

**Texas Board of Nursing  
Summary of Recommendations - Senate**

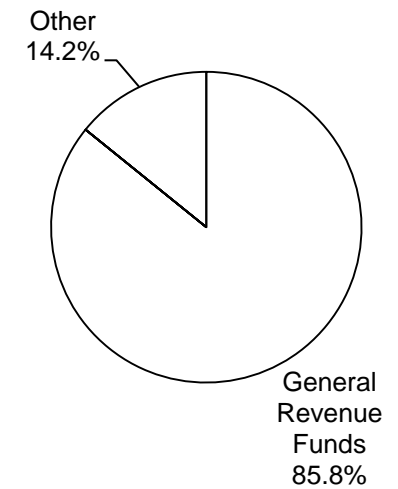
VIII-40

Katherine Thomas, Executive Director

Clifford Sparks, LBB Analyst

Method of Financing	2010-11 Appropriations	2010-11 Base	2012-13 Recommended	Biennial Change	% Change
General Revenue Funds	\$15,355,816	\$16,283,111	\$14,133,490	(\$2,149,621)	(13.2%)
GR Dedicated Funds	\$0	\$0	\$0	\$0	0.0%
<i>Total GR-Related Funds</i>	<i>\$15,355,816</i>	<i>\$16,283,111</i>	<i>\$14,133,490</i>	<i>(\$2,149,621)</i>	<i>(13.2%)</i>
Federal Funds	\$0	\$0	\$0	\$0	0.0%
Other	\$1,646,200	\$2,335,996	\$2,335,996	\$0	0.0%
<b>All Funds</b>	<b>\$17,002,016</b>	<b>\$18,619,107</b>	<b>\$16,469,486</b>	<b>(\$2,149,621)</b>	<b>(11.5%)</b>

