

**STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF REGISTERED NURSING
BOARD MEETING MINUTES**

Date: August 24, 2023

9:13 a.m.

Start Time: 9:13 a.m.

Location(s): Department of Consumer Affairs
1625 North Market Blvd, Main Hearing Room
Sacramento, CA 95834

UC San Diego Medical Center
402 Dickenson Street, MPF Suite 1-170, Room 1-177
San Diego, CA 92123

August 24, 2023 - 9:00 a.m. BRN Board Meeting

9:13 a.m.

1.0

Call to Order/Roll Call/Establishment of a Quorum

Dolores Trujillo, RN, President, called the meeting to order at: 9:13 a.m. All members present, except for Mary Fagan. Quorum was established at 9:15 a.m.

Board Members: Dolores Trujillo, RN – President
Mary Fagan, PhD, RN, NEA-BC
Alison Cormack
Jovita Dominguez, BSN, RN
Vicki Granowitz
Roi David Lollar
Patricia “Tricia” Wynne, Esq.

Absent: Mary Fagan

BRN Staff: Loretta (Lori) Melby, RN, MSN – Executive Officer
Reza Pejuhesh – DCA Legal Attorney

9:15 a.m.

2.0

General instructions for the format of a teleconference call

9:17 a.m.

3.0

Public Comment for Items Not on the Agenda; Items for Future Agendas

**Public Comment for
Agenda Item 3.0:**

Shelly Zappas, program director at USC MSN FNP – California Code of Regulations section 1484 NP education F and G added to the agenda regarding licensure of students and preceptors in California due to a new interpretation of these requirements. This will impact NP student enrollment and affect the program’s ability to obtain and maintain quality preceptors. She says California should join the nursing compact to reduce applications and fees for students which is extremely burdensome and punitive.

Bobby Roy, SEIU Local 1000 BU 21 Chair - Reached a tentative agreement with its successor agreement for NECs. He discussed the bargaining and negotiation that has been stalled regarding salaries for NECs. He urged the BRN to submit an employee compensation package to CalHR.

9:25 a.m.

4.0

Review and Vote on Whether to Approve Previous Meeting Minutes

- 4.1 ➤ May 17-18, 2023
- 4.2 ➤ June 29, 2023

Board Discussion: Alison Cormack said she will be abstaining from the vote since she was not present at the meetings.

Motion: Dolores Trujillo: Motion to Accept Board Meeting Minutes from May 17-18, 2023, and June 29, 2023, and allow BRN Staff to make non-substantive changes to correct name misspellings and/or typos that may be discovered in the document.

Second: Patricia Wynne

**Public Comment for
Agenda Item 4.1**

and 4.2: No public comments.

Vote:

| | DT | MF | JD | PW | VG | DL | AC |
|---|----|----|----|----|----|----|----|
| Vote: | Y | AB | Y | Y | Y | Y | A |
| <u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB | | | | | | | |

Motion Passed

9:30 a.m.

5.0

Report of the Administrative Committee

Executive Officer report

- 5.1** Provided by Loretta Melby, Board of Registered Nursing Executive Officer.

Board Discussion: Patricia Wynne asked if the NEC salary is competitive.

Loretta Melby said it is not. She said it was addressed in the sunset report. She also brought this issue when she was a NEC prior to appointment as Executive Officer to the union. She said new grads hired by Sutter earn \$150,000 per year which is not close to what NECs earn. She said NECs rely on their partners for additional income or a pension to supplement income. She said she's worked with DCA's Office of Human Resources and the BRN's budget is supportive of the pay increase requests that have gone through. She does not believe 5% is a competitive rate.

Patricia Wynne said the board would like to know what they can do to help.

Loretta Melby discussed some of the bargaining issues being dealt with at CalHR and the Governor's office.

Alison Cormack is very interested in learning more about the Enforcement Enlightenment project as a new board member.

Public Comment for

Agenda Item 5.1: No public comments in any locations.

9:45 a.m.

- 5.2 Information only:** 2022-2025 Strategic Plan and goal progression

Board Discussion: Patricia Wynne appreciates the addition of dates for review of the document. She appreciates the specificity and details.

