

**BOARD OF REGISTERED NURSING
Intervention/Discipline Committee
Agenda Item Summary**

**AGENDA ITEM: 9.1
DATE: November 10, 2016**

ACTION REQUESTED: Information Only: Complaint Intake and Investigations Update

REQUESTED BY: Cynthia Klein, RN, Chairperson

BACKGROUND:

PROGRAM UPDATES

COMPLAINT INTAKE:

As of 10/25/2016: Complaint intake is fully staffed.

Program

As of October 25, 2016:

- BRN has received 2,827 complaints for the current fiscal year.
- There are 1,002 pending complaints in the complaint intake unit (all assigned to desk analysts)
 - 8 cases over 1 year
 - 555 Applicants
 - 324 CORI
 - 123 Public

Effective July 1, 2016, all California licensed furnishing/prescribing practitioners were required to be registered in CURES 2.0. We are currently working on processes to ensure compliance with this requirement.

All furnishing RN's can find information and helpful links, regarding CURES 2.0, on the Board's website at www.rn.ca.gov under "What's New."

We have just completed an audit by DCA of our complaint intake and investigation units, in regards to the compliance with CPEI. A report will be provided at a later date.

We currently have 195 active experts across California. We continue to recruit RN's for expert witnesses in all areas of expertise but are currently in high demand for RN's currently working in the field of;

- Laser/Botox
- Anesthetist
- Midwives
- Nurse Practitioner's

Anyone interested should fill out an application on our website at www.rn.ca.gov/pdfs/enforcement/expwit.pdf.

INVESTIGATIONS:

Staff

We are fully staffed in both Northern and Southern California, as well as all support staff.

Program

As of October 25, 2016, there were approximately 25 BRN investigative cases over one year old and there were approximately 69 DOI cases over one year old.

Statistics

BRN Investigations	July 2016	Aug 2016	Sept 2016	Current FY
Cases Opened	61	48	52	161
Total cases assigned	389	381	389	386 avg.
Total cases unassigned (pending)	163	134	114	137 avg.
Cases closed	46	72	57	175
Average days to case completion	297	248	310	285
Average cost per case	\$3,339	\$2,607	\$3,304	\$3,083
Average hours per case	38	30	38	35
Total Case Hours <i>(included supplemental)</i>	1744	2131	2138	6013
Total Cost	\$153,629	\$187,720	\$188,336	\$529,685
Division of Investigations	July 2016	Aug 2016	Sept 2016	FY Total
Cases Opened	36	48	23	107
Total cases assigned	333	262	273	289 avg.
Total cases unassigned (pending)	47	38	18	34 avg.
Cases closed	30	29	32	91
Average days to case completion	390	336	321	349
Average cost per case	\$8,589	\$5,444	\$7,968	\$7,333
Average hours per case	51	31	47	43
Total Case Hours <i>(included supplemental)</i>	1382	1293	1415	4090
Total Cost <i>(based on \$169.00 per hour)</i>	\$233,600	\$218,474	\$239,050	\$691,125

NEXT STEP:

Continue to review and adjust internal processes and work with DCA to create reports to monitor statistics for improvement in case processing time frames. Follow directions given by committee and/or board.

FISCAL IMPACT, IF ANY:

None at this time. Updates will be provided at each IDC meeting for review and possible action.

PERSON TO CONTACT:

Shannon Silberling, Chief
Complaint Intake and Investigations
(916) 515-5265

BOARD OF REGISTERED NURSING
Intervention/Discipline Committee
Agenda Item Summary

AGENDA ITEM: 9.2
DATE: November 10, 2016

ACTION REQUESTED: Information Only: Discipline and Probation Program update

REQUESTED BY: Cynthia Klein, RN, Chairperson

Staffing

As of October 3, 2016, the Probation Program and the Discipline units are fully staffed.

Program – Discipline

The Discipline Unit continues to work with the Attorney General’s (AG) office to complete our cases in a timely manner and streamline our processes for efficiency.

The discipline unit is in the process of beginning a pilot project to utilize the DCA Cloud to transmit cases to the AG’s office. It is anticipated this process will provide cost savings and result in a reduction in the overall timeframe for imposing discipline.

