

BOARD OF REGISTERED NURSING
Administrative Committee
Agenda Item Summary

AGENDA ITEM: 6.1
DATE: September 15, 2016

ACTION REQUESTED: Discussion and Possible Action to initiate the rulemaking process to increase fees –California Code of Regulations, Title 16, section 1417

REQUESTED BY: Dr. Joseph Morris, PhD, MSN, RN,
Executive Officer

BACKGROUND:

Senate Bill 1039 by Senator Hill has been enrolled and will be sent to the Governor for his approval. This bill includes fee increases for the Board of Registered Nursing. In order to implement the fees on or about January 1, 2017, the BRN must submit a regulatory package to the Office of Administrative Law to reference the appropriate fees to be charged to the public.

Staff recommends initiating the rulemaking process to establish the fees charged by the BRN in Senate Bill 1039 if it is approved by the Governor.

NEXT STEP: Follow directions given by board.

PERSON TO CONTACT: Stacie Berumen
Assistant Executive Officer
(916) 574-7600

Ronnie Whitaker
Legislative and Regulatory Analyst
(916) 574-7600

BOARD OF REGISTERED NURSING
Administrative Committee
Agenda Item Summary

AGENDA ITEM: 6.2
DATE: September 15, 2016

ACTION REQUESTED: Discussion and Possible Vote on Options to Discontinue Printing and Mailing of Pocket Cards as a Cost Savings Measure

REQUESTED BY: Dr. Joseph Morris, Executive Officer

BACKGROUND:

Dr. Morris has requested options regarding the discontinuation of printing and mailing RN and advance practice pocket cards as a cost savings measures. Currently the board has a contract in place with the vendor SoftFile to print and mail RN and advanced practice pocket cards.

Issuance of initial RN license, license and certification renewal and individual requests from licensees for duplicate pocket cards is what triggers a pocket card to be printed. The board currently has a monthly renewal population of approximately 18,000 licensees. The DCA generates and electronically transmits a file on a daily basis of all the licensees that need a pocket card printed and mailed. The vendor processes the file and prints the pocket card, the associated letter and envelope and mails to the licensee. The contract cost for the current fiscal year is \$290,524.

Pocket Card licenses provide the assumption that the licensee's license status is current as indicated by the expiration date on the license. The status of a license can change at any time based on discipline and family support actions. If a license status changes in BreZE, the system is immediately and automatically updated to reflect the new status. License verification by the employer is required by Business and Professions Code section 2732.05 and should be completed upon hire of an RN and throughout employment. License verification in BreZE is available 24 hours a day 7 days a week to allow employers the ability to verify license status at a moment's notice. Additionally, the National Council of State Board of Nursing has a system in place called E-Notify. Employers can sign up with E-Notify and enter in each of their employee RN names and license numbers and E-Notify will trigger a response to the employer any time a status changes and at renewal time. This service is not only available to employers it is also available to RNs at no charge.

Staff recommends elimination of the automatic pocket card printing, mailing and cancellation of the existing contract.

NEXT STEPS: Follow direction of the Board.

PERSON(S) TO CONTACT: Stacie Berumen, Assistant Executive Officer
Christina Sprigg, Chief, Licensing and Administrative Services

BOARD OF REGISTERED NURSING
Administrative Committee
Agenda Item Summary

AGENDA ITEM: 6.3
DATE: September 15, 2016

ACTION REQUESTED: Discuss and Possible Vote on Transitioning License Verification process to NURSYS

REQUESTED BY: Dr. Joseph Morris, Executive Officer

BACKGROUND:

The license verification process for licensees who seek to become licensed in another state has always been processed by BRN staff. At this time the license verification process costs \$100 and takes approximately 6 – 8 weeks to complete.

In an effort to improve customer service and data integrity staff has been working with the National Council of State Boards of Nursing to develop a plan to transition the license verification process from our board to NCSBN who runs Nursys. This change will result in license verifications completed within 24-48 hours and ensure information is electronically transmitted directly from NCSBN to the other board of nursing. This will eliminate the possibility of fraudulent license verifications as a result of paper verifications being sent to other boards of nursing.

Staff recommends transitioning the license verification process to Nursys to improve customer service and data integrity within the Nursys system.

NEXT STEPS: Follow direction of the Board.

PERSON(S) TO CONTACT: Stacie Berumen, Assistant Executive Officer
Christina Sprigg, Chief, Licensing and Administrative Services

BOARD OF REGISTERED NURSING
Administrative Committee
Agenda Item Summary

AGENDA ITEM: 6.4
DATE: September 15, 2016

ACTION REQUESTED: CloudDrive Presentation by DCA- Office of Information Services

REQUESTED BY: Dr. Joseph Morris, Executive Officer

BACKGROUND:

A presentation will be given by staff from the Department of Consumer Affairs' Office of Information Services regarding an initiative to improve the initial licensing process via use of the DCA Cloud.

NEXT STEPS: Follow direction of the Board.

PERSON(S) TO CONTACT: Christina Sprigg
Chief, Licensing and Administrative Services

BOARD OF REGISTERED NURSING
Administrative Committee
Agenda Item Summary

AGENDA ITEM: 6.5
DATE: September 15, 2016

ACTION REQUESTED: Discuss and Vote on Whether to Approve Proposed Board Meeting Dates for 2017

REQUESTED BY: Michael Jackson, MSN, RN, President
Chairperson, Administrative Committee

BACKGROUND:

January 10-11, 2017	South
February 7-8, 2017	South
March 7-8, 2017	North
April 4-5, 2017	North
May 9-10, 2017	South
June 6-7, 2017	South
August 8-9, 2017	North
September 6-7, 2017	North
October 3-4, 2017	South
November 7-8, 2017	South

NEXT STEPS:

FISCAL IMPACT, IF ANY: None

PERSON TO CONTACT: Joseph Morris, PhD., MSN, RN
Executive Officer
(916) 574-7600

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

D R A F T

DATE: June 15-16, 2016

LOCATION: Department of Consumer Affairs HQ
1625 N. Market Blvd., Hearing Room
Sacramento, CA 95834

PRESENT: Michael D. Jackson, MSN, RN, President
Raymond Mallel, Vice President
Elizabeth A. Woods, MSN, FNP, RN
Pilar De La Cruz-Reyes, MSN, RN
Trande Phillips, RN
Imelda Ceja-Butkiewicz
Donna Gerber
Barbara Yaroslavsky

ALSO PRESENT: Stacie Berumen, Assistant Executive Officer
Christina Sprigg, Deputy Chief, Licensing and Administrative Services
Shannon Silberling, Deputy Chief, Complaint Intake and Investigations
Beth Scott, Deputy Chief, Discipline
Janette Wackerly, Supervising NEC
Miyo Minato, Supervising NEC
Leslie Moody, NEC
Kay Weinkam, NEC
Katie Daugherty, NEC
Laura Shainian, NEC
Alcidia Valim, Administration Manager
Long Dau, Licensing Manager
Andrea Hightower, Call Center Supervisor
Peggy Gibbson, Renewal Supervisor
Ronald Chavez, Licensing Evaluations Supervisor
Gabe Velasquez, Technical Support Supervisor
Tammy Logan, Discipline Manager
Marc White, Complaint Intake Manager
Elizabeth Elias, Probation Monitor Manager
Don Walker, Intervention Program Manager
Julie Campbell-Warnock, Research Program Specialist
Kim Ott, Decisions and Appeals Analyst
Elisa Serna, Decisions and Appeals
Michael Santiago, DCA Legal Counsel
Kurt Heppler, DCA Legal Counsel
Jonathan Burke, DCA Executive Office

Timothy Aspinwall, Administrative Law Judge
Joshua Eisenberg, Deputy Attorney General
Malissa Siemantel, Deputy Attorney General

Wednesday, April 13, 2016 – 8:00 am – Open Session: 9:04 am Board Meeting

1.0 8:00 am Open Session: Staff Presentation to Public (Board Members will not be present):

- 1.1 Overview of the Board’s licensure process and process related to applicants reporting convictions.
- 1.2 Questions and Answers.