Loretta Melby appreciates the comments and addressed workload increases. She also spoke about DCA's Organizational Improvement Office working with Enforcement to improve processes.

Public Comment for

Agenda Item 5.2: No public comments in any location.

9:53 a.m.

- 5.3 Information only:** Registered Nursing Fund condition (presentation by DCA Budget Office)

Board Discussion: Alison Cormack asked about the sources and uses of the board's funds. She stated that she would like to create a small work group with the Executive Officer to dig into this issue.

Loretta Melby said if the board was interested in doing this then it would need to be agendaized for the November board meeting.

**Public Comment for
Agenda Item 5.3:** No public comments.

9:58 a.m.

5.4 Information only: Presentation by the National Council of State Nursing Boards (NCSBN) on the new nursing shortage report

Board Discussion: Patricia Wynne appreciates the nationwide context. She asked about the smart policy decisions could help stop the loss of nurses and what that means.

Brendan Martin, Director of Research at National Council of State Boards of Nursing, said there was a generational shift with the large group of nurses who left the profession, over 200,000 of the 330,000 nurses who left the workforce were nurses who opted to retire earlier than originally planned. There was a loss of institutional knowledge. Younger, less experienced nurses remained who had acute experiences with the Covid-19 pandemic, potentially leaving them feeling more burned out and stressed. In addition, there are new nurses who are less confident and prepared for the workforce. There should be an all solutions on the table type of approach to this including some form of virtual nursing as a way to recapture some of the lost institutional knowledge from nurses who have retired; mental health services with intentional policies to ensure the current workforce has what they need to stay on top of their license; fully funded and formal transition to practice internships and residencies for new nurses to perform to the top of their license; significant efforts to retain and attract new nurse faculty to expand the number of clinical placements what are the forms of remote learning and simulation that are most effective at the pre-licensure level.

Brendan's background is in research and to gather data to provide to the experts to have the conversation needed to make change to address the problems that exist.

Alison Cormack would like the link to the Journal of Nursing Regulation (70-page report). She asked what the direct mail response rate was. Brendan said there was about a 20% rate from the RNs, and an aggregate rate of 17%. He discussed surveys and the specialized

group of nurses involved in surveys. Alison Cormack asked how long the survey is.

Brendan said there are 39 items. He discussed the types of questions and response formats. It is two pages back and front. It takes about 10 minutes to complete.

Alison Cormack spoke about survey overwhelm. She asked about the 41,000 with the mean age of 36 leaving the profession and if it was the effect of being a parent of young children.

Brendan said there were opportunities for open ended responses from the nurses to help gather data. He said they were able to isolate this because of burnout. He discussed the potential of 800,000 nurses leaving in a five-year period.

Alison Cormack asked how nursing schools teach about the mental health challenges of the demanding job and what the requirements are.

Loretta Melby said the board sets curricular requirements but does not set them up for mental health. The board does not have this regulatory authority.

Alison Cormack asked if someone has that regulatory authority.

Loretta Melby said the schools have student services requirements that are not under BRN jurisdiction.

Alison Cormack asked about starting outreach in high school and looking at the life cycle of a nurse in a more holistic straightforward manner to make decisions at different points along the way.

Dolores Trujillo asked if the 800,000 number was looked at in the nation and stood out in any way.

Brendan said it is against their nature to dis-aggregate the data nationally. But they did look at this data in a sub-analysis as compared with other rigorously conducted studies. He said the results were incredibly durable and consistent. They did not see a pocket of data, but urban or metro locales had a bit more acute experience with the pandemic.

**10:52 Public Comment for
Agenda Item 5.4:**

Girard Brogan, Director National Nurses United – Stated Nurses United had done several surveys with their members and COVID has

exacerbated the inherent stress in nursing. They see the main reasons for nurses leaving, are staffing, lack of support from administration, and workplace violence. They are working on legislation to resolve this.

