

1-1 By: Howard, et al. (Senate Sponsor - Perry , et al.) H.B. No. 2187
1-2 (In the Senate - Received from the House May 5, 2025;
1-3 May 5, 2025, read first time and referred to Committee on Health &
1-4 Human Services; May 19, 2025, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; May 19, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15			X	
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to hospital staffing report and complaint processes and to
1-20 retaliation and mandatory overtime protections for nurses.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 257.001, Health and Safety Code, is
1-23 amended by amending Subdivision (1) and adding Subdivision (1-a) to
1-24 read as follows:

1-25 (1) "Commission" means the Health and Human Services
1-26 Commission.

1-27 (1-a) "Committee" means a nurse staffing committee
1-28 required by this chapter.

1-29 SECTION 2. Section 257.005, Health and Safety Code, is
1-30 amended by adding Subsections (a-1) and (d) to read as follows:

1-31 (a-1) The chief nursing officer of each hospital shall
1-32 attest to the accuracy of information reported under Subsection
1-33 (a).

1-34 (d) The department shall provide the information reported
1-35 under Subsection (a) to the commission.

1-36 SECTION 3. Chapter 257, Health and Safety Code, is amended
1-37 by adding Sections 257.006 and 257.007 to read as follows:

1-38 Sec. 257.006. PROHIBITED RETALIATION. A hospital may not
1-39 retaliate against a nurse who provides information to the committee
1-40 or reports violations of this chapter to hospital management or the
1-41 commission.

1-42 Sec. 257.007. ENFORCEMENT; COMPLAINT RESOLUTION. (a) The
1-43 commission shall enforce this chapter in accordance with:

1-44 (1) Subchapter C, Chapter 241, against a hospital
1-45 licensed under that chapter as if the hospital violated that
1-46 chapter;

1-47 (2) Chapter 577 and rules adopted under Sections
1-48 577.010 and 577.013, against a hospital licensed under Chapter 577
1-49 as if the hospital violated that chapter; and

1-50 (3) rules adopted under Section 241.026(a).

1-51 (b) The commission shall establish a process to provide
1-52 prompt review and timely resolution of each complaint submitted
1-53 under this chapter. The commission must:

1-54 (1) develop a procedure, or designate an existing
1-55 procedure, through which a party may submit a written or verbal
1-56 complaint;

1-57 (2) establish a time to review and respond to the
1-58 complaint; and

1-59 (3) provide the complainant written notice of the
1-60 commission's decision regarding the complaint, including:

1-61 (A) the contact information of the commission

employee responsible for the complaint;

(B) commission actions in reviewing, evaluating, or investigating the complaint;

(C) the results of the commission's review of the complaint;

(D) for each reviewed complaint for which an investigation is not conducted, an explanation of the reason the commission resolved the complaint without investigation; and

(E) the date the complaint is resolved.

(c) All information and materials in the possession of or obtained or compiled by the commission in connection with a complaint and investigation are confidential and not subject to disclosure in accordance with:

(1) Section 241.051(d) for a complaint submitted against a hospital licensed under Chapter 241; or

(2) Section 577.013(e) for a complaint submitted against a hospital licensed under Chapter 577.

SECTION 4. Section 258.001, Health and Safety Code, is amended by amending Subdivision (1) and adding Subdivision (1-a) to read as follows:

(1) "Commission" means the Health and Human Services Commission.

(1-a) "Hospital" means:

(A) a general hospital or special hospital, as those terms are defined by Section 241.003, including a hospital maintained or operated by this state; or

(B) a mental hospital licensed under Chapter 577.

SECTION 5. Section 258.005, Health and Safety Code, is amended to read as follows:

Sec. 258.005. RETALIATION PROHIBITED. A hospital may not suspend, terminate, or otherwise discipline or discriminate against a nurse who refuses to work mandatory overtime or reports violations of this chapter to hospital management or the commission.

SECTION 6. Chapter 258, Health and Safety Code, is amended by adding Section 258.006 to read as follows:

Sec. 258.006. ENFORCEMENT; COMPLAINT RESOLUTION. (a) The commission shall enforce this chapter in accordance with:

(1) Subchapter C, Chapter 241, against a hospital licensed under that chapter as if the hospital violated that chapter;

(2) Chapter 577 and rules adopted under Sections 577.010 and 577.013, against a hospital licensed under Chapter 577 as if the hospital violated that chapter; and

(3) rules adopted under Section 241.026(a).

(b) The commission shall establish a process to provide prompt review and timely resolution of each complaint submitted under this chapter. The commission must:

(1) develop a procedure, or designate an existing procedure, through which a party may submit a written or verbal complaint;

(2) establish a time to review and respond to the complaint; and

(3) provide the complainant written notice of the commission's decision regarding the complaint, including:

(A) the contact information of the commission employee responsible for the complaint;

(B) commission actions in reviewing, evaluating, or investigating the complaint;

(C) the results of the commission's review of the complaint;

(D) for each reviewed complaint for which an investigation is not conducted, an explanation of the reason the commission resolved the complaint without investigation; and

(E) the date the complaint is resolved.

(c) All information and materials in the possession of or obtained or compiled by the commission in connection with a complaint and investigation are confidential and not subject to disclosure in accordance with:

3-1 (1) Section 241.051(d) for a complaint submitted
3-2 against a hospital licensed under Chapter 241; or
3-3 (2) Section 577.013(e) for a complaint submitted
3-4 against a hospital licensed under Chapter 577.

3-5 SECTION 7. Not later than December 31, 2025, the executive
3-6 commissioner of the Health and Human Services Commission shall
3-7 adopt any rules necessary to implement the changes in law made by
3-8 this Act.

3-9 SECTION 8. This Act takes effect September 1, 2025.

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