2.0 Call to Order and Establishment of a Quorum

Michael Jackson, President, called the meeting to order at 9:06 a.m. and had the members introduce themselves.

3.0 Public Comment for Items Not on the Agenda

No public comment.

4.0 Disciplinary Matters. Hearings on Petitions For:

Reinstatements

Marjorie Ballard
Christopher Cardenas
Tricia Gregory
Stacie Harden
Keri Nimitz
Sheri Williamson

Early Termination/Modification of Probation

Erin Lyons
Ariel Manipula
Mathew Van Cleve

Meeting adjourned at 12:40 p.m.

5.0 Closed Session

Disciplinary Matters

The Board convened in **closed session** pursuant to Government Code Section 11126(c) (3) to deliberate on the above matters and other disciplinary matters including stipulations and proposed decisions.

Michael Jackson, President, called the closed session meeting to order at 1:00 p.m. The closed session adjourned at 5:03 p.m.

5.0 Reconvene in Open Session for Purposes of Adjournment

Michael Jackson, President, reopened the meeting at 5:04 and called for public comment. No public comment.

Meeting adjourned at 5:10 p.m.

Thursday, June 16, 2016 – 9:04 am

1.0 Call to Order and Establishment of a Quorum

Michael Jackson, President, called the meeting to order at 9:04 am and had the Board Members introduce themselves.

2.0 Public Comment for Items Not on the Agenda

No public comment

3.0 Review and Vote on Whether to Approve Minutes:

- April 13-14, 2016 Board Meeting Minutes
- May 12, 2016, Board Meeting Minutes

No public comment.

Motion: Raymond Mallel made a motion that the Board approve the Minutes from all Board Meetings listed in Agenda Item 3.0.

Second: Trande Phillips

No Public Comments.

Votes	MJ	EW	RM	BY	DG	IC-B	TP	PD-R
	Y	Y A-May	Y	A	Y	Y	Y	Y

4.0 Report on Board Members' Activities

Board's President, Michael Jackson attended the San Diego County African American Scholarship Dinner on April 9, 2016.

5.0 Board and Department Activities

5.1 Executive Officer Report

Stacie Berumen Assistant Executive Officer presented this report.

➤ **New Board Members**

Donna Gerber was appointed to the Board of Registered Nursing by the Speaker of the Assembly on February 24, 2016. Donna retired in 2009 after a long and varied career. She graduated from UC Santa Barbara in social work and started her career as a social worker. She later worked for several labor unions as an advocate and educator for healthcare workers. Donna was elected to the Contra Costa Board of Supervisors in 1996 and again in 2000 and she was appointed as a public member of the California Medical Board by Governor Gray Davis.

In addition to worker advocacy, Donna distinguished herself as one of the most effective leaders in the Bay Area on issues as diverse as smart growth, environmental conservation, quality health care and “Zero Tolerance” policies against domestic violence. She is currently on the Board of Directors of Greenbelt Alliance, a non-profit organization in the San Francisco Bay Area that promotes mixed use urban development and rural conservation through urban growth boundaries. She also serves on the Board of the National Charrette Institute, a national non-profit educational institution that provides training to elected officials, private professionals and community members that empowers all parties toward land use project planning, design and implementation. Her term expires June 1, 2016.

Barbara Yaroslavsky was appointed to the Board of Registered Nursing by the Senate Rules Committee on June 1, 2016. Barbara sits on the boards of many nonprofit organizations and public organizations and has been active for the last 35 years at the Saban Community Clinic. She currently sits on the Friends Board which raises in excess of 1.7 million dollars a year to provide quality health care for the underserved in the Los Angeles community.

She serves on the LA’s Best Board, a collaborative effort between the City of Los Angeles, Los Angeles Unified School District, and the private sector. This nationally recognized program provides a quality program for over 30,000 elementary students in the Los Angeles City area and public school. She is the Chair of LA City Commission on Neighborhood and Families which advises the Mayor and Council on issues to make a difference around programs moving people out of poverty.

Barbara sits on the Board of Executive Service Corps (ESC) which places retired executives as coaches into non-profit organizations and is an active member of the Governance and Nominating Committee. She has also served on the Medical Board of California for 13 years in a variety of roles including President, chair of the Education Committee and Discipline panel, co-chair of the over-prescribing task force and has served on other task forces always with public protection at the forefront of the topic.

She is a member of the Health Professions Educational Foundation which makes scholarship and loan repayment programs available for people going into the medical professions in the State of California. Barbara believes that the way to make a difference is by being involved in the community and she has been engaged in a myriad of community projects through her career as a community activist with her focus being opportunities in education and health care issues. Her term will expire on June 1, 2020.

➤ **BRN Sunset Report**

On June 3, 2016, the BRN received questions related to 24 issues which the Senate Business, Professions and Economic Development Committee and the Assembly Business, Professions and Consumer Protection Committee who jointly participate in the sunset oversight review have requested an update. Since this is an update, they are not requesting that the BRN complete the entire packet as is usually done during the Sunset process. While a due date was not provided, the BRN staff will work on responses to the issues over the next several months in anticipation of completing and submitting in October/November 2016.

➤ **Public Record Requests**

The BRN continues to comply with public record requests and responds within the required timeframes that are set in Government Code Section 6250. For the period of April 4, 2016 through, June 6, 2016 the BRN received and processed 41 public record requests.

➤ **New BRN Website Design**

On May 9, 2016, the Board launched its newly redesigned website at <http://www.rn.ca.gov/>. The website has been completely redesigned and reorganized in an effort to provide easier access to information in a format that is more user-friendly and easier to navigate. The BRN requests applicants, licensees, students, educators, employers and the general public look around the website and discover the information you can find. In order to keep improving the website, we encourage visitors to provide feedback by taking our Website Satisfaction Survey at the following link: <https://www.dca.ca.gov/webapps/rn/survey.php>. This survey can be taken any time and is located under the Quick Hits on the home page of the Board's website. The BRN staff website committee will review survey results and comments and use feedback to continue to improve the website.