Kathy Hughes, RN, SEIU Nurse Alliance – She said the pay issue is a huge thing for nurses who work for the state. She said the California Department of Public Health (CDPH) did not enforce nurse to patient ratios during the pandemic. She said administration did not support nurses during the pandemic. She said the Centers for Disease Control (CDC) is looking to reduce infectious control or infectious disease standards to 2007 levels. She spoke about the younger nurses seeking other careers due to the stress and conditions currently experienced.

Carmen Comsti, CNA, affiliate of Nurses United – The NCSBN survey solidifies the experiences their members have lived through the past three and a half years. Nurses experienced these issues prior to the pandemic but Covid exacerbated the crisis of unsafe staffing and unsafe working conditions driven by employer neglect of the healthcare workforce. She said 38.1% disagreed with organization really cares about my wellbeing, 41.9% disagreed with the statement my organization responds to my complaints. She appreciates the board's focus on this issue today.

11:07 a.m.

5.5 Information only: Presentation by the Department of Consumer Affairs Internal Audit Office on the State Leadership Accountability Act (SLAA)

Board Discussion: Patricia Wynne is surprised by the statewide risks she thought would be higher. She asked if the BRN identified risks are like the ones identified in the chart.

Loretta Melby said Evon Lenerd Tapps, Assistant Executive Officer, spearheads this report for BRN. She said communication and the other areas in the chart are in alignment.

Alison Cormack has a better understanding of where BRN fits in. She asked if the 2021 report is most current.

Evon Lenerd Tapps stated in the affirmative. She said there are three areas in the BRN versus the five shown by DCA. She asked if the board sees the draft report and Loretta Melby said the report is a staff process.

Alison Cormack asked if the report would be shared with the board once complete.

Loretta Melby said it would be posted on the board's website.

**Public Comment for
Agenda Item 5.5:**

No public comments in any location.

10-minute bio break from 11:27 – 11:40
Quorum re-established at 11:42

11:42 a.m.

5.6 Discussion and possible action: Regarding 2024 Board and Committee meeting dates

Board Discussion: Dolores Trujillo said May 22-23 will be changed to May 23-24.

**Public Comment for
Agenda Item 5.6:**

No public comments.

Motion: Dolores Trujillo: Motion to Accept Board and Committee meeting dates for 2024 with the change from May 22-23 to May 23-24.

Second: Patricia Wynne

Vote:

| | DT | MF | JD | PW | VG | DL | AC |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Vote: | Y | AB | Y | Y | Y | Y | Y |
| <u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB | | | | | | | |

Motion Passed

11:47 a.m.

6.0

BRN future priorities and proposals for review and possible action

6.1 Discussion and possible action: Consideration and possible modification and adoption of previously approved proposed regulatory text to amend California Code of Regulations (CCR), title 16, section 1426 (Required Curriculum)

Board Discussion: No comments or questions.

**Public Comment for
Agenda Item 6.1:**

No public comments.

Motion: Dolores Trujillo: Motion to rescind prior proposed text, approve February 15-16, 2023, and adopt newly proposed regulatory text for section 1426. Direct staff to continue with rulemaking file and proceed with review by the Director of DCA and Secretary of the BCSH agency

upon their approvals, authorize the EO to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package and set the matter for hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the EO to take all steps necessary to complete the rulemaking and adopt the proposed regulatory text as noticed. accept consideration and possible modification and adoption of previously approved proposed regulatory text to amend California Code of Regulations (CCR), title 16, section 1426 (Required Curriculum)

Second: Jovita Dominguez

Vote:

| Vote: | DT | MF | JD | PW | VG | DL | AC |
|---|----|----|----|----|----|----|----|
| | Y | AB | Y | Y | Y | Y | Y |
| <u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB | | | | | | | |

Motion Passed

11:55 a.m.

7.0

Report of the Nursing Practice Committee (NP)

11:55 a.m.

