

**TEXAS CENTER FOR NURSING WORKFORCE STUDIES
ADVISORY COMMITTEE
BYLAWS**

Statewide Health Coordinating Council

(a) The Committee.

- (1) The name of the committee is the Texas Center for Nursing Workforce Studies Advisory Committee (committee).
- (2) The Statewide Health Coordinating Council (council) is authorized to appoint this advisory committee under Health & Safety Code §104.0155.

(b) Applicable Law. The committee is subject to: Health & Safety Code, Chapter 104, concerning the Statewide Health Coordinating Council; Health & Safety Code, Chapter 105, concerning the Health Professions Resource Center; and Government Code, Chapter 551, concerning open meetings. The committee is not subject to Government Code, Chapter 2110.

(c) Purpose. The purpose of the committee is to serve as an advisory committee to the council in order to:

- (1) review policy matters on the collection of data and reports performed under Chapter 105 that relate to the nursing profession;
- (2) subject to approval of the council, develop priorities and an operations plan for the Texas Center for Nursing Workforce Studies under Section 105.002(b);
- (3) guide in the accuracy of reporting nursing workforce data and research results; and
- (4) review reports and information before dissemination.

(d) Composition and Appointment of Members. The committee members are appointed by the council chair. The committee is composed of 21 members as follows:

- (1) One RN who represents the council;
- (2) One RN from an organization that represents educators of nurses;
- (3) Four RNs who represent organizations that represent nurses;
- (4) Four educators of nurses;
- (5) One LVN who belongs to an organization that represent nurses;
- (6) Four RNs who represent employers of nurses;
- (7) Two RN nurse researchers
- (8) One non-nurse consumer representative; and
- (9) Three representatives, preferably RNs, who represent state agencies.

(e) Vacancy on the Committee. If a member is not able to continue to serve on the committee, then a written resignation letter (e-mail transmittal is acceptable) is sent to the committee co-chairs and department staff.

- (1) The committee will ask committee members and related organizations for nominations in the category the committee member is representing to submit 1-3 nominees to be considered for appointment to this position.

- (2) The committee co-chairs will review the nominees and make a recommendation for appointment of a new committee member.
- (3) The council chair has the authority to accept or decline this recommendation.

(f) Officers. The committee will be co-chaired by a nurse member of the committee, and a nurse member representing the council. The chair of the council will appoint the initial co-chairs of the committee. The chair of the council may delegate the authority to appoint co-chairs, vacancies of co-chairs, and/or other officers to the committee.

- (1) The co-chairs will preside at all committee meetings. If a co-chair is absent, the meeting may be presided over by the remaining co-chair. If neither co-chair will be present, one or both of the co-chairs may appoint a temporary chair to carry out the duties of the co-chairs. Co-chairs shall call meetings to order, appoint subcommittees of the committee as necessary, and cause reports to be made as required by Chapter 105.
- (2) The co-chairs may serve as ex-officio members of any subcommittee of the committee.

(g) Meetings. The committee will meet only as necessary to conduct committee business.

- (1) A meeting may be called by agreement of department staff and the co-chairs or department staff and at least three members of the committee.
- (2) Meeting arrangements will be made by department staff. Department staff will contact committee members to determine member availability for a meeting date and place.
- (3) The statute creating the committee requires that each meeting of the committee is subject to the requirements of the Open Meetings Act, Texas Government Code, Chapter 551. The agenda must be published in the Texas Register at least seven days prior to the meeting.
- (4) A quorum for the purpose of transacting official business is a majority of current members.
- (5) The committee is authorized to transact official business only when in a legally constituted meeting with quorum present.
- (6) The agenda for each committee meeting must include an item entitled public comment under which any person will be allowed to address the committee on matters relating to committee business. The co-chairs may establish procedures for public comment, including a time limit on each comment if required.

(h) Attendance. Members must attend committee meetings as scheduled. Members must attend meetings of subcommittees to which they are assigned.

- (1) A member must notify a co-chair or appropriate department staff if he or she is unable to attend a scheduled meeting.
- (2) The chair of the council has the authority to remove a member from the committee if that member cannot discharge the member's duties for a substantial part of the term for which the member is appointed because of illness or disability, is absent from more than half of the committee and subcommittee meetings during a calendar year, is absent without being excused from at least three consecutive committee meetings, no longer represents the applicable category that the member was originally appointed to represent, or no longer holds a current LVN or RN license in good standing.