I would like to thank the website committee members comprised of board staff from all units within the office. These committee members provided input on the changes and design of the new website. The discussions, meetings and updating of information were extensive and the committee did a fantastic job ensuring it was completed. I especially want to thank the Board's IT staff Jennifer Roseberry and Marc Cardenas. Jennifer was responsible for incorporating all of the committee's ideas and ensuring that every aspect of our website was updated appropriately. Jennifer had the enormous responsibility of reorganizing and relocating every piece of information from the former website to the new one. This was not an easy feat as it took dedication, focus and patience. This all would not have been possible for Jennifer if Marc was not there to assist in taking over her day to day work activities for over a year so that she was able to focus all of her attention on completing the website conversion. A great big Thank You to Jennifer, Marc and all the participating website committee members!

➤ **Meet the BRN Management Team**

The Board does not normally meet in a location that is convenient to allow the management team to be away from the office to meet the board members. I wanted to take this opportunity to introduce all of the BRN's management team to the Board. Our management team works collaboratively to ensure that the BRN office, staff and work is running smoothly. On a daily basis they respond to and work with consumers, applicants, licensees, legislative offices, DCA, outside agencies and BRN staff. I would like to acknowledge their continued hard work and dedication to the board.

Chief of Licensing and Administrative Services – Christina Sprigg
Licensee and Administration Services Manager – Alcidia Valim
Renewals Supervisor – Peggie Gibbs
Call Center Supervisor – Andrea Hightower

Licensing Manager – Long Dau
Licensing Evaluations Supervisor – Ron Chavez
Licensing Support Supervisor – Gabriel Velasquez

Supervising Nursing Education Consultant (Northern Ca.) – Janette Wackerly
Supervising Nursing Education Consultant (Southern Ca.) – Miyo Minato

Chief of Complaint Intake and Investigations – Shannon Silberling
Supervising Special Investigator (Northern Ca.) – Joseph Pacheco
Supervising Special Investigator (Southern Ca.) – Scarlett Treviso
Complaint Intake Manager – Marci White

Chief of Discipline, Intervention & Probation – Beth Scott
Discipline Manager – Tammy Logan
Probation Manager – Elizabeth Elias
Intervention Manager – Don Walker

➤ **Education Issues Workgroup**

The Education Issues Workgroup (EIW) met on April 26, 2016 in Sacramento. The focus of the meeting was to review the 2014-2015 Annual School Survey instrument and make edits as needed for the 2015-2016 survey document. Other issues discussed by the workgroup members at the meeting included an overview of a new ambulatory education/practice pilot project that is in the beginning stages, discussion of teacher-student ratios in the clinical setting, update of nursing program information to be included on the BRN website and an overview of the BRN clinical simulation survey report now available on the BRN website. The workgroup includes nursing program directors and representatives from nursing related organizations, nursing employers, and the Community College Chancellor's Office.

➤ **2015 Simulation in Nursing Education Survey Report**

On May 18, 2016, the 2015 Simulation in Nursing Education Survey Report was posted to the BRN website at the following link: <http://rn.ca.gov/forms/reports.shtml>. The Simulation Survey Report describes the clinical education experiences (simulation and hands-on clinical experiences) of RNs who recently graduated from California nursing education programs and how these experiences prepared them for their transition to practice as an RN, from the newly licensed RNs perspective. In addition, the survey assesses whether different levels of simulation activities in education impact their perception of their preparedness for and confidence in nursing practice. The BRN grants authorization to the public to reproduce the report.

➤ **2016 California Survey of RNs Mailed**

On April 25, 2016, the California biennial RN survey was mailed to a sample of 8,000 actively licensed RNs in California. The survey is the tenth in a series of surveys designed to collect and evaluate nursing demographic and workforce data used to identify trends that may assist policy makers and the public in addressing the nursing shortage and workplace issues. Since 2004, studies have been completed on a biennial schedule, prior to 2004 studies were conducted in 1990, 1993 and 1997. The survey is conducted and analyzed for the BRN by the University of California, San Francisco (UCSF), Institute for Health Policy

Studies and Dr. Joanne Spetz serves as the principal investigator for the study. The BRN encourages RNs who have received the survey to complete it, either online or paper version. As of June 6, 2016, a total of 2,143 surveys had been returned for a 27% response rate thus far. Typically the BRN receives a 50 to 58% response rate on this survey.

➤ **Financial Assistance for Loan Repayment and Training Programs for NPs and CNMs Administered through the Office of Statewide Health Planning and Development (OSHDP)**

The State Loan Repayment Program (SLRP): The SLRP increases the number of primary care physicians, dentists, dental hygienists, physician assistants, nurse practitioners, certified nurse midwives, pharmacists, and licensed mental/behavioral healthcare professionals practicing in federally designated California Health Professional Shortage Areas (HPSA). SLRP assists with the repayment of qualified educational loans for eligible primary health care professionals in exchange for working in a HPSA. The 2016 SLRP application cycle opens on August 1, 2016 and ends October 1, 2016. Apply online through CalREACH at: <https://calreach.oshpd.ca.gov> and for more information visit the SLRP webpage: <http://www.oshpd.ca.gov/HWDD/SLRP.html>.

SLRP requires all potential Certified Eligible Sites (CESs) to submit an application to verify the site is in a HPSA, is in compliance with federal requirements, and is willing to match award funds. Clinical practice sites can recruit and retain providers who provide care in underserved communities by becoming a SLRP CES. Applications are open year-round. Apply through CalREACH at: <https://calreach.oshpd.ca.gov>

Song-Brown Program: This year, the Song-Brown will award over \$12 million to training programs committed to increasing the number of Family Physicians and Primary Care providers in California. Applications will be released on September 1, 2016. For up-to-date information about applicant registration, applicant submission, webinars, application instructions/guidance and meeting dates, visit the Song-Brown webpage: http://www.oshpd.ca.gov/HWDD/Song_Brown_Prog.html

5.2 **Budget Update**

May Revise – The Governor’s Revised Budget was made available May 13, 2016.

Out of State Travel Blanket – The department is required to prepare an annual Out-of-State-Travel (OST) Blanket, as specified in section 0760 of the State Administrative Manual, requesting approval for all anticipated trips for FY 2016/2017. The Board submitted its OST request to the department on April 5, 2016. The Board was approved for four out of the eight proposed Out-of-State-Travel trips.

Budget Change Proposals (BCPs) – The Board has moved forward with a BCP requesting to convert limited term positions to permanent positions that were approved in FY 2014/2015. The Board will also move forward with BCPs to request positions in many areas of the board with a focus in licensing and administration.

Regulations – The Board’s regular proposal to increase fees to the statutory limit was submitted to the Office of Administrative Law on March 18, 2016, for review and approval. The rulemaking file was approved on April 28, 2016.

The Board submitted the credit for military education and experience proposal to the Office of Administrative Law on May 17, 2016. The publication date was on May 27, 2016 and the hearing date is set for July 11, 2016.

