

**Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.4,
Pertaining to *Requirements for Initial Licensure by Examination for Nurses Who
Graduate from Nursing Education Programs Outside of United States'
Jurisdiction***

Background: The proposed amendments, attached as Attachment “A”, are necessary to eliminate obsolete requirements from the rule. Specifically, the amendments eliminate the requirement that applicants must submit *FBI fingerprint cards* to the Board, as the Board’s fingerprinting process has changed over time and is now automated through a third party vendor. The amendments also eliminate the fee for the issuance of an accustomation permit. Further, the proposed amendments eliminate reference to specific credential evaluation services traditionally utilized by the Board and instead allow applicants to utilize any credential evaluation service approved by the Board. This proposed change encourages competition among credential evaluation services and provides additional choices for applicants. Attachment “B” contains proposed requirements a credential evaluation service must meet in order to be approved.

Board Action: Move to approve the proposed amendments to 22 Texas Administrative Code §217.4, pertaining to *Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction*, as set out in Attachment “A”, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the *Texas Register*. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Texas Administrative Code §217.4, pertaining to *Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction*, as proposed.

Attachment "A"

§217.4. *Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction*

(a) Criteria for nurse applicants for initial licensure applying under this section.

(1) A licensed vocational nurse applicant must:

~~[(A) hold a high school diploma issued by an accredited secondary school or equivalent educational credentials as established by the General Education Development Equivalency Test (GED);]~~

(A)~~[(B)]~~ have either:

(i) successfully completed an approved program for educating vocational/practical (second level general nurses) nurses within the four years immediately preceding the filing of an application for initial licensure in Texas by providing a credential evaluation service full education course-by course report [~~Credential Evaluation Service Full Education Course-by-Course Report~~] from a credential evaluation service approved by the Board [~~the Commission on Graduates of Foreign Nursing Schools (CGFNS), Educational Records Evaluation Service (ERES), or the International Education Research Foundation (IERF)~~]; or

(ii) successfully completed an approved program for educating vocational/practical (second level general nurses) nurses by providing a credential evaluation service full education course-by course report [~~Credential Evaluation Service Full Education Course-by-Course Report~~] from a credential evaluation service approved by the Board [~~the Commission on Graduates of Foreign Nursing Schools (CGFNS), Educational Records Evaluation Service (ERES), or the International~~

~~Education Research Foundation (IERF)] and practiced as a second level general nurse within the four years immediately preceding the filing of an application for initial licensure in Texas; and~~

~~(B)(C)] have achieved an approved score on an English proficiency test acceptable to the Board, unless a substantial portion of the applicant's nursing program of study, as determined by the Board, was conducted in English.~~

(2) A registered nurse applicant must either:

(A) have successfully completed an approved program for educating registered (first level general nurses) nurses within the four years immediately preceding the filing of an application for initial licensure in Texas by providing a credential evaluation service full education course-by course report [~~Credential Evaluation Service Full Education Course-by-Course Report~~] from a credential evaluation service approved by the Board [~~the Commission on Graduates of Foreign Nursing Schools (CGFNS), Educational Records Evaluation Service (ERES), or the International Education Research Foundation (IERF)]~~], which verifies that the applicant:

(i) – (iii) (No change.)

(B) have practiced as a first level general nurse within the four years immediately preceding the filing of an application for initial licensure in Texas and have successfully completed an approved program for educating registered (first level general nurses) nurses by providing a credential evaluation service full education course-by course report [~~Credential Evaluation Service Full Education Course-by-Course Report~~] from a credential evaluation service approved by the Board [~~the Commission on Graduates of Foreign Nursing Schools (CGFNS), Educational Records Evaluation~~

~~Service (ERES), or the International Education Research Foundation (IERF)], which verifies that the applicant:~~

(i) – (iii) (No change.)

(3) All applicants must file a complete application for registration containing data required by the Board [~~board~~] attesting that all information contained in, or referenced by, the application is complete and accurate and is not false or misleading, and the required application processing fee which is not refundable.

(4) (No change.)

(5) All nurse applicants must submit fingerprints [~~FBI fingerprint cards provided by the Board~~] for a complete criminal background check.

(6) All nurse applicants must pass the jurisprudence exam approved by the Board [~~board~~], effective September 1, 2008.

(b) – (c) (No change.)

(d) Accustomation Permit.

(1) An applicant who has graduated from an accredited nursing program outside the United States may apply to the Board for a six month accustomation permit by completing an application [~~and paying a fee~~]. An applicant holding an accustomation permit under this subsection may participate in nursing education courses and clinical experiences.

(2) An applicant is eligible to apply for an accustomation permit under this subsection only if the applicant has:

(A) – (B) (No change.)

(C) successfully completed a credential evaluation service from a Board [board] approved credential evaluation service [~~credentialing agency~~].

(3) (No change.)

(e) (No change.)

BON Credential Evaluation Service Requirements

In order to be approved by the Board, a credential evaluation service (CES) must meet the following requirements:

1. The CES must be a member of a national credentialing organization that sets performance standards for the industry. The CES must adhere to the prevailing standards for the industry.
2. The CES must specialize in the evaluation of international nursing education and licensure.
3. The CES must be able to demonstrate the ability to accurately analyze academic and licensure credentials for purposes of United States comparison, with course-by-course analysis of nursing academic records.
4. The CES must be able to manage the translation of original documents into English.
5. The CES must inform the Board in the event applicant documents are found to be fraudulent.
6. The CES must have been in the business of evaluating nursing education for a minimum of five years.
7. The CES must cite all references used in its evaluation in its credentials report.
8. The CES report must identify the language of nursing instruction and the language of textbooks for nursing education.
9. The CES must use only original source documentation in evaluating nursing education.
10. The CES report must describe the comparability of the foreign education to United States standards.
11. The CES report must detail course clock hours for theory and clinical components of nursing education.
12. The CES must be able to issue an evaluation report within a reasonable time period, not to exceed six weeks.

13. The CES must have an efficient and accessible process for answering customer queries.
14. The CES must be able to provide client references/reviews upon request.
15. The CES must have an established record retention policy.
16. The CES must be able to provide testimony for Board hearings, if required.
17. The CES must complete the form(s) and affidavit required by the Board, submit all required documentation, and receive approval from the Board before providing a report for Board consideration. The Board will maintain a list of approved CES providers.