- (3) The validity of an action of the committee is not affected by the fact that it is taken when a ground for removal of a member exists.
- (4) The attendance records of the members must be reported to the council. The attendance report must include all committee and subcommittee appointments and attendance at all committee and subcommittee meetings.

(i) Staffing and Procedures. Staff support for the committee will be provided by the department.

- (1) Robert's Rules of Order, Newly Revised, will be the basis of parliamentary decisions except where otherwise provided by law or rule.
 - a) Any action taken by the committee must be approved by a majority vote of the members present once a quorum is established.
 - b) Each member, including both co-chairs, has one vote.
 - c) A member may not authorize another individual to represent the member by proxy. A member may appoint an individual to attend as a non-voting representative.
 - d) The committee must make decisions in the discharge of its duties without discrimination based on any person's race, creed, gender, religion, national origin, age, physical condition, or economic status.
 - e) Minutes of each committee meeting will be taken by department staff.
 - 1) A draft of the minutes, approved by the co-chairs, will be provided to the council and each member of the committee.
 - 2) Minutes must be approved by the committee and signed by the co-chairs.
 - 3) The approved minutes will be placed on the Center for Health Statistics website.

(j) Subcommittees. The committee or the co-chairs may establish subcommittees as necessary to assist the committee in carrying out its duties.

- (1) The co-chairs will appoint members of the committee to serve on subcommittees and to act as subcommittee chairs.
- (2) Subcommittees will meet when called by the subcommittee chair or when directed by the committee.
- (3) The subcommittees do not have to post meetings as required by the Open Meetings Act, Texas Government Code, Chapter 551.
- (4) A subcommittee chair must make regular reports to the committee at each scheduled committee meeting or in interim written reports as needed. The reports must include an executive summary of each subcommittee meeting.

(k) Ad Hoc Advisory Committees. The committee or co-chairs may appoint ad hoc advisory groups to perform such tasks of limited scope or duration as may be appropriate.

(l) Statements by Members.

- (1) The council and the committee are not bound by any statement or action on the part of any committee member except when a statement or action is authorized and approved by the council or committee.
- (2) The committee and its members may not participate in legislative activity in the name of the council or the committee except with approval through the council's legislative process.

Committee members are not prohibited from representing themselves in their personal capacity in the legislative process.

- (3) A committee member cannot accept or solicit any benefit that might reasonably tend to influence the member in the discharge of the member's official duties.
- (4) A committee member cannot disclose confidential information acquired through his or her committee membership.
- (5) A committee member must not knowingly solicit, accept, or agree to accept any benefit for having exercised the member's official powers or duties in favor of another person.
- (6) A committee member who has a personal or private interest in a matter pending before the committee shall publicly disclose the fact in a committee meeting and may not vote or otherwise participate in the matter. The phrase "personal or private interest" means the committee member has a direct pecuniary interest in the matter but does not include the committee member's engagement in a profession, trade, or occupation when the member's interest is the same as all others similarly engaged in the profession, trade, or occupation.

(m) Reports to Council. The committee must file a biennial written report with the council.

- (1) The report must list the meeting dates of the committee and any subcommittees, the attendance records of its members, a brief description of actions taken by the committee, a description of how the committee has accomplished the tasks given to the committee by the council and anticipated activities of the committee for the next year.
- (2) The report must cover the meetings and activities in the preceding 2 calendar years and must be filed with the council at the council meeting immediately following the end of each reporting period. Reports must be signed by the co-chairs.

(n) Reimbursement for Expenses. A committee member is not entitled to reimbursement for expenses for committee travel or business.

References:

1. **HB 3126, 78th Regular Session, Texas Health & Safety Code, Chapters 104 and 105. Government Code, Chapter 551.**
2. **E-mail correspondence with Linda Wiegman**, TDH Office of General Counsel, April 21, 2004, 1:47 p.m., subject: Advisory Committee Rules. Government Code, Chapter 2110 does not apply to this committee. Since that chapter does not apply to this committee, no rules are required. Bylaws/policies would work fine but the SHCC should establish these. Whether SHCC wants recommendations first from the committee is up to SHCC.
3. **E-mail correspondence with Linda Wiegman**, TDH Office of General Counsel, April, 2007, subject: Ad Hoc Advisory Committees. No rule prohibits the committee or its co-chairs from appointing advisory committees as appropriate to the business of the committee.

Bylaws Adopted by SHCC on July 15, 2004

Revised Bylaws Adopted by SHCC on February 27, 2014