RECOMMENDED FUNDING  
BY METHOD OF FINANCING



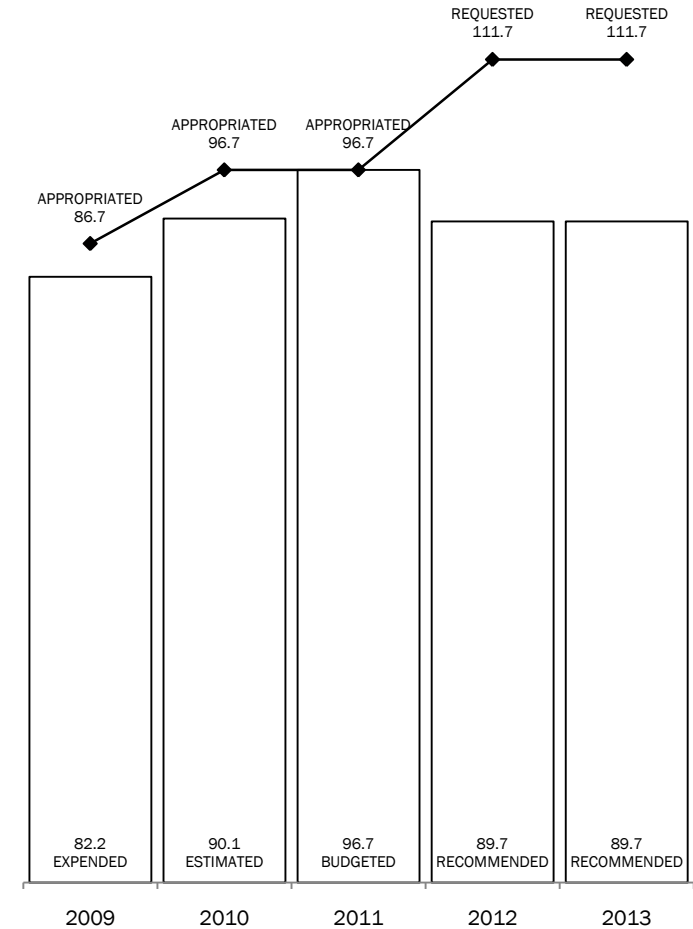
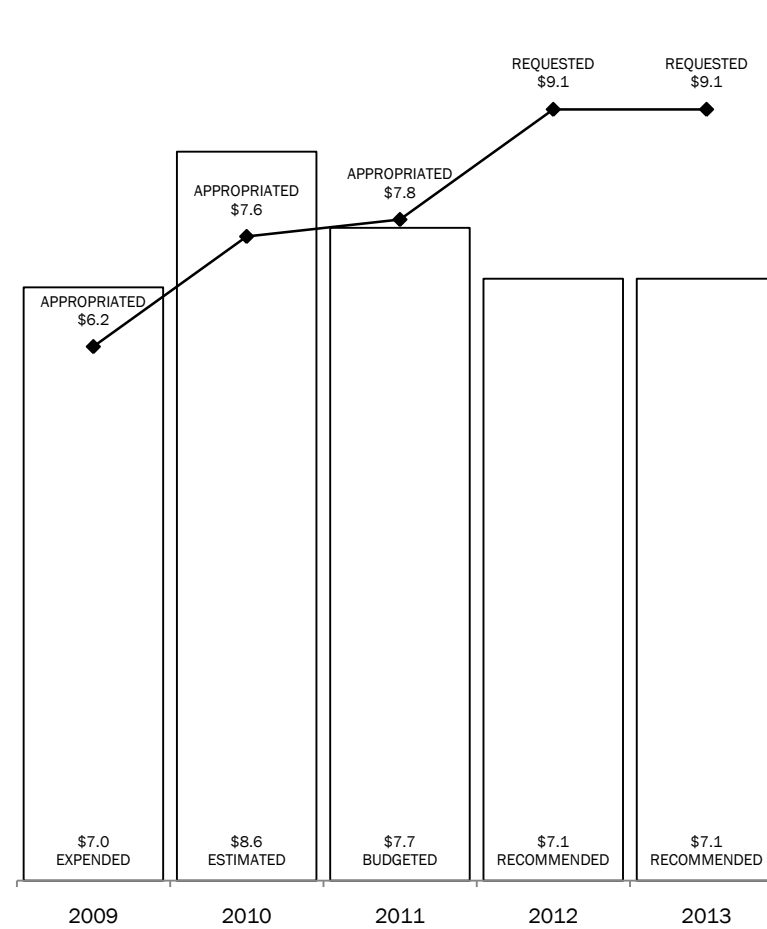
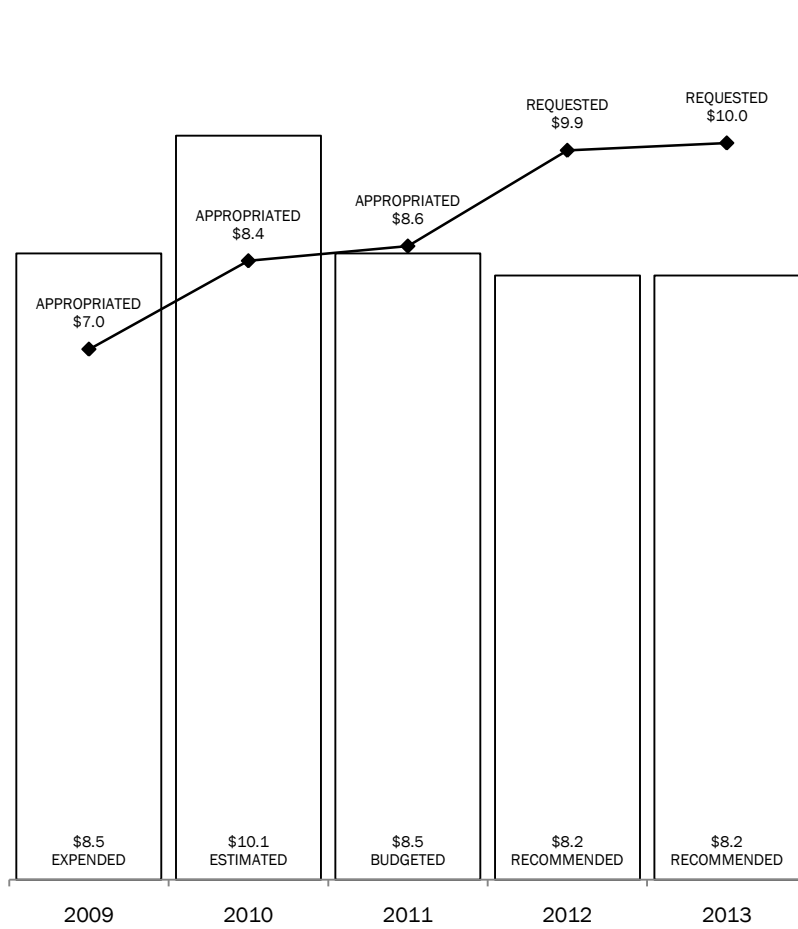
FTEs	FY 2011 Appropriations	FY 2011 Budgeted	FY 2013 Recommended	Biennial Change	% Change
	96.7	96.7	89.7	(7.0)	(7.2%)