Attorney General - As of April 30, 2016 the Board has expended 89.35% (\$5,241,486) of the AG budget. The Board has expended 85.5% (\$10,492,542) of the total enforcement budget. The Board's current year budget is going to be very tight and is being monitored to maintain the business of the Board and ensuring only necessary expenditures are being made.

5.3 BreEZe Update

As discussed at the April 2016 Board Meeting Work Authorization (WA) 014 was approved for implementation into Breeze with a release date of June 16, 2016. WA014 will change the functionality of the online renewal application to allow the Board to designate specific questions as required. This functionality will now require specific questions to be responded to by the licensee upon renewal of their RN license. This is necessary because currently if a licensee does not respond to a question a hold is placed on their license renewal thus not allowing the license expiration date to update. This also requires additional intervention by the licensee to provide documentation of the response and by board staff to complete a manual removal of the hold and approval of the renewal application. The board renews approximately 18,000 licensees per month and approximately 10% of those have holds placed on the renewal for various reasons. With the implementation of the functionality allowed through WA014 this will no longer occur. Board staff will monitor the effectiveness of WA014 and will provide updates to the Board of any major change impacts.

5.4 Staffing Update

NEW HIRES		
Name	Classification	Program
Victoria Valencia	Program Technician	Licensing
Asante Garrott	Staff Services Analyst	Discipline Unit
PROMOTIONS		
Name	Classification	Program
Dean Fairbanks	Staff Services Analyst	Licensing
Elisa Serna	Staff Services Analyst	Administration

6.0 Report of the Administrative Committee
 Michael Jackson, President, Chairperson

6.1 Update from Executive Officer Selection Committee
 Michael Jackson, President, presented this report.

Motion: Imelda Ceja-Butkiewicz made a motion to re-nominate Michael Jackson for the Board of Registered Nursing’s President.

Second: Donna Gerber

No Public Comments.

Votes	MJ	EW	RM	BY	DG	IC-B	TP	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

Motion: Trande Phillips made a motion to re-nominate Raymond Mallel for the Board of Registered Nursing’s Vice-President

Second: Michael Jackson

No Public Comments.

Votes	MJ	EW	RM	BY	DG	IC-B	TP	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

6.2 Discuss and Vote on Whether to Approve Proposed Board Meeting Dates for 2017

January 10-11, 2017	South
February 7-8, 2017	South
March 7-8, 2017	North
April 4-5, 2017	North
May 9-10, 2017	South
June 6-7, 2017	South
August 8-9, 2017	North
September 6-7, 2017	North
October 3-4, 2017	South
November 7-8, 2017	South

No motion: Agenda item tabled to September 2016 Board Meeting.

6.3 Discuss and Vote Whether to Update the Charges of the Administrative, Education/Licensing, Intervention/Discipline, Legislative, and Nursing Practice.

BACKGROUND:

The board did not have a quorum at the Education/Licensing Committee meeting in March 2016. As a result, the meeting was cancelled as soon as it was learned the committee did not have a quorum. Many schools incurred travel costs as they were scheduled to appear and present testimony on the committee’s agenda items. In order to resolve this issue it was suggested a change be made to the Administrative Committee’s charge to allow the board president to sit in at any committee meeting where there is a lack of quorum.

In addition, it is requested that this board confirm the authority of the board president to appoint board members to the various committees.

Lastly, the Diversion Program was changed to the Intervention Program. The Diversion/Discipline Committee charge is changed to reflect the current name of the Intervention/Discipline Committee.

Motion: Imelda Ceja-Butkiewicz made a motion the President of Board of Registered Nursing has the authority to appoint members to the committees.

Second: Barbara Yaroslavsky

No Public Comments.

Votes	MJ	EW	RM	BY	DG	IC-B	TP	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

6.4 Information Only: End of Life Options Acts Enactment Discussion

BACKGROUND:

On October 5, 2015, Governor Jerry Brown signed the End of Life Option Act into law. The provisions took effect on June 9, 2016. The law allows a California citizen with a terminal illness and who complies with specified criteria to end his or her life through the voluntary self-administration of lethal medications, expressly prescribed by a physician for that purpose. The law is very specific and contains procedures that physicians, pharmacists, and patients need to follow.

The BRN has posted information regarding this law on its website to keep our licensees informed about the process and to let them know they have a choice whether or not to participate in this process.

7.0 Report of the Education/Licensing Committee

Michael Jackson, MSN, RN, Chairperson

7.1 Vote on Whether to Ratify Minor Curriculum Revision

Leslie Moody, NEC, presented this report

BACKGROUND:

According to Board policy, Nursing Education Consultants may approve minor curriculum changes that do not significantly alter philosophy, objectives, or content. Approvals must be reported to the Education/Licensing Committee and the Board.

Minor Curriculum revisions include the following categories:

- Curriculum changes
- Work Study programs
- Preceptor programs
- Public Health Nurse (PHN) certificate programs
- Progress reports that are not related to continuing approval
- Approved Nurse Practitioner program adding a category of specialization

The following programs have submitted minor curriculum revisions that have been approved by the NECs:

- California State University, Fresno Entry Level Master’s Degree Nursing Program
- The Valley Foundation School of Nursing at San Jose State University Baccalaureate Degree Nursing Program
- American Career College Associate Degree Nursing Program
- Antelope Valley College Associate Degree Nursing Program
- Merced College Associate Degree Nursing Program
- MiraCosta College Associate Degree Nursing Program
- Monterey Peninsula College Associate Degree Nursing Program
- Mt. San Jacinto College, MVC Associate Degree Nursing Program
- San Joaquin Delta College Associate Degree Nursing Program
- Solano Community College Associate Degree Nursing Program
- California State University, Fresno Nurse Practitioner Program

Acknowledge Receipt of Program Progress Report:

- Stanbridge College Associate Degree Nursing Program

No public comment

Motion: Raymond Mallel made a motion to accept to ratify approval of minor curriculum revisions.

Second: Michael Jackson

Votes	MJ	EW	RM	BY	DG	IC-B	TP	PD-R
Y A-Mira Costa College	Y	Y	Y	Y	Y	Y	Y	Y A-CSU, Fresno

7.2 Vote on Whether to Continue Approval of Prelicensure Nursing Program

Leslie Moody, NEC presented this report.

BACKGROUND: The Education/Licensing Committee met on May 12, 2016 and makes the following recommendations:

- A. Continue Approval of Prelicensure Nursing Program
 - MiraCosta College Associate Degree Nursing Program
 - Rio Hondo College Associate Degree Nursing Program

- B. Defer Approval of Prelicensure Nursing Program
 - Mount Saint Mary’s University, Los Angeles Baccalaureate Degree Nursing Program

- C. Approve Major Curriculum Revision
 - Simpson University Baccalaureate Degree Nursing Program (increase enrollment)
 - San Joaquin Delta College Associate Degree Nursing Program (curriculum)

Motion: Raymond Mallel made a motion to approve Education/Licensing Committee Recommendations

Second: Michael Jackson

No Public Comments.