7.1 Information only – Advisory Committee updates:

7.1.1 Nurse Practitioner Advisory Committee (NPAC)

7.1.2 Nurse-Midwifery Advisory Committee (NMAC)

7.1.3 Clinical Nurse Specialist Advisory Committee (CNSAC)

7.1.4 Certified Registered Nurse Anesthetist Advisory Committee (CRNAAC)

7.1.5 Nursing Education and Workforce Advisory Committee (NEWAC)

**Board Discussion
for Items 7.1.1-**

7.1.5: No comments or questions.

**Public Comment for
Agenda Items 7.1.1-**

7.1.5: No public comments.

1:03 p.m.

7.2 Information only: Presentation of IV Hydration

Board Discussion: Patricia Wynne said she's never heard of this before. She asked what the complaints are based on.

Loretta Melby said sepsis are the main complaints.

Alison Cormack asked what the key on the US map meant. Asked if California have the most per person or most in general.

Loretta Melby said California does have the most.

Dolores Trujillo asked who has oversight, authorization, or licensure over these places.

Loretta Melby said there are many people involved depending on the type of business (ie. Mobile, building, beauty) such as Medical Board of California, Department of Motor Vehicles, Board of Pharmacy for compounding, CDPH, etc. She explained the compounding for each patient process. She said if the patient does not show up then a new patient label is put on the hydration and administered to another patient, and this causes the safety issues.

**Public Comment for
Agenda Item 7.2:**

Gerard Brogan, Nurses United – He said this is a concerning initiative going on. He's concerned about the false health claims that should be gross negligence under the Nursing Practice Act. He's curious about the board's investigative process and if false claims could trigger an investigation. Loretta Melby said it would be under the board's jurisdiction to look at false claims made by a nurse that would be gross negligence or unprofessional conduct. She said a lot of times it isn't the nurse making the claims its the company they work for. Then it would be Federal Trade Commission looking at this.

12:02 p.m.

7.3 Discussion and possible action: Appointment of NMAC member

Board Discussion: Alison Cormack asked what the practice is for the sub-committee to consider applications for committees.

Dolores Trujillo said they review paper materials and said this candidate had an especially strong application and background and was a good fit for this committee.

Motion: Dolores Trujillo: to Approve appointment of NMAC member, Lilith Sarkessian.

Second: Alison Cormack

**Public Comment for
Agenda Item 7.3:**

No public comments in any location.

Vote:

| | DT | MF | JD | PW | VG | DL | AC |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Vote: | Y | AB | Y | Y | Y | Y | Y |
| <u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB | | | | | | | |

Motion Passed

**Break for Lunch – 12:08 to 1 p.m. to continue with item 7.2
Quorum re-established at 1:02 p.m.**

1:29 p.m.

8.0

Report of the Education/Licensing Committee (ELC)

8.1 Discussion and possible action regarding ELC recommendations on consent agenda items

Prior to Agenda Item Presentations:

Loretta Melby asked Reza Pejuhesh about the board voting on the consent items from ELC versus the addition of the progress report for Loma Linda NP, Neo-Natal program.

Reza said it would be cleaner to take the consent items as one vote and the separate Loma Linda item as a cleaner way to handle the votes.

Vicki Granowitz asked about the summaries on page 10 and 11 regarding staffing and placement issues as a possible ongoing problem.

Loretta Melby said she worked with the NECs to rearrange the progress reports a few meetings ago to address clinical concerns reported from the programs and faculty issues that are addressed as progress reports from the programs. The BRN does not have any jurisdiction over faculty issues concerning pay and working conditions.

David Lollar asked Reza if the motion could be all the agenda items in 8.1-8.4 to include the amendment of Loma Linda. Reza said that would be sufficient so long as no other members have any issues.

