmed:

<u>Date</u>	<u>Location</u>
May 9, 1990	Waco
June 14, 1990	Midland
July 31, 1990	Amarillo
October 11, 1990	Dallas
October 12, 1990	Dallas

Workshops will be held in the following locations; however, dates have not yet been confirmed. Future sites include: Lubbock, San Angelo, Abilene, Wichita Falls, Del Rio, Corpus Christi, Victoria, San Antonio, Houston, Bryan, Beaumont, Texarkana, and Denton.

MANDATORY CONTINUING EDUCATION

The 21-member Joint Advisory Committee on Mandatory Continuing Education met for the third time on March 16, 1990. The committee reviewed criteria which continuing education programs would have to meet to be acceptable to the Board. The committee also discussed the various types of C.E. programs available throughout the state and mechanisms for assuring compliance with the criteria once it is approved by the Board.

At the upcoming Advisory Committee meeting, members will review criteria utilized by national associations and organizations to approve providers and programs. The committee will continue considering the many implementation issues associated with mandatory continuing education.

The Joint Advisory Committee on Mandatory Continuing Education meets at:

Ramada Inn-Airport
5660 N. IH-35
Austin, Texas

Please contact Cady Crismon, M.S.N., R.N. or Kathy Vrazel, Administrative Assistant, at the Board of Nurse Examiner's office (512-835-8685) regarding these open meetings.

Please Do Not submit C.E. attendance certificates to our office. Once the rules are developed for 20 hours of C.E. per two-year licensure renewal period, RNs/LVNs will be given ample time to meet the requirements.

BOARD MEETING DATES

Regular meetings of the Board of Nurse Examiners for the State of Texas are scheduled to be held on the following:

May 15-17, 1990	Austin
July 24-26, 1990	Austin
September 25-27, 1990	Austin
November 13-15, 1990	Austin

The Board meetings are open to the public. Any group or individual wishing to attend any portion of the Board meeting should contact Erlene Fisher at 512-835-8650 at least four weeks prior to the Board meeting to verify availability of space, the date and location.

OFFICE LOCATION AND HOURS

The office of the Board of Nurse Examiners is located at 9101 Burnet Road, Suite 104 (Continental Savings Building at the intersection of Hwy. 183 and Burnet Road) in Austin, Texas. Our mailing address is Box 140466, Austin, Texas 78714.

The office is open from 8:00 a.m. to 5:00 p.m. Central Time, Monday through Friday, except for designated holidays. The Board's office is closed on the following days:

May 28, 1990	Memorial Day
July 4, 1990	Independence Day

POSITION STATEMENT ISSUED

The Board currently maintains a position that anesthesia should be administered by an anesthesiologist or CRNA.

With the advent of technology which makes the administration of analgesic and anesthetic agents via the epidural route an accepted method of pain control, the Board at its March, 1990 meeting considered the practice of RNs administering analgesic as well as anesthetic agents **via the epidural route** for the purpose of pain control. After reviewing the literature and accepting public comment, it was the decision of the Board to issue the following position statement:

Board of Nurse Examiners' Position on Administration of Medications Via the Epidural Route for the Purpose of Pain Control

The Board has determined that it is within the scope of practice of a registered professional nurse to administer analgesic and anesthetic agents via the epidural route for the purpose of pain control. The RN must be knowledgeable about the pharmacologic effects of the drug(s), the physiology of the route, monitoring and nursing care of the patient, and emergency procedures. There must be documentation that the nurse has participated in educational activities to gain and maintain this knowledge and skill. The nurse needs to assure that his/her practice is guided by agency policies and procedures.

DO YOU KNOW A REGISTERED NURSE WHO NEEDS HELP?

If you know a registered nurse who is depressed, drinking more than moderate amounts of alcohol, or is abusing drugs and is not practicing nursing in a manner that is in the public's best interest, give the Texas Peer Assistance Program for Impaired Nurses (TPAPIN) an opportunity to help. All calls are kept strictly confidential. For information call 1-800-288-5528 or (512) 467-7027.

PRACTICE RELATED QUESTIONS AND ANSWERS

The Board receives numerous calls and letters regarding practice issues. In this column, Cady Crismon, MSN, RN, responds to frequently asked questions.

Q: I have just accepted employment at an institution that uses O.B. technicians. I have been told that it is legal for me to allow them to administer medications under my supervision. Is this true?

A: No, the Delegation Rules expressly prohibit any RN from delegating the administration of medications to unlicensed personnel. There is only one exception to this rule. The exception allows the RN to delegate to medication aides who hold a valid permit issued by the Texas Department of Health who work in the long-term care setting (§218.7 and §218.9 of Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice).

Q: Can a Graduate Nurse (GN) continue to practice with a temporary permit even if he/she fails the licensure examination?

A: No, the GN must return the permit to the Board, may no longer use the title GN, and may practice only in a non-licensed capacity (§217.12).