The bill pattern for this agency (2012-13 Recommended) represents an estimated 100% of the agency's estimated total available funds for the 2012-13 biennium.

ALL FUNDS

GENERAL REVENUE AND  
 GENERAL REVENUE-DEDICATED FUNDS

FULL-TIME-EQUIVALENT POSITIONS



**Texas Board of Nursing**  
**Summary of Recommendations - Senate, By Method of Finance -- ALL FUNDS**

Strategy/Goal	2010-11 Base	2012-13 Recommended	Biennial Change	% Change	Comments (Optional)
LICENSING A.1.1	\$5,332,432	\$4,562,142	(\$770,290)	(14.4%)	
TEXASONLINE A.1.2	\$728,750	\$728,750	\$0	0.0%	
ACCREDITATION A.2.1	\$1,048,772	\$969,300	(\$79,472)	(7.6%)	
<b>Total, Goal A, LICENSING</b>	<b>\$7,109,954</b>	<b>\$6,260,192</b>	<b>(\$849,762)</b>	<b>(12.0%)</b>	
ADJUDICATE VIOLATIONS B.1.1	\$8,365,823	\$7,156,630	(\$1,209,193)	(14.5%)	
PEER ASSISTANCE B.1.2	\$1,330,000	\$1,330,000	\$0	0.0%	
<b>Total, Goal B, PROTECT PUBLIC</b>	<b>\$9,695,823</b>	<b>\$8,486,630</b>	<b>(\$1,209,193)</b>	<b>(12.5%)</b>	
INDIRECT ADMIN - LICENSING C.1.1	\$1,100,120	\$1,045,114	(\$55,006)	(5.0%)	
INDIRECT ADMIN - ENFORCEMENT C.1.2	\$713,210	\$677,550	(\$35,660)	(5.0%)	
<b>Total, Goal C, INDIRECT ADMINISTRATION</b>	<b>\$1,813,330</b>	<b>\$1,722,664</b>	<b>(\$90,666)</b>	<b>(5.0%)</b>	
CONTINGENCY REGULATORY RESPONSE D.1.1	\$0	\$0	\$0	0.0%	
<b>Total, Goal D, CONTINGENCY REGULATORY RESPONSE</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0%</b>	
<b>Grand Total, All Strategies</b>	<b>\$18,619,107</b>	<b>\$16,469,486</b>	<b>(\$2,149,621)</b>	<b>(11.5%)</b>	<ul style="list-style-type: none"> <li>• Decrease General Revenue funding by \$60,000 for the scheduled replacement of Information Resource Technologies (See Selected Fiscal and Policy Issues #1).</li> <li>• Decrease General Revenue funding by \$1.8 million in fiscal year 2012-13 for Criminal History Background Checks (See Selected Fiscal and Policy Issues #3).</li> <li>• Decrease General Revenue funding by \$227,034 in fiscal year 2012-13 for one-time merit increases (See Selected Fiscal and Policy Issues #6).</li> <li>• Decrease General Revenue funding by \$95,086 for an amount equivalent to the 5 percent reduction exemption for Criminal History Background Checks and Health Professions Council realized in 2010-11 (See Selected Fiscal and Policy Issues #6)</li> <li>• Restore General Revenue funding in the amount of \$32,500 in 2012-13 for an amount equivalent to 5 percent of 2010-11 appropriations for Texas Online (See Selected Fiscal and Policy Issues #10).</li> </ul>