Votes	MJ	EW	RM	BY	DG	IC-B	TP	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y
	A-Mira Costa College							

7.3 Vote on Whether to Place Charles R. Drew University of Medicine and Science, Mervin M. Dymally School of Nursing Entry Level Master’s Degree Nursing Program on Warning Status with Intent to Close the Nursing Program.

Laura Shainian, NEC, presented this report

BACKGROUND: Margaret Avila, PhD, PHN, APRN, is the Program Director appointed May 9, 2016.

CDU is a private, non-profit, non-sectarian, minority-serving medical and health sciences institution and is located in the Watts-Willowbrook section of south Los Angeles. CDU offers among other educational opportunities at the university, post-secondary degree and certificate programs through three separate colleges/schools: College of Medicine, College of Science and Health, and Mervyn M. Dymally School of Nursing (SON). SON received CCNE accreditation in 2012, and also offers an FNP program. Initial approval of CDU ELM program for CNL was given on May 9, 2009, and the program started Fall 2010 with Cohort 1 of 18 students, and Spring 2011 with Cohort 2 of 11 students.

This progress is being provided to the Board for review of deferred action at the October 2015 ELC for CDU. Program findings for the June 2015 regularly scheduled continuing approval visit, with focus pursuant to CCR section 1431(b) annual NCLEX-RN pass rate below 75% for two consecutive years, found the program to be in non-compliance in two areas: CCR 1426.1 Preceptorship, and CCR 1431 NCLEX Pass Rate. And six recommendations involving eight sections were given: Curriculum: CCR 1424(a) Philosophy, and related section CCR 1426(b) Unifying theme; CCR 1424(b)(1) Total Program Evaluation; CCR 1424(c) Organizational Chart,

and related section CCR 1424(f) Assistant Director duties; CCR 1425(f) Content Expert; CCR 1425.1(b) Faculty Orientation; and CCR 1426(f) Clinical Evaluation Tool (see attached Report of Findings).

On September 13, 2015, the program submitted a progress report addressing the areas of non-compliance (Preceptorship & NCLEX), and faculty and curricular issues (six recommendations). The non-compliance for Preceptorship was corrected, by the program discontinuing the original preceptorship for Residency I NUR 619 course, and changing to a med-surg clinical rotation of students being assigned to work with the RN scheduled for each day. However, the non-compliance for the substandard NCLEX Pass Rate remains, as depicted in the table below, and referenced in the schools attached progress report (see page 8, Chart 1).

NCLEX pass rates remain below 75% passing standard beyond the two-year period:

Year	Taken	Passed	Annual Percent
2011-2012	1	1	100%
2012-2013	20	19	95.0%
2013-14	63	30	47.62%
2014-15	87	48	55.17%
2015-16 (Three quarters)	30	16	53.33%

Initial NCLEX outcomes for the first two cohorts were successful. Enrollment in the program increased. NCLEX pass rates with subsequent cohorts began to fall below 75%. During this time, a minor curriculum revision had been implemented to provide students more bedside nursing practice before progressing to the final semester (CNL curriculum). Continued low NCLEX pass rates prompted a minor curriculum revision to allow for students to take the NCLEX upon completion of the prelicensure curriculum, instead of waiting until graduation from the CNL. The program has also instituted a 1unit mandatory NCLEX Review course in the curriculum.

The program's second progress report submitted April 7, 2016, provides data for the two most recent graduating cohorts (7 – 69%, 8 – 75%) who have tested thus far. The report indicates an upward trend of improvement in student performance as success strategies are implemented in the program, and that more time is needed for full implementation of the strategies to impact NCLEX pass rates. Furthermore, program analysis reveals that although students are eligible to take the NCLEX exam one semester before graduation, they continue to delay, on average, 8 months following their eligibility date. (See attached program progress report, pg. 11-12.)

The program currently has 126 students enrolled (cohorts 9-12). Cohort 9 & 10 were the last two cohorts to admit 40 students. Then the program reduced subsequent enrollment for Cohorts 11 (35) & 12 (24), in an effort to concentrate on improving student performance.

In addition to NCLEX non-compliance, the program continues to struggle with leadership changes and faculty turnover. At the June 2015 continuing approval visit, the program had a total of 18 faculty members: 15 full-time and 3 part-time. Of the 18 faculty members, only one had been at the SON since the start of the program (2010), and 10 of the faculty members started in 2014 or later. Concerns regarding leadership changes, program stabilization, and faculty development were discussed at the time of the visit and that the program would address the issues. Since the visit, the

program has experienced the loss and addition of faculty, and the program’s organizational structure shows changes in personnel.

Continued leadership changes and faculty turnover were also evident at an NEC visit to the program on April 13, 2016, in response to a student complaint regarding the NUR 619 Residency I preceptorship course. The visit revealed:

- Insufficient clinical faculty to begin the course – only 1 clinical group started on time
- 2 groups without clinical faculty were directed to the Skills Lab for 57 hours
- As faculty were hired, Group 2 started at week 6, and Group 3 started at week 12
- The later clinical start for Group 3 resulted in students being scheduled to complete 225 clinical hours between 3/25 to 5/3
- Group 2 clinical schedule showed 201 of 225 total clinical hours
- Clinical evaluations and clinical paperwork inconsistent among clinical groups
- Course syllabus not updated and did not reflect preceptorship revision changes
- Didactic schedule showed 45 total hours instead of the 15 approved hours

In addition, two student complaints – one in December 2015 and another in January 2016 – identified faculty and course issues.

In conclusion, the findings and program progress report indicate that although the program reports improved NCLEX performance by cohort (Cohort 7 – 69%, Cohort 8 – 75%), a reexamination of the data by NEC shows Cohort 7 – 64.5%, Cohort 8 – 45% (first-time test takers). As success strategies are being earnestly implemented in the program, the overall annual pass rate continues below 75%, and faculty turnover and curriculum issues continue to impact the program and student learning.

Motion: Michael Jackson made a motion to:

- **Place program on Warning Status With Intent to Close the Nursing Program.**
- **Allow one-time enrollment of 20 students for Fall 2016 admission, with Board approval required for additional future enrollment.**
- **Program to provide monthly progress reports to NEC with program progress to be presented at October 2016 meeting of Education/Licensing Committee for further consideration. NEC may require program to be presented at ELC sooner if the program does not demonstrate acceptable progress for improvement.**
- **University president to provide letter indicating commitment to implementation of measures that will ensure school of nursing success.**

Second: Raymond Mallel

No Public Comments.

Votes	MJ	EW	RM	BY	DG	IC-B	TP	PD-R
	Y	Y	Y	A	Y	Y	Y	Y

7.4 Vote on Whether to Grant Initial Approval of Prelicensure Nursing Program for Glendale Career College Associate Degree Nursing Program

Presented this report: Laura Shainian, NEC

BACKGROUND: Gloria M. Blatti, RN, EdD, FNP, Program Director, and James R. Kennett, PhD, RN, NP, Assistant Program Director.

An initial program approval visit for Glendale Career College Associate Degree Nursing Program, Glendale, CA, was conducted on February 16, 2016 by Laura Shainian, NEC and Miyo Minato, SNEC. The program was found to be in compliance with all BRN rules and regulations. The feasibility study for the program had been accepted by the Board in June 2014.