Q: I paid \$10.00 extra in my license renewal fee this year to help young students become a nurse. Why are registered nurses required to do this? No one helped me with my school expenses.

A: During the 71st Legislative Session (1989), the legislature passed several bills in an attempt to address the nursing shortage issue. SB 1351 is one attempt to establish scholarship employer matching fund, and loan repayment programs for students pursuing initial or advanced degrees in nursing. These programs are being administered through the Texas Higher Education Coordinating Board.

The initial financial support of the program by Texas nurses demonstrates a concern for and loyalty to the future of nursing. Several health-related organizations are responding to this positive display of commitment with a promise of future financial support for the continuation of this program. Nursing's cooperation in the implementation of this program will hopefully encourage permanent funding from other sources. Since the assessment of the \$10.00 fee ends August 31, 1991, the promise of future monies is vital to the continued existence of the financial aid program.

If you have a practice related question that you would like to have us respond to through the Board's newsletter, send your question to:

Cady Crismon, M.S.N., R.N.
Nursing Consultant
Board of Nurse Examiners
Box 140466
Austin, Texas 78714

PROPOSED RULES AND ADOPTION OF PROPOSED RULES

The following rules were adopted at the March 20-22, 1990, meeting of the Board of Nurse Examiners without changes to the proposed text. They will be published in a future issue of the Texas Register.

- **Rule 211.6** - Committees
- **Rule 223.1** - Fees
- **Repeal of Rule 217.15** - Licensure of Persons with Criminal Convictions
- **Rule 213.19** - Licensure of Persons with Criminal Convictions
- **Rule 213.20** - Licensure of Persons Who Have Been Hospitalized or Treated for Mental Illness or Chemical Dependency.

The following rules are now in effect:

- **Rule 217.18** - Prohibition of Copying the License/Permit/Permanent Certificate of a Registered Nurse/Graduate Nurse. This rule was published in the February 6, 1990, issue of the Texas Register and became effective February 20, 1990.
- **Emergency Rules 221.1, 221.7, 221.8**, regarding Definitions, Carrying out Prescription Drug Orders and Enforcement for Advanced Nurse Practitioners were published in the February 9, 1990, issue of the Texas Register and became effective immediately.

Proposed Rules:

Rules 221.1, 221.7, 221.8, regarding Definitions, Carrying out Prescription Drug Orders and Enforcement for Advanced Nurse Practitioners were published in the February 9, 1990 issue of the Texas Register. There will be a public hearing on these proposed rules on May 15, 1990.

If there are any questions about these rules, contact the Board of Nurse Examiners, Examination/Education Department at (512) 835-8650.

EXAMINATION DATES

The National Council Licensure Examination for Registered Nurses (NCLEX-RN) will be held in Austin, Galveston, and Fort Worth on the following dates:

- 1990: July 11-12 (W-Th)
- 1991: February 5-6 (T-W) and July 9-10 (T-W)

RULES ON PRESCRIPTION DRUG ORDERS FOR ADVANCED NURSE PRACTITIONERS

The Board of Nurse Examiners (BNE) reviewed the recommended rules presented by the Advisory Committee on Prescription Drug Orders at their January 23-25, 1990, meeting. It was the decision of the Board to accept and publish these rules as emergency and proposed rules. They were published in the Texas Register on February 9, 1990, with an effective date retroactive to February 1, 1990.

The following are responses to often asked questions regarding the implementation of the rules on prescription drug orders:

SHOULD YOU APPLY?

Advanced Nurse Practitioners (ANPs) are **not obligated** to seek this approval. The application is **optional** for those who meet the requirements and desire to utilize presigned prescriptions in their practice.

WHO IS ELIGIBLE?

RNs must meet the following requirements:

1. Be approved by the BNE as an ANP with a current Texas RN license.
2. Function in an approved site. These are defined as:
 - (a) Rural Health Clinic, designated by the Health Care Financing Administration (HCFA).
 - (b) Medically Underserved Area, designated by U.S. Department of Health and Human Services (USDHHS).
 - (c) Health Manpower Shortage Area, designated by USDHHS.
 - (d) Family Planning Clinic, under contract with Texas Department of Human Services or Texas Department of Health.
 - (e) Public Health Clinic, under contract with Texas Department of Health.
3. Utilize protocols which address prescription drug orders; and
4. Have adequate physician supervision according to the following conditions:
 - (a) The physician visits the clinical site at least once a week;

- (b) The physician receives daily status reports from the ANP regarding complications; and
- (c) The physician is available for consultation by direct telecommunications.

IT IS THE INDIVIDUAL ANP'S RESPONSIBILITY TO ASSURE THAT HE/SHE WORKS IN AN APPROVED SITE IN TEXAS AND HAS ADEQUATE PHYSICIAN SUPERVISION.

CAN YOU APPLY LATER WHEN YOU MEET THE REQUIREMENTS?

