

**Consideration of Proposed Amendments to 22 Texas Administrative Code
§221.12, Relating to Scope of Practice**

Background: At its October 2021 Board meeting, the Board charged the Advanced Practice Nursing Advisory Committee (APNAC) with reviewing and making recommendations for amendments to Board Rule 221.12, regarding the scope of practice of advanced practice registered nurses (APRNs). The APNAC convened on March 3, 2022, and June 13, 2022 to consider the Board's charge.

Attached as Attachment "A" are the proposed amendments to Board Rule 221.12, as recommended by the APNAC.

Board Action: Move to approve the proposal of amendments to 22 Texas Administrative Code §221.12, relating to *Scope of Practice*, 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 amendments to 22 Texas Administrative Code §221.12, relating to *Scope of Practice*, as proposed.

Attachment “A”

§221.12. Scope of Practice.

(a) Advanced practice registered nurses (APRNs) practice in a variety of settings and provide a broad range of health care services to a variety of patient populations within their Board authorized role and population focus area.

(b) APRNs may only perform those functions that are within their Board authorized scope of practice for their role and population focus area and that are consistent with the Nursing Practice Act, Board rules, and other laws and regulations affecting their practice.

(c) In determining whether a particular action falls within an APRN’s authorized scope of practice, the following factors will be considered:

(1) Whether the APRN received training regarding the performance of the particular action in his/her advanced educational program;

(2) Whether the action falls within generally acceptable standards of care appropriate for the APRN’s role and population focus area, as determined by a professional specialty organization;

(3) Whether the APRN has demonstrable clinical competence and/or clinical experience in performing the action in the role of an APRN, obtained through supervision and/or training by a qualified practitioner;

(4) Whether the APRN has been credentialed by a health care facility’s credentialing body and/or holds a privilege to perform the action at a health care facility;

(5) Whether the APRN has completed additional training for the specific action being performed. Additional training means education obtained by the APRN post-APRN licensure in his/her role and population focus area that is adequate for the action being performed by the APRN.

(A) To determine whether the additional training obtained by an APRN is adequate for the action being performed by the APRN, the following factors will be considered:

(i) the type of instruction provided, by way of example, and not limitation, online instruction; in-person instruction; didactic instruction; or clinical instruction;

(ii) the learning objectives, content, materials, and methods for evaluating participation contained in the training curriculum;

(iii) the length and/or quantity of the training;

(iv) the qualifications of the person/entity providing the training;

(v) whether the training has been certified or recognized by a professional specialty organization for the APRN's role and population focus area;

(vi) whether the training is consistent with evidence-based practice;

(vii) whether the training is sponsored by an educational institution, such as a formal fellowship or precepted experience; and

(viii) whether the training is provided by an entity in conjunction with the use of the entity's product, drug, or medical apparatus/equipment.

(B) All training must include a method of objective, verifiable participant competency following completion of the training.

(d) It is the responsibility of the APRN to maintain records of all completed training and competencies.

(e) An APRN is not prohibited from providing nursing care within the scope of practice of a registered nurse.

(f) Nothing in this section shall be construed to authorize an APRN to practice in a role or population focus area for which the APRN has not been licensed.

(g) An action that is determined to have been committed outside an APRN's authorized scope of practice may subject the APRN to discipline.

~~[The advanced practice nurse provides a broad range of health services, the scope of which shall be based upon educational preparation, continued advanced practice experience and the accepted scope of professional practice of the particular specialty area. Advanced practice nurses practice in a variety of settings and, according to their practice specialty and role, they provide a broad range of health care services to a variety of patient populations.]~~

~~[(1) The scope of practice of particular specialty areas shall be defined by national professional specialty organizations or advanced practice nursing organizations recognized by the Board. The advanced practice nurse may perform only those functions~~

~~which are within that scope of practice and which are consistent with the Nursing Practice Act, Board rules, and other laws and regulations of the State of Texas.]~~

~~[(2) The advanced practice nurse's scope of practice shall be in addition to the scope of practice permitted a registered nurse and does not prohibit the advanced practice nurse from practicing in those areas deemed to be within the scope of practice of a registered nurse.]~~