Glendale Career College (GCC) was originally established in 1946, and has had both ownership and name changes, and expanded program offerings in California and Nevada. In 1993, GCC established a branch campus, Nevada Career Institute, in Las Vegas Nevada. In 2008, Glendale Career Schools, Inc. was acquired by North-West College, West Covina, CA. Currently, Glendale Career College, North-West College, and Nevada Career College form a system of three Career Colleges held under the parent organization titled Southwest College of Medical and Dental Assistants and Practical Nurses, a privately held business corporation.

GCC is a private post-secondary institution and is approved by way of accreditation (institutional) to operate and offer Associate Degree programs by the State of California Bureau of Health Education Schools (ABHES) since 2010. Accreditation is granted through February 2018. The college offers other diploma and associate degree programs in 9 specialized allied health disciplines, including vocational nursing (NCLEX-PN pass rate 70-82%). Programmatic accreditation, when applicable, is maintained and in good standing. The college has provided notification to both ABHES and BPPE regarding the establishment of the ADN program.

The Glendale Career College nursing program is located on the second floor of a two-story commercial building. The second floor consists of 10, 209 square feet of space which has been completely renovated for the nursing program. The space on this level includes three classrooms (45+ seats) with smart technology, Anatomy/Physiology/Microbiology Lab (18 seats), Nursing Skills Lab (4 beds with static, mid-fidelity manikins), and hospital equipment to simulate settings for adult, obstetric & newborn patient care. The college has plans for a Mobile Simulation Lab (2 patient care areas which can be used as alternate debriefing areas) with high fidelity manikins (Sim-Man, Sim-Mom, Sim-Newborn). A certified simulation coordinator will be hired. Student support services at the college include career services, admissions, registrar, financial aid, student advisors, and counseling. The campus is Wi-Fi capable and students have access to library databases and resources specific to the ADN program both on and off campus via the internet. Program tuition includes textbooks, uniforms, science and nursing laboratory supplies, Wonderlik admission exam to the college, and Kaplan services (admission exam, final course exams, and review courses).

The program director (03/01/15), assistant program director (04/15), and administrative assistant (2015) are hired. The program intends to hire 5 full-time faculty (theory & clinical instructors/content experts) and 14 part-time faculty beginning in June 2016, adding faculty as students advance in the first two years of the program. The program director is also responsible for the recruitment/hiring of additional faculty support positions: Nursing Education Resources Specialist, Nursing Laboratory Coordinator, Program Coordinator, and Certified Simulation

Coordinator. The recruitment/hiring of science course faculty (Anatomy, Physiology, Microbiology) will be jointly shared by the ADN program director and Science Chair. A faculty hiring and staffing plan based on the enrollment of 30 students three times a year, March/July/November, for the first two years (6 cohorts) of the program has been generated. Clinical information provided and sites visited verified there are enough clinical placements to accommodate each admission cycle.

The generic ADN program curriculum is intended to be completed in 24 continuous months/2 years, and includes the content required for licensure and college degree requirements. It is designed to offer an Associate of Arts Degree in Nursing upon program completion. The curriculum is conducted in a 16-week semester system. The program is completed in six semesters. Each semester has 12-14 units of instruction. Total Units for Licensure = 74 semester units. Total Units for Graduation = 76 semester units. Clinical nursing courses begin in the third semester and continue in each semester until program completion.

The curriculum plan has three levels of critical competencies: Level I – Beginning, Level II – Intermediate, and Level III – Advanced. The curriculum’s unifying theme is based upon The Nursing Process, Jean Watson’s Science of Human Caring, and Quality and Safety Education for Nurses (QSEN), with correlating competencies imbedded in the curriculum. The use of clinical simulation is included in the curriculum design.

The college has 21 clinical sites that have signed Facility Verification Forms (EDP-I-01) and clinical affiliation agreements for the proposed ADN program. Based on this information, the program will have access to the following nursing areas for clinical practice when the program is initiated: Med/Surg (acute) – 8 facilities; Obstetrics – 3 facilities; Pediatrics – 3 facilities; Mental Health/Psychiatric – 3 facilities; Geriatrics (sub-acute/ long-term care – 6 facilities. During site visits, clinical facility representatives expressed satisfaction with other GCC education programs as being a factor in deciding to accept the ADN program students.

The NEC is to visit the program and review the Mobile Simulation Laboratory prior to use by the program. The NEC will make a site visit one year after the program starts (July 2017), and prior to the first cohort of students completing the program in July 2018.

Motion: Raymond Mallel made a motion to Grant Initial Approval of Prelicensure Nursing Program for Glendale Career College Associate Degree Nursing Program with enrollment of 60 students per year.

Motion: Raymond Mallel made a motion to grant initial approval of Prelicensure Nursing Program for Glendale Career College Associate Degree Nursing Program
Second: Trande Phillips

Public Comments: Gloria M. Blatti, RN, EdD, FNP, Program Director
James R. Kennett, PhD, RN, NP, Assistant Program Director

Votes	MJ	EW	RM	BY	DG	IC-B	TP	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

7.5 Vote on Whether to Grant Initial Approval of Prelicensure Nursing Program for Glendale Career College Associate Degree Nursing Program

BACKGROUND: Susan Naimi, MSN, RN founded California Career College in 2001 and has served as President for the school’s LVN program since its inception in 2002.

The Board approved the CCC’s Feasibility Study on April 3, 2014. CCC hired Elizabeth Estrada, MSN, RN, who was approved on June 22, 2015 as Director of the ADN program to complete the initial program approval of the proposed nursing program.

The Board’s policy on initial program approval permits a new program a two-year period to complete the new program application process from the time of the feasibility approval to starting the program and initial enrollment of students. When this timeline is missed, the program is required to restart the initial process from the beginning, submitting a letter of intent. CCC’s two-year period deadline for approval process completion was April 3, 2016.

The program submitted their first self-study on October 14, 2015. Miyo Minato, SNEC and Dr. Linda Sperling, NEC have been working closely with the program to assist with the Self-Study phase and revisions of the report to meet board requirements and deadlines. Board staff met with CCC representatives on December 2, 2015. A final revision of the self-study was submitted on March 31, 2016. The preliminary review of the self-study report and related documents shows they are complete in addressing Board rules and regulations. However, additional time is needed for the NEC to complete the initial approval process, including site visit to the school and verification of resources such as clinical placements. An extension of the initial approval process deadline is requested to allow completion of NEC evaluation with report to be presented to Education/Licensing Committee at the August 2016 meeting.

Motion: Michael Jackson made a motion to Grant extension to August 2016 for California Career College Associate Degree Nursing Program initial approval.

Second: Raymond Mallel

No Public Comments.

Votes	MJ	EW	RM	BY	DG	IC-B	TP	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

7.6 Discussion of 2014-2015 Post Licensure Program Annual Report- Draft Presented this report: Julie Campbell-Warnock

BACKGROUND: In 2004-2005, as part of the pre-licensure nursing program survey, the BRN also began inviting programs to provide data on their post-licensure programs. The 2014-2015 Post-Licensure Nursing Program Report presents analysis of the current year data in comparison with data from previous years of the survey.