Yes, ANPs can apply at any time when they meet requirements and need the authority to use presigned prescriptions.

WHAT MEDICATIONS ARE APPLICABLE?

Only those drugs classified as Dangerous Drugs can be initiated by the ANP who is approved by the BNE.

HOW WILL THE ANP ACTIVATE PRESIGNED PRESCRIPTIONS?

The prescription must be presigned by the physician. The ANP initiates the presigned prescription by providing the following information on the prescription:

1. The patient's name and address;
2. The drug to be dispensed;
3. Directions to the patient;
4. The physician's name, address, and telephone number;
5. The clinic address and telephone number;
6. The ANP's name, identification number and signature;
7. The date; and
8. The number of refills permitted.

To inform ANPs about limited "prescriptive privileges," applications have been mailed to all ANPs approved by the Board. ANPs need not send in the application if they do not meet the requirements or require the authority to use presigned prescriptions.

If you need further information regarding the rules or the application process, please contact Kathy Thomas, M.N., R.N., C.P.N.P., Nursing Consultant, at the Board's office (Box 140466; Austin, Texas, 78714; 512-835-8650). Please mark all correspondence "ATTN: ANP" to expedite routing.

AGENCIES THAT WILL ACCEPT WRITTEN VERIFICATION FROM THE BNE ON RN LICENSURE

In developing Rule 217.18 (Prohibition of Copying the License/Permit/Permanent Certificate of a Registered Nurse/Graduate Nurse), written verification was obtained from both the Joint Commission on Accreditation of Healthcare Organizations and the Texas Department of Health, Health Facility Licensure and Certification Division (Medicare) that neither agency required facilities to maintain photocopies of registered nurse licenses. Both organizations do, however, require that facilities have written documentation assuring verification of current licensure. This might be done by viewing the nurse's original, current licensure and recording in a log the RN's name, license number, date of expiration and initials of the individual who verified that the license is current. If necessary, licenses can be verified with the Board by phone or by written request. With the VIPS phone system (512-835-4880), licenses may be verified twenty-four hours a day.

UPDATE ON TEMPORARY PERMITS

Any employers providing blank temporary permit applications with instructions telling applicants to attach a photocopy of their current RN license and \$15.00 fee to the application, should discard those applications.

To comply with Rule 217.18, the Board of Nurse Examiners has updated the temporary permit application and approval procedure. This application must be notarized and requires the state and license number where the applicant is currently licensed. The permit fee is \$15.00. Once we receive the new, completed application for temporary permit and correct fee, we will call the nursing board where the applicant is currently licensed to verify licensure status. Allow approximately seven working days to process the permit application. The permit is effective for 90 days and is not renewable.

Please discard any of the old applications. Requests for new temporary permit applications should be made in writing to the Board's office (Box 140466; Austin, Texas 78714; 512-835-4880, Ext. 37).

THE BOARD PUBLISHES

Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice (September 1989 Revision) - Tax Exempt: \$3.50 With Tax: \$3.77; Nurse Practice Act - Tax Exempt: .50 With Tax: .54; Report From the Board of Nurse Examiners (Per Year) - Tax Exempt: \$2.50 With Tax: \$2.69.

Send check or money order (7 3/4% of total bill for sales tax) to the office of the Board of Nurse Examiners. You must supply number if you are tax exempt.

EDUCATION REPORT

At the January 23-25, 1990, and March 20-22, 1990, meetings of the Board of Nurse Examiners, the Board approved the following:

1. The development of Corpus Christi State University generic Baccalaureate Degree Nursing Program;
2. An extended campus at Weatherford of Tarleton State University Associate Degree Nursing Program;
3. A position statement regarding faculty/student ratio in the clinical setting which was sent to all the professional nursing programs in Texas;
4. A curriculum change for the Cooke County Associate Degree Nursing Program in Gainesville; and
5. The use of preceptors in an elective course, Nursing Care of the Transplant Client, offered by Baylor University Baccalaureate Degree Nursing Program at Dallas.

Based upon the growing evidence that some nurses become chemically impaired prior to or during the nursing program, the Board members expressed concern as to the teaching-learning activities included in nursing curriculum on chemical dependency and the availability of resources for rehabilitation. Directors of nursing programs are requested to discuss this problem with faculty.

CONSUMER ALERT

The Board of Nurse Examiners for the State of Texas does not endorse and is not affiliated with the services provided by Debra K. Moore of Moore Educational Publishers from Nashville, Tennessee. Ms. Moore is not approved to offer an external degree nursing program in Texas. The only external degree nursing programs approved for licensure by the Board of Nurse Examiners are the University of the State of New York Regents College Degrees.

A representative of these programs has indicated that they have no affiliation with Ms. Moore's services nor advise students to contact Ms. Moore for information concerning their programs. If you are interested in this type of program, please write directly to them. The address is: Regents College Degree Program; Cultural Education Center; Room 1919; 99 Washington Avenue; Albany, New York, 12230; (518) 473-8957. They offer both ADN and BSN programs.

