



## CHARTER

### NATIONAL ADVISORY COUNCIL ON NURSE EDUCATION AND PRACTICE

1. Committee's Official Designation: The Committee shall be known as the National Advisory Council on Nurse Education and Practice (NACNEP or "Advisory Council").
2. Authority: NACNEP is required by section 851 of the Public Health Service (PHS) Act (42 U.S.C. § 297t), as amended. The Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C. Appendix 2), as amended, which sets forth standards for the formation and use of advisory committees, shall apply to the Advisory Council under this section only to the extent that the provisions of such Act do not conflict with the requirements of this section.
3. Objectives and Scope of Activities: NACNEP provides advice and recommendations on policy, program, and general regulation development to the Secretary of Health and Human Services (Secretary, HHS) and Congress with respect to the administration of Title VIII of the PHS Act. This includes the range of issues relating to nurse workforce, nurse supply, education, and practice improvement. In addition, NACNEP is responsible for submitting an annual report to the Secretary and Congress on its activities, including findings and recommendations concerning the activities under Title VIII.
4. Description of Duties: The Advisory Council shall:
  - (1) Provide advice and recommendations to the Secretary and Congress concerning policy matters arising in the administration of Title VIII of the PHS Act, including the range of issues relating to the nurse workforce, nursing education, and nursing practice improvement;
  - (2) Provide advice to the Secretary and Congress in the preparation of general regulations and with respect to policy matters arising in the administration of Title VIII of the PHS Act, including the range of issues relating to nurse supply, education, and practice improvement; and
  - (3) Not later than 2 years after the date of enactment of the Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136, and annually thereafter, prepare and submit to the Secretary; the Committee on Health, Education, Labor, and Pensions of the Senate; and the Committee on Energy and Commerce of the House of Representatives, a report describing the activities of the Council, including findings and recommendations made by the Council concerning the activities under this title.

5. Agency or Official to Whom the Advisory Council Reports: NACNEP provides advice to the Secretary, acting through the Administrator of the Health Resources and Services Administration (HRSA), and to Congress.
6. Support: Management and support services shall be provided by HRSA's Bureau of Health Workforce.
7. Estimated Annual Operating Cost Estimates and Staff Years: The estimated annual cost for operating NACNEP including compensation and travel expenses for members, but excluding staff support, is \$274,802. Estimated annual person-years of staff support required is 1.8 years, at an estimated annual cost of \$265,245.
8. Designated Federal Officer: A full-time or permanent part-time federal employee, appointed in accordance with agency procedures, will serve as the Designated Federal Official (DFO) and ensures that all procedures are within applicable statutory, regulatory, and HHS General Administration Manual directives. The DFO (or designee) approves and prepares all meeting agendas, calls all Advisory Council or subcommittee meetings, attends all Advisory Council or subcommittee meetings, adjourns any meeting when he or she determines it to be in the public interest, and chairs meetings when directed to do so by the Secretary.
9. Estimated Number and Frequency of Meetings: NACNEP shall meet not less than 2 times each fiscal year. Each meeting must be called or approved by the DFO. Such meetings shall be held jointly with other related entities established under Title VIII of the PHS Act where appropriate. Meetings shall be open to the public except as determined otherwise by the Secretary or designee in accordance with the Government in the Sunshine Act (5 U.S.C. § 522b(c)) and the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C. Appendix 2). Notice of all meetings shall be given to the public. Meetings shall be conducted, and records of the proceedings kept, as required by applicable laws and departmental regulations.
10. Duration: Continuing.
11. Termination: Unless renewed by appropriate action prior to its expiration, the Advisory Council charter will terminate 2 years from the date the charter is filed.
12. Membership and Designation: NACNEP consists of not less than 21 members, nor more than 23 members, appointed by the Secretary for a term of 4 years. Such individuals shall not be officers or employees of the federal government. Two of the appointed members shall be selected from full-time students enrolled in schools of nursing; two shall be selected from the general public; two shall be selected from practicing professional nurses; nine shall be selected from among the leading authorities in the various fields of nursing, higher, secondary education, and associate degree schools of nursing, and from representatives of advanced education nursing groups (such as nurse practitioners, nurse midwives, nurse anesthetists, and clinical nurse specialists), hospitals, and other institutions and organizations which provide nursing services. The Secretary, or the delegate of the

Secretary (who shall be an ex officio member), shall serve as the Chairperson of the Advisory Council.

The Secretary shall appoint members to serve staggered 4-year terms. All members, except the Chairperson, are appointed as Special Government Employees. The Chairperson, who is an ex officio member, is a non-voting member and does not count towards a quorum. A quorum is a majority of the members who have been appointed to the Advisory Council.

The Secretary shall ensure a fair balance between the nursing professions, a broad geographic representation of members, and a balance between urban and rural members. In appointing members the Secretary shall ensure the adequate representation of minorities. Members shall be appointed based on their competence, interest, and knowledge of the mission of the profession involved. A majority of the members shall be nurses.

13. Subcommittees: Standing and ad hoc subcommittees, composed of members of the parent committee, and others, may be established to perform specific functions within the Advisory Council's jurisdiction, with approval and/or recommendation of the Secretary or designee. Subcommittees must report back to the parent Advisory Council and do not provide advice or work products directly to the Department, or Congress. The Department's Committee Management Officer will be notified upon the establishment of each subcommittee and will be provided information on the subcommittee's name, membership, function, and estimated frequency of meetings.
14. Recordkeeping: Records of NACNEP, or of other subgroups of the Advisory Council, are handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. Filing Date:

November 30, 2020

Approved:

November 30, 2020  
Date

/S/ Thomas J. Engels

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Thomas J. Engels  
Administrator, Health Resources and Services  
Administration