Since post-licensure nursing programs offer a wide range of degrees, this report is presented in program sections, including RN to BSN Programs, Master's Degree Programs and Doctoral Programs. Data items addressed in each program section include the number of nursing programs, enrollments, graduations, and student census data. Faculty census data is included in a separate section as it is collected by school, not by degree program.

7.7 Licensing Program Update and Statistics **Presented this report: Christina Sprigg**

PROGRAM UPDATE:

The Licensing Program evaluators are currently processing the initial review of exam and endorsement applications cashiered in mid-February. The Board has begun processing applications for spring graduation and has received approximately 5,494 CA applications and 2,781 CA rosters. To assist students on how to apply to the Board, the Licensing's management continues to present an overview regarding the application and eligibility process to California students.

On May 18th Christina Sprigg, Deputy Chief and myself met via conference call with a California program to discuss submission of rosters and transcripts. Also to clarify how California applications are processed and to answer any questions the program had. The director and staff who participated were appreciative of the information we provided and the open line of communication between the school and board staff. We will continue to provide outreach to the nursing programs in an effort to assist them in streamlining their processes for submission of rosters and transcripts. Additionally, we have created a spreadsheet to track the incoming and outgoing of California applications, rosters and transcripts during graduation season. This spreadsheet will assist us in knowing which schools we need to make contact with to provide guidance in their submission of documents.

The Board has recently made five offers of employment for one full-time Staff Services Analyst (International Evaluator) and four limited term Program Technician (Support staff). We are still actively recruiting for two positions in the Licensing Unit; one full-time Program Technician II (US Evaluator) and one limited term Program Technician II (US Evaluator). These positions will be dedicated to ensure that processing time-frames are being maintained within our statutory timeframes. We expect to have these positions filled by the end of June.

We continue to improve processes within the Licensing Program and have since added the Endorsement, Reapply/Repeat Examination, Nurse-Midwife certification, Nurse-Midwife Furnishing number and Nurse Practitioner Furnishing number application online. The Nurse Practitioner certification application will be available online in mid-June.

STATISTICS:

Board staff continues to participate in the BreZe Reporting User Group in order to create and implement comprehensive statistical reports. The Board is currently involved in the Pilot of Quality Business Interactive Report Tool (QBIRT) and is able to create and run various reports on a daily basis. As previously mentioned, QBIRT is the new reporting system that will provide on-demand data reports/queries.

The Board has received 12,043 initial exam and endorsement applications from January through early May 2016. During that same time period the Board processed 13,176 exam and endorsement applications which include applications that may have been received prior to January 2016. However, this number does not reflect the applications that were made deficient. Staff discovered that the QBIRT reporting tool does not yet include the parameter that is used to track deficient applications. A request was made to have that parameter added and it is currently being implemented into the tool.

**Public Comments: Pat Mc Farrlin, CA Nurse Leaders
Dr. Liz Dietz, ANALC**

**7.8 NCLEX Update
Presented this report: Katie Daughtery, NEC**

BACKGROUND: The Board of Registered Nursing receives quarterly reports from the National Council of State Boards of Nursing (NCSBN) about the NCLEX-RN test results by quarter and with an annual perspective. The following tables show this information for the last 12 months and by each quarter.

NCLEX RESULTS – FIRST TIME CANDIDATES

April 1, 2015-March 31, 2016/****

JURISDICTION	TOTAL TAKING TEST	PERCENT PASSED %
California**/**	11,606	86.84
United States and Territories	160,796	84.09

CALIFORNIA NCLEX RESULTS – FIRST TIME CANDIDATES

By Quarters and Year April 1, 2015-March 31, 2016/****

4/01/15- 6/30/15		7/01/15- 9/30/15		10/01/15- 12/31/15		1/01/16- 3/31/16		4/01/15- 3/31/16	
# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass
2,448	86.36	4,000	88.20	1,744	84.29	3,414	86.91	11,606	86.84

*Includes (3), (0), (4) and (1) “re-entry” candidates.

****2016 NCLEX-RN Test Plan and Passing Standard:** The detailed versions (Candidate and Educator) of the 2016 NCLEX-RN Test Plan are now available on the NCSBN website at www.ncsbn.org. The 2016 NCLEX-RN Test Plan is effective April 1, 2016 through March 31, 2019. The NCLEX-RN Passing Standard will remain at the current level of 0.00 logit that was instituted April 1, 2013. This passing

standard will remain effective through 3.31. 2019. A logit is a unit of measurement to report relative differences between candidate ability estimates and exam item difficulties.

Nursing Education Consultants (NECs) monitor the NCLEX results of their assigned programs. If a program's first time pass rate is below 75% pass rate for an academic year (July 1-June 30), the NEC sends the program written notification of non-compliance (CCR 1431) and requests the program submit a written assessment and corrective action plan to improve results. The NEC will summarize the program's report for NCLEX improvement for the ELC/Board meetings per the Licensing Examination Passing Standard EDP-I-29 document approved 11/6/13. If a second consecutive year of substandard performance occurs, a continuing approval visit will be scheduled within six months, and the NEC's continuing approval visit findings reported to ELC with program representatives in attendance.

No Public Comment.

7.9 Progress Report on Rulemaking Process for SB466 Nursing Education Regulation Requirements

Presented this report: Miyo Minato, Supervising NEC

BACKGROUND: SB466 approved by the Governor and filed with the Secretary of State on October 4th contains amendments to the Business and Professions Code requiring action for regulation and processes affecting prelicensure nursing education. BRN staff received approval at the January 2016 ELC and February 2016 Board meetings to take action to meet the nursing education requirements of SB466.

Miyo Minato, SNEC is working with Pamela Rasada of the Governor's Interagency Council On Veterans (ICV), and attended the June 2, 2016 meeting of the Education Workgroup to provide an update and learn of any new resources that may be helpful to the nursing program's development of policies. Many nursing programs across the state have already drafted new policies to specifically address the requirements of SB466.

At the April 14, 2016 meeting the Board accepted the proposed draft regulatory language to be moved forward in the rulemaking process. The draft language has been processed through required DCA reviews.

The Notice of Proposed Action has been posted on the BRN website with public hearing date of July 11, 2016 which will conclude the 45-day public input period. The Proposed Language and Initial Statement of Reasons are also posted for review with the Notice of Proposed Action on the BRN website at <http://www.rn.ca.gov/regulations/proposed.shtml> . Notification of these postings and opportunity for input has been distributed to all stakeholders on the BRN e-mail notification list and nursing program deans/directors.

No Public Comments.