Statistics - Discipline

Below reflects FY 15/16 (July 1, 2015 – June 30, 2016) discipline statistics:

Decisions Adopted	1,578
Pleadings served	1,067
Petitions to Revoke Probation served	104
Surrenders signed by E. O.	291

Below reflects FY 16/17 (July 1, 2016 – November 1, 2016) Discipline statistics:

Decisions Adopted	452
Pleadings served	323
Petitions to Revoke Probation served	43
Surrenders signed by E. O.	93

The BRN continues to work with the DCA BreEZe team to verify the accuracy of the performance measures statistics and the automation of work processes. The discipline unit has one discipline analyst dedicated to working with the BreEZe team.

Program – Probation

On October 25, 2016, the probation unit presented at the Nurse Support Group Facilitator Conference. This conference was valuable in that the unit was able to enhance fostering a

collaborative working relationship with the facilitators throughout the state. Probation Staff was well received and the facilitators provided positive feedback.

Statistics - Probation

Statistics – July 1, 2016 to October 27, 2016

Probation Data	Numbers	% of Active
Male	368	30%
Female	872	70%
Chemical Dependency	815	65.7%
Required Drug-Screening	619	49.9%
Practice	300	24.2%
Mental Health	9	0.7%
Conviction - excluding chemical dependency/alcohol use	116	9.4%
Advanced Certificates	118	10%
Southern California	714	58%
Northern California	519	42%
Pending AG - Tolled	7	1%
Pending AG	103	8%
License Revoked Fiscal YTD	2	
License Surrendered Fiscal YTD	12	
Terminated Fiscal YTD	3	
Successfully Completed Fiscal YTD	17	
Active In-State Probationers	1240	
Completed/Revoked/Terminated/Surrendered YTD	34	
Tolled Probationers	350	
Active and Tolled Probationers	1590	

The average case load of active probationers per probation monitor is approximately 137. However, the average number of cases per monitor including Tolled cases is 176. There are 64 Early Termination and 9 Modification of Probation cases waiting to be heard by the Board.

NEXT STEP: Follow directions given by committee and/or board.

FISCAL IMPACT, IF ANY: AG’s budget line item will be monitored for Discipline and Probation.

PERSON TO CONTACT: Beth Scott, Chief of Discipline, Probation, and Intervention
(916) 574-8187

BOARD OF REGISTERED NURSING
Intervention/Discipline Committee
Agenda Item Summary

AGENDA ITEM: 9.3
DATE: November 10, 2016

ACTION REQUESTED: Information Only: Intervention Program Update and Statistics

REQUESTED BY: Cynthia Klein, RN, Chairperson

Staffing

The Intervention Program currently has a vacancy for an Office Technician and we are currently screening applications for this position.

Program Update

The Intervention Program hosted the annual Intervention Liaison Committee (ILC) meeting on October 24, 2016, at the Hilton Garden Inn in Sacramento. Board member Cynthia Klein, the Assistant Executive Officer, Stacie Berumen, Discipline, Probation, and Intervention Chief, Beth Scott, the Intervention Program Manager, Don Henry Walker and staff, the Maximus Project Director, Virginia Matthews and case managers, along with representatives from the Diversion Evaluation Committees, two Public Members and one Nurse Support Group Facilitator were in attendance. There were approximately 31 attendees. The Intervention Liaison Committee meeting is held annually to maintain the continuity and integrity of the program in addition to providing a forum to discuss pertinent policy proposals that support the enhancement of the Intervention Program.

In addition to the ILC meeting, the Intervention program staff hosted the Nurse Support Group Facilitator's Conference on October 25, 2016. This conference is conducted to develop greater communication between the facilitators, Board staff and MAXIMUS, the Intervention programs contractor. There was discussion regarding the facilitator's role and responsibilities as outlined in the Intervention program contract, guidelines and policies. In addition, there was an open forum to foster discussion regarding the needs and concerns of the facilitators.

In a continuous effort to reach out to nurses in need and provide community outreach, Virginia Matthews, Maximus Project Manager presented information on November 9th at Dominican Hospital in Santa Cruz. The outreach presentation was conducted for newly graduated nurses during their orientation.