DEBITS

As of March 31, 1990, the following nurses appear on the records of the Board of Nurse Examiners as debits for failure to respond to notices of returned checks. Should any of these nurses be in your employ or seek employment with your agency/institution, please contact the Board's office.

If any of these nurses are practicing in Texas as a Registered Nurse, they are in violation of the Nurse Practice Act and would be subject to disciplinary action by the Board of Nurse Examiners.

<u>NAME</u>	<u>LICENSE # OR PERMIT</u>
Clark, Victoria	50398 Permit
Conti, Angela	552231 License
Craft, Betty	546665 License
Dennis, Patricia	503975 License
Felkins, Bettye	557452 License
Filler, Marcia Ann	553220 License
Glisson, James	239549 License
Jenkins, Victor	517158 License
Jones, Cherie	241063 License
Kuntz, Eileen	514331 License
Masters, Mary	550218 License
McChurch, Margaret	552445 License
O'Connell, Anna	57239 Permit
Olivier, Marie	56711 Permit
Pangilinan, Julie	445792 License
Robinson, Lynn	518008 License
Rosko, Lisa Marie	538707 License
Sanderson, Brenda	538111 License
Simbulan, Perpetua	514868 License
Strouhal, Susan	557026 License
Tucker, Sherri	58040 Permit
Vasquez, Emerald	207588 License
Young, Alma	238650 License
Zutell, Jean	57374 Permit

NOTICE TO NON-PAYING RECIPIENTS

"All units of state government and all local political subdivisions which expend appropriated state funds to publish periodicals on quarterly intervals or more frequently than quarterly intervals at no charge shall insert annually in such periodicals a notice, in three consecutive issues, indicating that anyone desiring to continue to receive the publication must so indicate in writing. The agency shall furnish future publications only to those persons requesting." This is our second notice. This quarterly newsletter is sent to directors of nursing service, schools of nursing, state boards of nursing and employers of registered nurses without charge. If you are in one of these categories and wish to continue to receive the "Report From the Board of Nurse Examiners," then send a postcard with your name, title and address.

WARNING/ALERT

- **SHIRLEY J. SMITH** applied for a position as an R.N. at a health care agency in Brownwood, Texas, but failed to show up for the final interview. Upon verification with the BNE, the agency discovered that Ms. Smith is not licensed to practice professional nursing in the State of Texas.
- **MARCELLA STEMBEROVA** has been working for a corporation in San Antonio, Texas, as a Health and Safety Coordinator. Ms. Stemberova has been performing the duties of an RN by administering first aid treatment. Ms. Stemberova is not licensed to practice professional nursing in the State of Texas.

If you have any knowledge or information regarding the employment practices of these individuals, please contact the Board's Investigations and Enforcement Department immediately, at 512-835-8686.

DISCIPLINARY ACTION - JANUARY AND MARCH, 1990

<u>NAME</u>	<u>LICENSE #</u>	<u>VIOLATION</u>	<u>DATE</u>
REVOKE			
LaTunya Sans Burton	551080	@	1-24-90
Mary Elaine Grant	465020	4525a(7)	1-25-90
Josie Kemp	239756	4525b	1-25-90
Ella L. Brown Lester	225172	4525a(11)	1-24-90
Steven Harold Miller	511024	4525a(7)	1-25-90
Charles Montgomery	548054	4525a(7)(9)	1-24-90
Gregory Paul Pollio	242101	4525a(11)	1-24-90
Eileen Marie Terry	454031	4525b	1-24-90
Henry S. Wheeler	537981	4525a(8)	1-24-90
Clinton D. English	544279	4525a(9)	3-21-90
Evon Ingrid Fitch	439668	4525a(1)(9)	3-21-90
Robert G. Igleheart	504080	4525a(7)	3-21-90
Joe Albert Mendoza	551621	4525b	3-21-90
Rose Ann Mills	546596	4525a(1)(2)	3-21-90
Jennifer J. Rittman	438824	4525a(7)	3-22-90
Cathy Ann Wallace	456423	4525a(7)	3-22-90

SUSPEND AND PROBATE

Evelyn M. Chung	246494	@	1-24-90
Earl D. Day	516513	@	1-25-90
Gabrielle Margarete Pollom	549377	@	1-25-90
Arlene M. Silveria	242135	@	1-25-90
Opal Lee Coleman	511100	*	1-24-90
Carol D. James	530246	*	1-24-90
Kimberly A. Alchalabi	250537	@	3-21-90
James A. Milligan	536972	4525a(7)	3-22-90
Jon Michael Myer	514662	@	3-21-90
Anita K. Schwartz	530727	@	3-21-90
Mark O. Sides	256436	@	3-21-90