**Board of Nursing  
Selected Fiscal and Policy Issues**

1. **Capital Budget.** Recommendations decrease capital budget authority and funding by \$30,000 in each fiscal year for the scheduled replacement of desktops, laptops, servers, printers and monitors (See Rider Highlights #2 and Items Not Included in Recommendations #4).
2. **Criminal History Background Checks.** Recommendations reduce \$1.8 million for the biennium in General Revenue pass through amounts from the agency's 2010-11 funding level. The amount of Criminal History Background Check (CHBC) expenditures totaled \$3.6 million in 2010-11, which exceeded initial estimated amounts included in the agency's 2010-11 appropriations by \$1.8 million. The increase was a result of the agency increasing the number of background checks performed on students entering nursing school and the general renewal population. The agency has projected the amount of background checks to return to \$928,225 each fiscal year (initial 2010-11 projected levels) for 2012-13. Appropriations for CHBC are estimated and amounts included in the agency's budget for the biennium are reflected in the Special Provisions of Article 8, Section 6, Contingency Appropriation for Criminal History Record Information.
3. **Staffing Levels.** Recommendations decrease FTEs by 7.0 for positions frozen by the agency for salary savings in response to the 5 percent reduction requirement in 2010-11. Due to the salaries for these positions being used for the 5 percent reduction, recommendations do not fund these positions in 2012-13 (See Items Not Included in the Recommendations #1).
4. **Request to Exceed.** On 4/30/2010 the Board of Nursing submitted a request to exceed its FTE cap by 4.0 FTEs each fiscal year to address an increase in the volume of Advanced Practice Registered Nurse Applications (APRN) and case load growth from Criminal History Background Checks. The request was approved on January 13, 2011. The recommendations do not reflect the additional 4.0 FTEs because the request was not confirmed by both the Legislative Budget Board and the Governor's Office before the recommendations were established. No additional General Revenue is anticipated to be spent for this purpose as these positions were to be funded with available Appropriated Receipts.
5. **One-Time Funding Reductions.** Recommendations reduce General Revenue funding by \$227,034 for one-time merit increases provided in 2010-11. Recommendations also include reducing General Revenue funding by \$95,086 for an amount equivalent to the 5 percent exemption for Criminal History Background Checks and Health Professions Council realized in 2010-11.
6. **Appropriated Receipts.** Recommendations continue Appropriated Receipts funding at 2010-11 spending levels of \$2.3 million due to the requirement that nursing school students and licensees purchase newsletters and the continued growth in the number of nursing schools and student population. The agency is requesting a conservative biennial amount of \$1,646,200 from the purchase of newsletters and reimbursements from seminars and conferences.
7. **Texas Center for Nursing Workforce Studies.** Recommendations continue Interagency Contract Funding by \$365,000 each fiscal year to the Department of State Health Services to provide funding for the Texas Center for Nursing Workforce Studies. Added by the 81<sup>st</sup> Legislature, the center serves as a resource for data and research on the nursing workforce in Texas. This includes collecting and analyzing data on nurses in Texas in regard to educational and employment trends, supply and demand trends, Nursing workforce demographics and the migration of nurses.

8. **Contingency Legislation for HB 3961.** Recommendations for 2012-13 do not include \$300,000 in General Revenue funding for the regulation of nurses as the agency elected not to increase fees and were unsuccessful in finding grant appropriations for the same purpose. HB 3961 established regulations regarding confidentiality requirements and the authority of the Board of Nursing to require a nurse or applicant to submit to physical or psychological evaluation. The legislation authorized the Board of Nursing to increase the surcharge for renewing a registered nurse or vocational nurse license to generate fees to transmit to the Department of State Health Services for the Texas Nursing Resource Center to conduct a study of alternate ways to assure clinical competency of graduates of nursing educational programs. The entire appropriation authority amount (\$300,000) budgeted for this purpose in 2010-11 was lapsed by the Board of Nursing due to the Board electing to not raise fees to fund the implementation of this initiative.
9. **Texas Online.** Recommendations provide funding for Texas Online at the agency's 2010-11 spending levels (\$364,375 each year) and restore an amount equivalent to 5 percent of amounts appropriated to the agency in 2010-11 for this purpose (\$32,500). The agency requested a restoration of the full 5 percent reduction that it realized in 2010-11; however, the recommendations only restore the portion for Texas Online. In 2010 the agency reported licensing more registered nurses than anticipated and licensing a higher number of those licenses through the online portal than anticipated.