8.1.1 Discussion and possible action regarding board approval of ELC recommendation to approve minor curriculum revisions (16 CCR § 1426), acknowledge program progress

reports (16 CCR § 1423), and accept clinical facility approvals (16 CCR § 1427) (consent) (schools under consideration are identified in meeting materials)

ELC Vote: Jovita Dominguez – Yes; Mary Fagan – Yes; Dolores Trujillo – Yes; Patricia Wynne – Yes

8.1.2 Discussion and possible action regarding Board approval of ELC recommendations to grant (consent):

Continuing approval of prelicensure nursing programs (BPC § 2788; 16 CCR §§ 1421 & 1423)

Glendale Community College Associate Degree Nursing Program

LA County College of Nursing and Allied Health Associate Degree Nursing Program

Merced College Associate Degree Nursing Program

Saddleback Community College Associate Degree Nursing Program

Santa Ana College Associate Degree Nursing Program

Approval of prelicensure nursing program unit adjustment or other changes (16 CCR §§ 1460 & 1462) (substantive change) (no enrollment increase)

Loma Linda University Entry Level Master's Degree Nursing Program

University of the Pacific Entry Level Master's Degree Nursing Program

California State University San Marcos Baccalaureate Degree Nursing Program

Unitek College Baccalaureate Degree Nursing Program

Victor Valley College Associate Degree Nursing Program

ELC Vote: Jovita Dominguez – Yes; Mary Fagan – Yes; Dolores Trujillo – Yes; Patricia Wynne – Yes

8.2 Discussion and possible action regarding ELC recommendations (BPC § 2788; 16 CCR §§ 1421 & 1423)

8.2.1 Discussion and possible action regarding board approval of ELC recommendation of continuing approval or other action for approved nursing program

Victor Valley College Associate Degree Nursing Program

ELC Vote: Jovita Dominguez – Yes; Mary Fagan – Yes; Dolores Trujillo – Yes; Patricia Wynne – Yes

Discussion and possible action regarding board approval of ELC recommendation of deferred action status for approved nursing programs. Quarterly progress reports to be submitted to the NEC and return to ELC/Board in June/August 2024.

8.2.2 Gurnick Academy of Medical Arts' Associate Degree of Nursing Program Fresno

8.2.3 College of the Desert Associate Degree of Nursing Program

8.2.4 Merritt College Associate Degree of Nursing Program

ELC Vote: Jovita Dominguez – Yes; Mary Fagan –ABS; Dolores Trujillo – Yes; Patricia Wynne – Yes

8.3

8.3.1 Unitek College Baccalaureate Degree Nursing Program Bakersfield Campus (enrollment increase)

Enrollment pattern: 25 students 3 times per year for 3 years; annual progress reports to NEC; enrollment increase tied to partnership with Community Hospital in Fresno, CA; and additional enrollment pattern ends when partnership contract ends

8.3.2 American Career College Associate Degree Nursing Program – enrollment of advanced placement LVN students at the Los Angeles and Ontario campuses (enrollment increase)

Enrollment pattern: Los Angeles campus – 20 students for 1-year only

Ontario campus – 30 students for 1-year only

ELC Vote: Jovita Dominguez – Yes; Mary Fagan –ABS; Dolores Trujillo – Yes; Patricia Wynne – Yes

8.4 Discussion and possible action regarding board approval of ELC recommendation to accept feasibility study for a new prelicensure nursing program

High Desert Medical College Lancaster Associate Degree Nursing Program Enrollment pattern: 30 students 1 time per year in 2024; 30 students plus 20 LVN advanced placement students in 2025

ELC Vote: Jovita Dominguez – Yes; Mary Fagan –ABS; Dolores Trujillo – Yes; Patricia Wynne – Yes

Board Discussion: No comments or questions after presentation.

Alison Cormack asked when board members are supposed to ask questions about agenda items. Reza said board members can ask

questions at any time. She said her former position heard public comment before any motions. She read the summary for AIS 8.2.4, and she is concerned about enormous numbers of attrition recently but are asking to add enrollment, but also the one not taking nurses for the next session? It's hard for her to follow this one. She isn't sure if she has missed something. Mary Ann McCarthy spoke about Merritt College ADN to defer action regarding board approval of ELCs recommendation. She explained the non-compliance issues.

Loretta Melby explained all the different types of requests being made under agenda items 8.1 – 8.4.

Alison Cormack asked how a member of the public would get information for programs that were recently denied (page 90).

Loretta Melby said those two requests were denied at the February board meeting. She asked if the information could be shown on a map. Loretta Melby said this is a project in process. She showed the board data on the board's website.