REPRIMAND WITH STIPLULATIONS

Eva E. Miller McElveen	410025	@	1-25-90
Carole I. Quinn Ogle	411795	@	1-25-90
Letitia A. Grams Byrne	234544	*	1-24-90
Josephine Apostol Bayona	551005	4525a(7)	3-21-90
Judith A. Gerath	249066	@	3-21-90
Margaret R. Harper	500315	@	3-21-90
Michael Eugene Ault	558297	*	3-21-90
Charles Trent Davis	558539	@	1-24-90
Nedra Gay Haney Clarke	514644	@	1-24-90

REPRIMAND

Wilhelmina C. Somera	510297	4525a(9)	1-24-90
Susan Ann Venable	545276	@	1-25-90
Debbie C. Brown	539798	*	1-24-90
Shelin Y. Thomas	537901	*	1-24-90
Susan E. Pugh	522422	@	3-21-90
Mary Spurlock	Applicant	*	3-21-90

REINSTATEMENT WITH STIPLUATIONS

Cheryl Ann Causey	250053		1-24-90
Cheryl E. Pruns	526539		1-24-90
Carol Anne Thar (Gano)	532349		1-25-90
Sharon J.B. Cummins	227484		3-21-90

THE LEGAL EAGLE

In each issue of the Board's newsletter, Joan Stewart, attorney for the Board of Nurse Examiners will be responding to questions regarding the Nurse Practice Act, the Board's Rules and Regulations, and any other legal issues.

If you have a question you would like to ask Joan Stewart, the Board's "Legal Eagle," then send your question to:

Joan Stewart, Attorney
Board of Nurse Examiners
Box 140466
Austin, Texas 78714

The following are some questions that the Legal Eagle wishes to respond to:

Dear Legal Eagle:

Is there any protection for an RN who has refused to go to an area to work that is totally foreign to her? I was pulled to work in a neurological intensive care unit from postpartum unit (where I have worked for 35 years), and I refused to go as I know nothing about NICU and was suspended for three days as a result of my "insubordination." Do I have any recourse? Mind you, I have been nowhere but maternity for 35 years.

Signed,
Maternity Nurse

Dear Maternity Nurse,

Yes, there is recourse for you and for all nurses that have found themselves in this unfortunate position. First of all I want to tell you that the Board's standards of nursing practice rules support the position that you chose. Rule 217.11(13) says that the registered nurse shall accept only those nursing assignments that are commensurate with his/her educational preparation, experience, and knowledge of patient safety.

The Board's standards, Rule 217.11(11), also state that a registered nurse shall make assignments to other nursing personnel that take into consideration patient safety and that are commensurate with the personnel's educational preparation, experience, and knowledge. The Nurse Practice Act provides that: "Each registered nurse having reasonable cause to suspect that a registered nurse has exposed or is likely to expose a patient or other person unnecessarily to a risk of harm because of...failure to conform to the minimum standards of acceptable professional nursing practice...shall report in a signed, written report to the Board the name of the nurse committing the violation or suspected violation and any other pertinent information within the nurse's knowledge as the Board may require."

Dear Legal Eagle:

I am a school nurse with two campuses, kindergarten through fifth grade. When I'm on duty at school A, the clinic at school B is covered by office staff and a mother volunteer and vice versa. I am on call in an emergency.

I've been told that I am libel for anything that goes on in the clinics of my schools whether I am there or not. Can my license actually be "on the line" in my absence just because the school has been assigned to me by my district?

Signed,
School Nurse

Dear School Nurse,

Who told you that? Your license is not "on the line" in your absence just because a school has been assigned to you by your district. Unless you have delegated nursing tasks to the office staff and/or the volunteer mother, you are not libel for what they do.

Dear Legal Eagle:

In reference to the letter from any small hospital, Texas (January/February newsletter issue), there are some small hospitals in Texas that operate their peer review properly. I personally sat on a review committee with three other registered nurses. We conducted ourselves very professionally. The purpose of our committee was to listen to all evidence and decide if any patient had been put in jeopardy by a nurse's actions or judgement on one particular evening. We objectively weighed all the evidence from each side and decided on a strict probation period of three months with certain restrictions for our peer. Anyone who has ever sat on a peer review committee knows and understands how emotionally draining it can be. The situation is very tense not only for the nurse in question but also for the nurses forced to sit on the committee who know her personally and have worked with her. The decision our committee handed down was fair and not unjust. But why must nurses go through this foolishness just for show? Because it is all just for show when administration is allowed to overrule our decision and let this nurse return to work with absolutely no restrictions. It is very hard to hand down a decision like ours without a great deal of thought and concern for patient care and safety. But I must add that this particular nurse was not just a nurse, but a nurse that happens to be married to a doctor. Yes, peer review committees can handle a review properly in a small hospital, but unfortunately administrators who understand nothing about nursing concerns and nursing process cannot handle it properly. When is the profession going to start governing nurses without allowing administration to have the final say?