Intervention Evaluation Committees (IEC)

There are currently two Physician member vacancies at this time, one in San Jose (IEC 7)* and one in Burbank (IEC 8)*.

There is currently one RN member vacancy in Burbank (IEC 8).

There is currently one Public member vacancy in Orange county (IEC 4).

***Asterisk denotes pending committee recommendation for Board approval of IEC member included in Agenda Item 9.3.1**

Statistics – Intervention

The Statistical Summary Report for July 1, 2016, through August 31, 2016, is after this update. As of August 31, 2016, there have been 2,107 successful completions.

NEXT STEP: Follow directions given by Committee and/or Board.

FISCAL IMPACT, IF ANY: None at this time.

PERSON TO CONTACT: Don Henry Walker
Intervention Program Manager
(916) 574-7619

**BOARD OF REGISTERED NURSING
INTERVENTION PROGRAM
STATISTICAL SUMMARY
July 1, 2016 - August 31, 2016**

	CURRENT MONTHS	YEAR TO DATE (FY)	PROGRAM TO DATE
INTAKES COMPLETED	27	27	5,164
INTAKE INFORMATION			
Female	23	23	4,033
Male	4	4	1,104
Unknown	0	0	27
Most Common Age Category	35-39		
Most Common Worksite	Unemployed		
Most Common Specialty	Hospital		
Most Common Substance Abused	Alcohol		
PRESENTING PROBLEM AT INTAKE			
Substance Abuse (only)	20	20	3,237
Mental Illness (only)	0	0	168
Dual Diagnosis	6	6	1,674
Undetermined	1	1	85
REFERRAL TYPE*			
Board	19	19	3,809
Self	8	8	1,355
*May change after Intake			
ETHNICITY (IF KNOWN) AT INTAKE			
American Indian/Alaska Native	0	0	39
Asian/Asian Indian	0	0	124
African American	1	1	166
Hispanic	4	4	223
Native Hawaiian/Pacific Islander	0	0	30
Caucasian	22	22	4,239
Other	0	0	77
Not Reported	0	0	266
CLOSURES			
Successful Completion	24	24	2,107
Failure to Derive Benefit	1	1	124
Failure to Comply	3	3	981
Moved to Another State	0	0	52
Not Accepted by IEC	0	0	60
Voluntary Withdrawal Post-IEC	1	1	340
Voluntary Withdrawal Pre-IEC	4	4	533
Participant Withdrawn-Failure to sign contract	0	0	1
Closed Public Risk	6	6	357
No Longer Eligible	1	1	18
Clinically Inappropriate	0	0	34
Client Expired	0	0	41
Sent to Board Pre-IEC	0	0	2
TOTAL CLOSURES	40	40	4,650
NUMBER OF PARTICIPANTS: 387 (as of August 31, 2016)			

BOARD OF REGISTERED NURSING
Intervention/Discipline Committee Meeting
Agenda Item Summary

AGENDA ITEM: 9.3.1
DATE: November 10, 2016

ACTION REQUESTED: Intervention Evaluation Committee Members/ New Appointments

REQUESTED BY: Cynthia Klein, RN, Chairperson

BACKGROUND:

In accordance with B & P Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Intervention Evaluation Committees. Each Committee for the Intervention Program is composed of three registered nurses, a physician and a public member with expertise in substance use disorders and/or mental health.

APPOINTMENTS

Below are the names of the candidates who are being recommended for appointment to the Intervention Evaluation Committees (IEC). Their applications and résumés are attached. If approved, their terms will expire June 30, 2020.

<u>NAME</u>	<u>TITLE</u>	<u>IEC</u>	<u>NO</u>
Rhonda Ceccato	Public Member	Orange County	4
Sarah Domb, MD	Physician Member	Burbank	8
David Rohrdanz, MD	Physician Member	San Jose	7

RESIGNATION (For informational purposes, no vote needed)

<u>NAME</u>	<u>TITLE</u>	<u>IEC</u>	<u>NO</u>
Anna Seiders	RN Member	Ontario	9
Melody Law	Physician Member	Oakland	13

NEXT STEP: Continue recruiting efforts.

PERSON TO CONTACT: Don Henry Walker
Intervention Program Manager
(916) 574-7619