Alison Cormack asked Jovita Dominguez if this type of data is considered when making recommendations.

Jovita Dominguez said the data is considered and that Mary Ann McCarthy helped her understand the ELC processes during her first year as a board member and ELC committee chair.

Motion: David Lollar: Motion to Accept recommendations of the Education and Licensing Committee for agenda items 8.1 through 8.4 including the amendment for Loma Linda.

Second: Dolores Trujillo

Public Comment for

8.4: Michael Jackson, former board member – Welcomed the board to UCSD.

Vote:

| | DT | MF | JD | PW | VG | DL | AC |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Vote: | Y | AB | Y | Y | Y | Y | Y |
| <u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB | | | | | | | |

Motion Passed

1:53 p.m.

8.5 Discussion and possible action regarding ELC recommendation to defer action to the Board on feasibility study for a new prelicensure nursing program (16 CCR § 1421) (present)

United Nursing College Associate Degree in Nursing Program

Board Discussion: Loretta Melby explained the vetting process during the ELC meeting.

Alison Cormack asked what a modified concept-based curriculum is. Loretta Melby explained California Code of Regulations section 1426 lists out the curricular requirements for nursing programs. Alison Cormack is happy to see the details included with the materials.

Motion: Dolores Trujillo: Motion to Approve a feasibility study for a new prelicensure program, United Nursing College Associate Degree in Nursing Program. Enrollment of 40 generic and 5 LVN students twice a year with an enrollment pattern of 90 students annually.

Second: David Lollar

Public Comment for

8.5: Karen Daniel – She asked about the school representatives being able to speak for this agenda item.

John Hong, CEO (panelist) – Thanked the board for considering their program. It has been a passion of love and commitment from everyone involved with this process from day one. He thinks this will help supply the needs of the hospitals in the area but also for all medical practices.

Angie Camacho written comment – The CNO of Temecula Hospital thanks the board for their support as they partner with United Nursing by providing them clinical placement for their students.

Julia Robinson, Dean of United Nursing College – Said they would like to increase their enrollment to 120 because they have the clinical placements to support this. Loretta Melby said the original request to committee was 90 annually not 120. She asked if the assigned NEC has information to support this request. She explained it takes 6 months to get through the feasibility process. She suggested the board consider the request for 90 students while the increase is vetted by the assigned NEC and presented to the board at a future meeting. Dolores Trujillo said the materials support the 90 students but does not show the 120. Julia Robinson said they submitted the request for 120 and is unsure why the information did not make it into the board materials. Loretta Melby said this is not the final step in the approval process and the enrollment number could be changed going forward with the self-study. She said the program could be brought prior to the self-study to

include the enrollment change. Dolores Trujillo asked if the motion could stand. Loretta Melby said it could. If the board is interested in a new motion, then the current motion would have to fail. Dolores Trujillo asked what happens if it does not fail. Loretta Melby explained it would go forward as is.

Vote:

| | DT | MF | JD | PW | VG | DL | AC |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Vote: | Y | AB | Y | Y | Y | Y | Y |
| <u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB | | | | | | | |

Motion Passed

2:15 p.m.

8.6 Discussion and possible action regarding a feasibility study for new prelicensure nursing program (16 CCR § 1421) (present)

Westcliff University for proposed pre-licensure program with two tracks: generic BSN and Entry Level Masters (ELM)

Board Discussion: Patricia Wynne thanked the program for taking the board’s concerns into account to find a different location to alleviate the impactation. She said this seems to be many students and asked if there are enough clinical sites.

Vicki Granowitz read off the different clinical sites with many in impacted areas. She said these are all impacted areas and wonders how this request is different from the one presented at ELC.

Dr. Matthew Hubs, VP of Initiative for West Cliff University – Understands the board’s concerns. They’ve secured spots in Inland Empire, Corona, West Riverside area, and Apple Valley. They are negotiating with Arrowhead Regional, Kaiser, and Riverside. Vicki Granowitz is confused about the clinical sites. Loretta Melby said materials may be submitted at the board meeting if they aren’t included in the posted materials.