Signed,
Another small hospital in Texas

Dear Another small hospital in Texas,

Since I don't know how your peer review committee is designed, I can't answer your question directly. I would like to make it clear, however, that the Nurse Practice Act authorizes employers to design peer review committees to be only advisory. Article 4525a (c) of the Nurse Practice Act states that:

"[R]eview by the peer review committee is only advisory. The requirement may not be construed as subjecting an employer's or other person's administrative decision to discipline a registered nurse to the peer review process or as preventing an employer or other person from taking disciplinary action before review by the peer review committee is conducted."

The employer is never subject to the findings made by a peer review committee. It is nursing administration's responsibility to make the final determination regarding the discipline of a registered nurse.

OVERVIEW OF NURSING MANPOWER IN TEXAS

A record number of 3,850 candidates are expected to take the July, 1990 National Council Licensure Examination for Registered Nurses (NCLEX-RN). Based upon reports provided by the directors of Texas professional nursing programs, the Board of Nurse Examiners estimates that over 3,000 newly graduated candidates, plus an additional 850 foreign graduates, repeating candidates, and newly graduated candidates from out-of-state will take the July examination. This is an estimated 18% increase of new Texas graduates over the 2,457 who took the July, 1989 examination. This number will exceed the record of 2,656 first time Texas graduates taking the examination in 1978. Taking the February, 1990 NCLEX-RN were 1,973 candidates, which was the largest number of February candidates since 1985. Nine hundred fifteen (915) of these Texas nursing program graduates took the examination for the first time. This is a 16.5% (151) increase of first-time candidates over the February 1989 number.

The results from the February 1990 NCLEX-RN indicate a 92% pass rate for first-time Texas candidates. This is an additional 841 RNs who are qualified for various professional nursing positions.

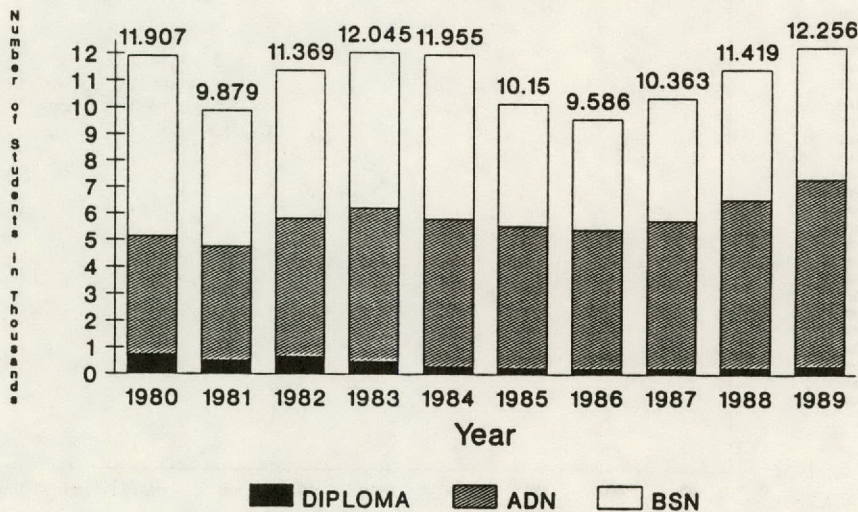
The 1989 data illustrates a growth of enrollment in professional nursing programs for a total of 12,271 students. This represents an increased enrollment of 852 (6.9%) students when compared to 1988 and an increase of 1,908 (15.5%) students when compared to the 1987 fall enrollment (Figure 1).

The 1989 enrollment data reflects a 14.8% increase in Associate Degree Nursing students, a 22.5% increase in diploma students, and a 7.1% increase in baccalaureate nursing program enrolees.

The number of enrolees in Baccalaureate Nursing Programs is especially troublesome because this is the source of nurses who will seek higher degrees in nursing and ultimately leadership positions. Currently, clinical agencies and schools of nursing are vying for nurses with advanced degrees to assume teaching, administrative, and other leadership roles.

Only 6.28% of licensed RN's working in Texas have masters degrees and less than 1% have doctorates. This small percentage of nurses with advanced degrees is a contributing factor to the current nursing faculty shortage. There were 43 full-time and 17 part-time budgeted vacancies in generic nursing programs in the 1988-89 academic year. Another factor may be that faculty salaries are not competitive with clinical agencies' salaries, thereby attracting faculty into these agencies. Also, the economic downturn in Texas is possibly making some parts of the state less desirable for relocation.

