



THE ATTORNEY GENERAL  
OF TEXAS

AUSTIN, TEXAS 78711

JOHN L. HILL,  
ATTORNEY GENERAL

November 15, 1976

The Honorable Margaret Rowland  
Executive Secretary  
Board of Nurse Examiners  
7600 Chevy Chase, Suite 502  
Austin, Texas 78752

Opinion No. H- 896

Re: Authority of the  
Board of Nurse Examiners  
to accredit specialty  
programs in nursing  
offered by colleges and  
universities.

Dear Mrs. Rowland:

You have requested our opinion regarding the authority of the Board of Nurse Examiners to accredit programs in nursing offered by colleges and universities.

Section 1 of article 4518, V.T.C.S., provides, in pertinent part:

It shall be the duty of the Board of Nurse Examiners to prescribe and publish the minimum requirements and standards for a course of study in programs which prepare professional nurse practitioners. All other regulations necessary to conduct accredited schools of nursing and educational programs for the preparation of professional nurses shall be as prescribed by the Board, provided, however, that the minimum period of time that the Board may require shall be at least two (2) calendar years and the maximum period of time shall not exceed four (4) calendar years. The Board shall accredit such schools of nursing and educational programs as meet its requirements and shall deny or withdraw accreditation from schools of nursing and educational programs which fail to meet the prescribed course of study or other standards.

The statute requires the Board of Nurse Examiners to prescribe "regulations necessary to conduct accredited schools of nursing and educational programs for the preparation of professional nurses." It is the Board's further duty to accredit those schools and educational programs which conform to its regulations.

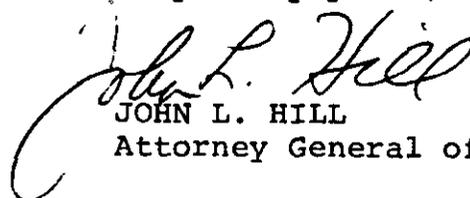
We believe that the Board of Nurse Examiners is clearly empowered under article 4518 to accredit specialty programs in nursing offered by colleges and universities. Such authority is not in conflict with any powers granted to the institutions themselves. The Coordinating Board of the Texas College and University System is, for example, empowered to initiate, consolidate or eliminate degree or certificate programs whenever it deems such action to be in the best interest of the institution and the State of Texas. Education Code, § 61.051(e). The Board of Regents of the University of Texas System "is authorized to prescribe courses leading to such customary degrees as are offered in other leading American nursing schools." Education Code, § 74.402.

In our opinion, article 4518 does not impinge upon the authority of an educational institution to offer any course or program to nursing students or to require any course or program for the granting of a degree without regard to accreditation. Article 4518 merely permits the Board of Nurse Examiners to establish "minimum requirements and standards" for accreditation of nursing programs and to accredit those programs which meet its standards. Thus, it is our opinion that the Board of Nurse Examiners is authorized to accredit specialty programs in nursing offered by colleges and universities.

S U M M A R Y

The Board of Nurse Examiners is authorized to accredit specialty programs in nursing offered by colleges and universities.

Very truly yours,



JOHN L. HILL

Attorney General of Texas

The Honorable Margaret Rowland - page 3 (H-896)

APPROVED:



DAVID M. KENDALL, First Assistant



C. ROBERT HEATH, Chairman  
Opinion Committee

jwb