

CHAPTER 254

H.B. No. 823

An Act relating to certain requirements for licensure as a licensed vocational nurse.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsections (b) and (d), Section 6, Chapter 118, Acts of the 52nd Legislature, 1951 (Article 4528c, Vernon's Texas Civil Statutes), are amended to read as follows:

(b) The Board in its discretion may waive the requirement in *Subsection [subdivision] (a) of Section [Section]* for completion of a course in an approved school for educating *vocational or practical nurses [Vocational Nurses]* upon presentation of satisfactory sworn evidence that the applicant has completed at least two (2) years of education in a nursing school approved by the State Board of Nurse Examiners of Texas or in some other school of professional nurse education located in another state, the District of Columbia, a possession of the United States, or a foreign country. *If the applicant received training in another state, the District of Columbia, a possession of the United States, or a foreign country, the applicant must present evidence satisfactory to the Board that the nursing education received is equivalent to that required for licensure as a vocational nurse in this state [approved by a similar board or licensing agency of another State of the United States].*

(d) If an *applicant [examinee]* has graduated from an approved educational program in vocational nursing in this state, *[or] another state, or the District of Columbia,* or successfully completed two years of an associate degree program or diploma program in professional nursing education in this state, *[or] another state, or the District of Columbia,* the Board may issue to the *applicant [examinee],* pending the results of the licensing examination, a temporary permit to practice vocational nursing under the direct supervision of a licensed vocational nurse, registered professional nurse, or licensed physician. A permit issued to an applicant who fails the examination expires on the *date indicated on the permit [applicant's receipt of the results of the examination].* A permit issued to an applicant who passes the examination expires on the applicant's receipt of a license from the Board. A permit may not be issued to an applicant who has previously failed an examination administered by the Board or by another state. *The Board may issue a temporary permit to practice vocational nursing to an applicant who is a vocational or practical nurse who has graduated from an approved program for educating vocational or practical nurses, holds a license as a vocational or practical nurse from another state, the District of Columbia, or a possession of the United States, and has actually been engaged in the practice of vocational or practical nursing within the past five years. Such an applicant must practice under the direct supervision of a licensed vocational nurse, registered professional nurse, or licensed physician. A temporary permit issued to an applicant from another state, the District of Columbia, or a possession of the United States expires on receipt of a license from the Board or on the expiration of 90 days, whichever occurs first. The Board may, by mutual agreement, assign the function of physical distribution of the temporary permits to an agent designated by the Board to act on behalf of the Board.*

SECTION 2. Section 7, Chapter 118, Acts of the 52nd Legislature, 1951 (Article 4528c, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 7. **ENDORSEMENT.** Any applicant who holds a license as a Vocational Nurse or Practical Nurse issued by *the District of Columbia or another state* whose requirements are equal to those of Texas, and whose individual qualifications shall be equivalent to those required by this law, may be granted a license to practice nursing as a Licensed Vocational Nurse in this State without examination provided the required fee is paid to the Board by such applicant.

SECTION 3. This Act takes effect September 1, 1985.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 3, 1985, by a non-record vote; passed by the Senate on May 15, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 4, 1985

Effective: September 1, 1985