Enrollments in Schools of Nursing
Preparing Individuals for Initial
R.N. Licensure



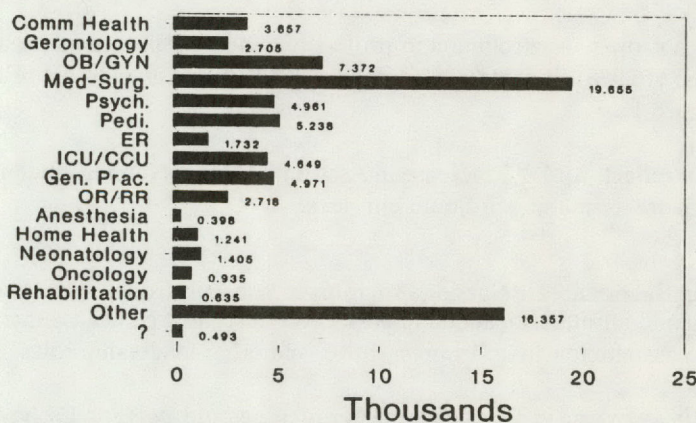
Board of Nurse Examiners - FIGURE 1

Continued.....

The 1989 statistics from the Board of Nurse Examiners indicate that 116,570 registered nurses are currently licensed to practice professional nursing in Texas. Of these RNs, 99,944 (85.7%) currently reside in Texas, and 79,076 (79%) of the residents are employed in various clinical practice areas. Of the 79,076 RNs employed in Texas, 55,858 (70.6%) work in Texas hospitals. Although a majority of RNs work in hospitals, RNs are also employed in expanded roles such as certified registered nurse anesthetists, nursing administrators, researchers, and consultants. Nursing care is now provided through additional avenues such as home health care agencies, extended care facilities, and clinics. The demand for nurses in a wide variety of areas such as gerontology, home health, and rehabilitation is increasing; however the percentage of nurses employed in these areas remains small (see Figure 2).

**LICENSED AND EMPLOYED RNS
By Practice Area**

Practice Areas



Board of Nurse Examiners, 1/2/90- Fig. 2

A study of the growth pattern for the last ten years indicates that the number of RNs licensed in Texas steadily increased from 1979 to 1986 (see Figure 3). In 1987, the number remained approximately the same as the number licensed in 1986. Possible factors contributing to this stabilization include the 12% decline in the number of students graduating from Texas nursing schools in 1986 and 1987 and the decreased number of RNs moving to Texas. An increased number of RNs were licensed in the state from 1987 to 1989. Overall, from 1979 to 1989, the number of registered nurses in Texas increased 36%.

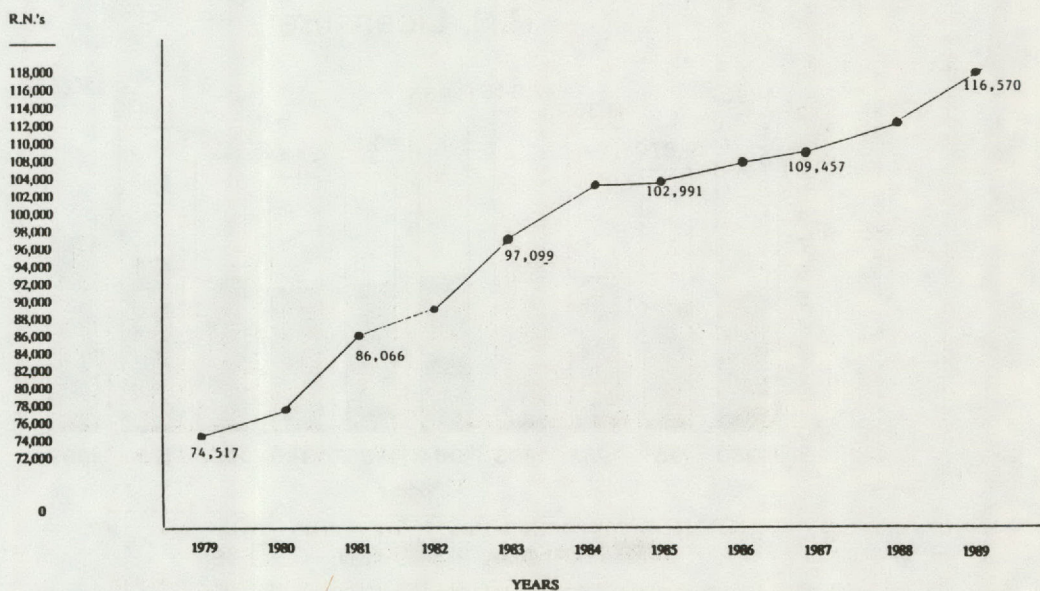


Figure 3: Number of Registered Nurses Licensed in Texas, 1979-1989

Continued....

The patterns of licensure by examination and endorsement for the years 1979 to 1989 show marked variability in the numbers of RNs licensed by endorsement and some variability in those licensed by examination (see Figure 4).