Alison Cormack asked how the board members should think about the tuition costs. Loretta Melby gave a general overview of tuition and explained the tuition for all pre-licensure programs are listed. Alison Cormack suggested the NEC make a comment about how the tuition compares to similar programs. Loretta Melby will look into this request with the NECs.

Motion: Dolores Trujillo: Motion to Approve a feasibility study for new prelicensure nursing program, Westcliff University two tracks: generic BSN and Entry Level Masters (ELM) with an enrollment pattern of 80 students for each track for a total of 160 students.

Second: David Lollar

**Public Comment for
Agenda Item 8.6:** No public comments.

Vote:

| | DT | MF | JD | PW | VG | DL | AC |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Vote: | Y | AB | Y | Y | Y | Y | Y |
| <u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB | | | | | | | |

Motion Passed

2:33 p.m.

8.7 Information only: NCLEX Update

8.8 Information Only: Licensing Update

**Board Discussion
for Agenda Items**

8.7 and 8.8: Alison Cormack asked about page 127 and US application processing times. She did not understand that the data showed California's processing times for different RN applications.

Loretta Melby explained the different applications and methods to obtain licensure.

Alison Cormack asked why it takes so long to process California applications.

Loretta Melby explained the application review process for California and the improvements that have been made recently.

Alison Cormack said an asterisk should be added with an explanation. She suggested identifying top line metrics for measurement.

**Public Comment for
Agenda Items 8.7**

and 8.8: No public comments in any location.

**Break from 2:49 – 3:00 p.m.
Quorum re-established at 3:02 p.m.**

3:02 p.m.

9.0 Report of the Enforcement/Intervention Committee (EIC)

9.1 Information only: Enforcement and Investigation update

Board Discussion: Patricia Wynne asked for an explanation about the relationship between BRN and Maximus.

Shannon Johnson explained that Maximus is the third-party contractor for the Intervention Program.

Patricia Wynne asked about page 7, table A of the report – the convictions and arrest report timeframes. She said she thought the conviction/arrest cases would take less time than practice complaints.

Shannon Johnson said COVID caused delays and the times are improving.

Patricia Wynne would like Enlightened Enforcement to be agendized so they can learn about the process.

Shannon Johnson said this just started and she'll do what she can.

Loretta Melby added that DCA must approve the release of information.

Alison Cormack asked if the BRN sends out a newsletter to nurses.

Loretta Melby said the BRN Report is sent out. Recruitment is done in the newsletter and in other ways for the Expert Witness Program.

Shannon Johnson listed the ways they advertise for Expert Witnesses.

Alison Cormack suggested highlighting a successful consultant in the newsletter.

Alison Cormack asked about the 54% of cases that do not meet the DCA completion goal. She asked what the top two things we can do to reach the goal.

Shannon Johnson explained the difficulty to achieve the goal and how well BRN is doing in comparison to other boards. She said she does not know if the 540-day goal is achievable.

Loretta Melby said there will be recommendations from Enlightened Enforcement to improve the process. They discussed the time for cases that have an Administrative Hearing which is not in the control of the BRN.

3:21 p.m.

9.2 Discussion and possible action regarding appointment of Intervention Evaluation Committee (IEC) members

| Name | Member Type | IEC | Type | Term Expiration |
|---------------|-------------|-----|-------------|-----------------|
| Dean Rishel | Public | 1 | Appointment | 06/30/2027 |
| Holly Carlson | Nurse | 1 | Appointment | 09/30/2027 |
| Alexys Watson | Nurse | 5 | Appointment | 06/30/2026 |
| Nicole De Wit | Nurse | 9 | Appointment | 06/30/2027 |
| Alexis Blount | Nurse | 12 | Appointment | 06/30/2025 |

Board Discussion: No comments or questions.

Motion: **Dolores Trujillo:** to Accept the appointment of Intervention Evaluation Committee members

Second: **David Lollar**

Public Comment for Agenda Items 9.1 and 9.2:

No public comments.