**Section 4**

**Board of Nursing  
Performance Review and Policy Report Highlights**

Reports & Recommendations	GEER Report Page	Savings/ (Cost)	Gain/ (Loss)	Fund Type	Is included in the Introduced Bill	Action Required During Session
<b>Increase Access to primary Care Services by Allowing Advanced Practice Registered Nurses to Prescribe</b>	297					
<p>1. Amend statute to include "advanced assessment, diagnosing, prescribing, and ordering" in the scope of practice for advanced practice registered nurses.</p> <p>2. Amend statute to require the Board of Nursing to adopt rules for assigning prescriptive authorization to a qualified advanced practice registered nurse who has completed 3,600 hours of practice within a delegated prescriptive authority arrangement with a physician or fully authorized advanced practice registered nurse, and to establish a surcharge to cover the administration of the tiered prescriptive authority.</p> <p>3. Include a contingency rider in the 2012-13 General Appropriations Bill to appropriate surcharge revenue to the Texas Board of Nursing to administer the tiered prescriptive authority.</p>		<p><b>(\$128,349)</b></p>	<p><b>\$ 128,349</b></p>	<p><b>GR</b></p>		<p><b>Amend statute and adopt contingency rider</b></p>

**Board of Nursing  
Rider Highlights**

2. **(former) Capital Budget:** Recommendations delete the capital budget rider and delay the replacement of personal computers for two years (See Selected Fiscal and Policy Issues #1).

**Texas Board of Nursing  
Items not Included in Recommendations**

	<b>2012-13 Biennial Total</b>	
	<b>GR &amp; GR- Dedicated</b>	<b>All Funds</b>
1. Increase General Revenue funding and FTE cap by 7.0 for the restoration of the 5 percent reduction in funding from fiscal years 2010-11.	\$ 672,705	\$ 672,705
a. Salaries and wages - \$398,039		
3.0 Enforcement Investigator positions - \$212,937		
2.0 Licensing Administrative Assistant positions - \$122,662		
1.0 Education Nurse Consultant position - \$10,000		
1.0 Enforcement Administrative Assistant position - \$52,440		
b. Other operating expenses		
Professional fees and services - \$71,500		
Consumable supplies - \$10,000		
Travel - \$10,000		
Other operating expenses - \$183,166		
2. Increase General Revenue funding for increased litigation costs.	\$ 300,000	\$ 300,000
a. Expert Witness Costs - \$200,000		
b. Witness Travel Costs and Transcripts - \$100,000		
3. Increase General Revenue funding for additional staff in Enforcement, Licensing and Advanced Practice Nursing - includes 11.0 FTEs.	\$ 1,044,448	\$ 1,044,448
a. 5.0 FTEs - Investigator III - \$214,410 each year		
b. 1.0 FTEs - Attorney I - \$60,750 each year		
c. 1.0 FTEs - Legal Assistant II - \$45,454 each year		
d. 1.0 FTEs - Administrative Assistant III - \$36,004 each year		
e. 2.0 FTEs - Licensing and Permit Specialist II - \$76,328 each year		
f. 1.0 FTEs - Nurse Practitioner - \$89,278 each year		
4. Increase General Revenue funding in an amount equivalent to recommended reductions of information technology expenditures in 2010-11.	\$ 60,000	\$ 60,000



**Texas Board of Nursing  
Items not Included in Recommendations**

- a. 44 Computers - \$41,800 each
- b. 1 File Server - \$6,000
- c. Other Software Expenses - \$12,200

**Total, Items Not Included in the Recommendations**

<b>2012-13 Biennial Total</b>	
<b>GR &amp; GR- Dedicated</b>	<b>All Funds</b>
<b>\$ 2,077,153</b>	<b>\$ 2,077,153</b>