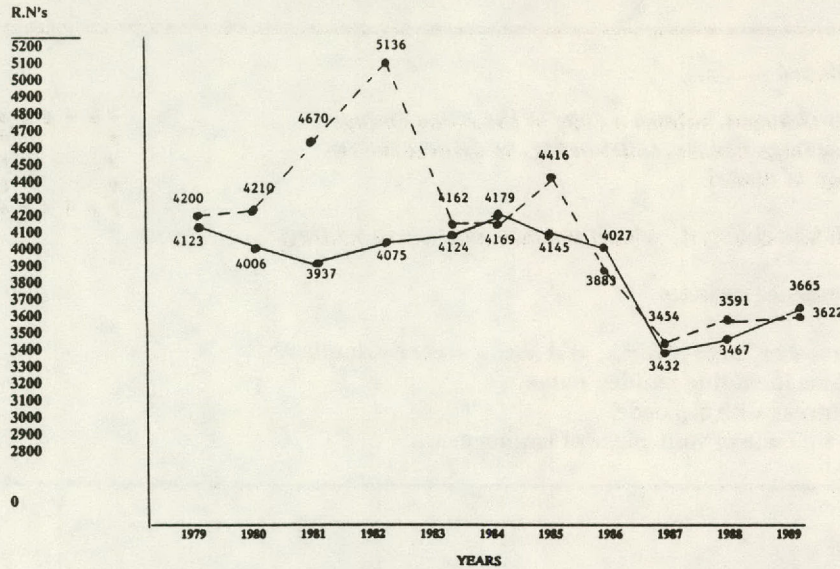


Figure 4: Texas RN Licenses issued by Examination and Endorsement, 1979-1989

Examination _____
Endorsement - - - - -

From 1982 to 1988, there was a steady increase in RN licenses verified to other states (Figure 5). However, an unusual incident occurred in August, 1988, which resulted in an increased number of registered nurses seeking licensure in California because of a nursing strike and the promise of higher wages. Based upon a review of the Board's records, 254 of those nurses verified to California remain currently licensed in Texas. Therefore, the 1988 figures showing that 4,031 RN licenses were verified to another state may not reflect an accurate picture of those RNs leaving the state. Anecdotal reports from some Texas RNs who requested verification to other states at this time indicated that the depressed Texas economy was a factor in their decision to relocate outside Texas. In comparison to verifications, there is much more variability in the number of RN licenses issued by endorsement. Since 1987, the endorsement figure is slowly increasing.

A conscientious effort must be made to systematically evaluate this data and develop long-term plans so that the end result is beneficial for the health care of the citizens of Texas. The approach must not be a "quick fix" which further perpetuates problems; rather, it should be a plan that provides a positive impetus for high-quality nursing in Texas.

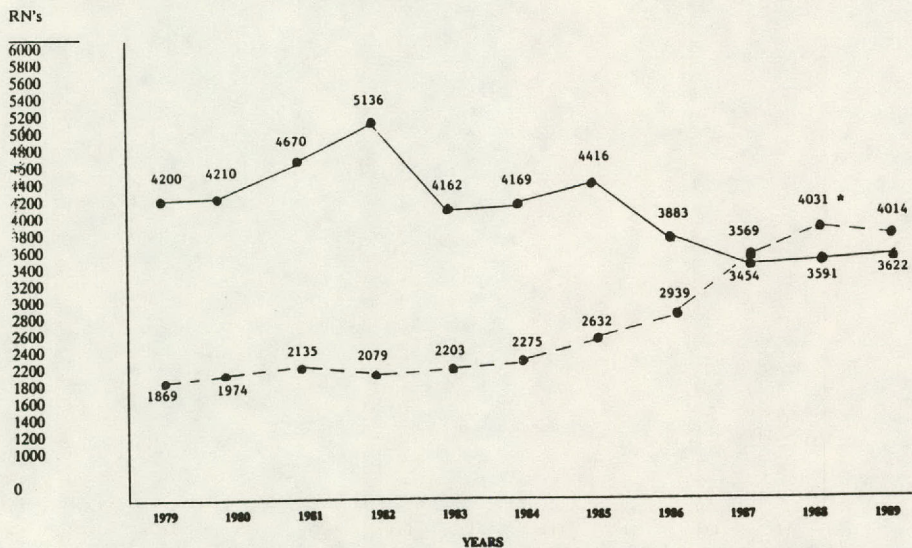


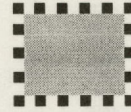
Figure 5: Texas RN Licenses Issued by Endorsement and RN's Verified to Other States, 1979-1989

*Note: A larger number of RN licenses were verified to California in 1988 due to a nursing strike. Records indicate that 254 of those RN licenses verified to California in August 1988 remain currently licensed in Texas.

Endorsement _____
Verification - - - - -

Please notify the Board

If your NAME has changed, submit a copy of the name change document (i.e., marriage license, court order, or divorce decree that reflects change of name).



If your ADDRESS has changed, submit the new address in writing.

With all correspondence include:

1. RN license number, date of birth, and social security number.
2. Complete name including maiden name.
3. Complete address with zip code.
4. County and zip code of your place of employment.

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