Vote:

| | DT | MF | JD | PW | VG | DL | AC |
|---|----|----|----|----|----|----|----|
| Vote: | Y | AB | Y | Y | Y | Y | Y |
| <u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB | | | | | | | |

Motion Passed

3:25 p.m.

10.0

Report on Legislation

Legislative update and discussion of bills relevant to the Board from the 2023-2024 legislative session [please click on bill referenced below for hyperlink to bill text]

Direct Impact

3:26 p.m.

1. [AB 1695 \(Gipson\) Career technical education: Nursing Pathway Pilot Program](#)

Board Discussion: Alison Cormack asked how much money is available in the career technical education (CTE) incentive grants

Marissa Clark said there is associated federal funding and grants.

Motion: **Dolores Trujillo:** Motion to change position from Support if Amended to Support

Second: **Patricia Wynne**

Public Comment for

AB 1695: Public comments for this bill taken together with SB 544.

3:30 p.m.

2. [SB 544 \(Laird\) Bagley-Keene Open Meeting Act: teleconferencing](#)

Board Discussion: Alison Cormack asked about the 50% requirement for BRN., asked if it includes all meetings, board, committee, advisory, etc.

Marissa Clark is not sure.

Alison Cormack asked about the quorum requirement.

Matthew Yeates said 5 board members constitute a quorum.

Alison Cormack said she's participated at all types of meetings – in person, virtual, hybrid and would not support this bill. She thinks it's important for the public to see the board working together.

Patricia Wynne appreciated Alison Cormack's perspective, as she is a social person. She has seen the value of going to virtual meetings even though she had difficulty in the beginning. She sees the increased level of public participation based on the virtual meetings. She will support the bill as written.

Vicki Granowitz agrees with Patricia Wynne. She suffers from a chronic illness and sees the value in being able to participate from home. She will support the bill. She sees how the bill tries to walk a fine line.

Loretta Melby discussed a public member attending at their physical location showing symptoms of illness sitting next to Vicki Granowitz and Vicki Granowitz immediately using bleach wipes as soon as the member left to avoid getting sick due to her chronic illness. Loretta Melby also discussed the Intervention Evaluation Committee meetings with 44 meetings per year. She discussed the staff requirements to handle all the meetings. She discussed participation in person versus virtually.

Motion: Dolores Trujillo: to continue to Support the current version of the bill as written with amendments.

Second: Vicki Granowitz

**Public Comment for
AB 1695 and SB**

544: Kathy Hughes, SEIU, Nurse Alliance – They took a support position on AB 1695 with the amendment. She recommends the board take a support position. They do not have a position on SB 544.

Vote:

| | DT | MF | JD | PW | VG | DL | AC |
|---|-----------|-----------|-----------|-----------|-----------|-----------|---------------------|
| Vote: | Y | AB | Y | Y | Y | Y | Y- 1695 N-544 |
| <u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB | | | | | | | |

Motion Passed

President Dolores Trujillo adjourned open session at 3:52 p.m.

11.0 *Closed Session occurred on August 25, 2023, no open meeting items were discussed.*

11.1 Personnel Matters

The Board will convene in closed session pursuant to Government Code section 11126, subdivision (a)(1) regarding the appointment and/or employment of its Executive Officer.

11.2 Disciplinary Matters

The Board will convene in closed session pursuant to Government Code section 11126, subdivision (c)(3) to deliberate on disciplinary matters, including stipulations and proposed decisions.

11.3 Pending Litigation

The Board will convene in closed session pursuant to Government Code section 11126, subdivision (e), to discuss pending litigation:

Florentine Alexandrine Mbah Bikie v California Board of Registered Nursing, Superior Court of California, County of San Diego, Case Number: 37-2023-00030265-CU-PTCTL

Jacqueline Palmer, et al. v. Rob Bonta, et al., U.S. District Court, Central District of California, Case Number: 5:23-cv-01047-JGB-SP

Submitted by:



Loretta Melby, MSN, RN
Executive Officer
California Board of Registered Nursing

Accepted by:



Dolores Trujillo, RN
President
California Board of Registered Nursing