8.0 Report of the Legislative Committee

Donna Gerber, Chairperson

8.1 Discuss Bills of Interest to the Board and Recommend that the Board Adopt or Modify Positions on the Bills.

Presented this report: Kay Weinkam, NEC

<u>Assembly Bills</u>			<u>Senate Bills</u>	
AB 12	AB 1306	AB 2209	SB 319	SB 800
AB 26	AB 1351	AB 2399	SB 323	SB 960
AB 85	AB 1352	AB 2507	SB 390	SB 1039
AB 172	AB 1386	AB 2606	SB 408	SB 1076
AB 611	AB 1748	AB 2701	SB 464	SB 1139
AB 637	AB 1992	AB 2744	SB 466	SB 1155
AB 840	AB 1939	AB 2859	SB 467	SB 1195
AB 1060	AB 2079		SB 482	SB 1217
			SB 531	SB 1334
				SB 1348

2015-2016 bills that were presented were not adopted or modified as bills have been vetoed or chaptered, as follows:

Bill No: AB 85 (Wilke)
Subject: Open Meetings
Bill Status: Vetoed – September 28, 2015

Bill No: AB 172 (Rodriguez)
Subject: Emergency Departments: Assaults and Batteries
Bill Status: Vetoed - October 10, 2015

Bill No: AB 637 (Campos)
Subject: Physician Orders for Life Sustaining Treatment Forms
Bill Status: Chapter 217, Statutes of 2015

Bill No: AB 1351 (Eggmen)
Subject: Deferred Entry of Judgment Pretrial Diversion
Bill Status: Vetoed – October 8, 2015

Bill No: AB 1352 (Eggman)
Subject: Deferred Entry of Judgment Withdrawal of Plea
Bill Status: Chapter 646, Statutes of 2015

Bill No: SB 319 (Beall)
Subject: Child Welfare Services: Public Health Nursing
Bill Status: Chapter 535, Statutes of 2015

Bill No: SB 408(Morrell)
Subject: Midwife Assistants
Bill Status: Chapter 280, Statutes of 2015

Bill No: SB464 (Hernandez)
Subject: Healing Arts: Self-Reporting Tools
Bill Status: Chapter 387, Statutes of 2015

Bill No: SB 466 (Hill)
Subject: Nursing: Board of Registered Nursing
Bill Status: Chapter 489, Statutes of 2015

Bill No: SB 467 (Hill)
Subject: Professions and Vocations
Bill Status: Chapter 656, Statutes of 2015

Bill No: SB 800 (Committee on Business and Professions and Economic
Development)
Subject: Healing Arts
Bill Status: Chapter 426, Statutes of 2015

Bill: AB 1386 (Low) Emergency Medical Care: Epinephrine Auto-Injectors

No Public Comments.

No Motion Continue watch status.

Bill: AB 1748 (Mayes) Pupils: Pupil Health: Opioid Antagonist

No Public Comments.

No Motion Continue watch status.

Bill: AB 2079 (Calderon) Skilled Nursing Facilities: Staffing

No Public Comments.

No Motion Continue watch status.

Bill: AB 2399 (Nazarian) Pregnancy: Prenatal Blood Testing

No Public Comments.

No Motion Continue watch status.

Bill: AB 2744 (Gordon) Healing Arts: Referrals

No Public Comments.

No Motion Continue watch status.

Bill: SB 482 (Lara) Controlled Substances: CURES database

No Public Comments.

No Motion Continue watch status.

Bill: SB 1039 (Hill) Professions & Vocations

Public Comments: Dr. Liz Dietz, ANALC

Ingrla Dahlgreen, SEIH NA of LA

No Motion Continue watch status.

Bill: SB 1076 (Hernandez) General acute care Hospitals: Observation Services

Public Comments: Jane Schrueder, CNA

No Motion Continue watch status.

Bill: SB 1139 (Lara) Health Professionals: medical residency programs: undocumented immigrants: scholarships, loans, and loan repayments

No Public Comments.

No Motion Continue watch status.

Bill: SB 1155 (Morrell) Professional & Vacations: Licenses Military Service

No Public Comments.

No Motion Continue watch status.

Bill: SB 1195 (Hill) Professional & Vacations: Board Actions

Public Comments: Kathleen Hughes, SEIU

No Motion Continue support status.

Bill: SB 1348 (Cannella) Licensure Applications: Military Experience

No Public Comments.

No Motion Continue watch status.

9.0 Report of the Diversion/Discipline Committee

Michael Jackson, President, Chairperson

9.1 Complaint Intake and Investigations Update

Shannon Silberling, Deputy Chief, Complaint Intake and Investigations presented this report.

PROGRAM UPDATES

COMPLAINT INTAKE:

Staff

We are currently fully staffed.

Program

We have one analyst that continues to work with the Department of Consumer Affairs (Department) BreEZe team and involved in the Reports User Group, as well as the Enforcement User Group.

The Controlled Substance Utilization Review & Evaluation System (CURES 2.0) has been up and running since July 1, 2015. Effective July 1, 2016, all California licensed furnishing/prescribing practitioners and pharmacists must be registered to access CURES/PDMP. They can find information on the Board's website to assist them in this process.

As of June 6, 2016

Complaints Received (FY 15/16)	7,271
Complaints Pending (All open complaints, including pending investigations)	1,875

Arrest/Conviction (CORI & Self Report)	929
Complaints over 1 year	55

INVESTIGATIONS:

Staff

We are currently fully staffed in both Northern and Southern California.

Program

We continue to assign cases based on the Department's Consumer Protection Enforcement Initiative (CPEI).

As of June 6, 2016, there were approximately 41 BRN investigative cases over one year old and there are approximately 52 DOI cases over one year old, that are still open.

Statistics

BRN Investigations	Dec 2015	Jan 2016	Feb 2016	Mar 2016	Apr 2016	May 2016
Total cases assigned	363	375	383	385	378	382
Total cases unassigned (pending)	142	177	146	147	125	117
Average days to case completion	271	320	301	295	288	285
Average cost per case	\$2,722	\$2,769	\$2,766	\$3,648	\$2,668	\$2,867
Cases closed	67	37	80	49	52	54
Division of Investigations	Dec 2015	Jan 2016	Feb 2016	Mar 2016	Apr 2016	May 2016
Total cases assigned	268	274	277	291	264	269
Total cases unassigned (pending)	35	29	16	13	24	21
Average days to case completion	306	261	292	303	337	292
Average cost per case	\$7,246	\$4,350	\$5,734	\$5,544	\$5,129	\$4,952
Cases closed	33	29	21	20	31	20

The Northern Supervising Investigator and the Enforcement Chief attended the National Council State Boards of Nursing (NCSBN) Discipline Case Management Conference in Virginia, held June 6-8, 2016. Sessions consisted of speakers from various states, covering topics such as investigative interviewing and detection of overprescribing.

9.2 Discipline and Probation Program Update and Statistics

Beth Scott, Deputy Chief Discipline, presented this report.

Staffing

The Probation Program has a vacancy for a probation monitor and has begun the process to fill the position.

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.

Statistics - Discipline

Below reflects FY 14/15 (July 1, 2014 – June 30, 2015) 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 15/16 (July 1, 2015 – June 8, 2016) discipline statistics:

Decisions Adopted	1,446
Pleadings served	1,209
Petitions to Revoke Probation served	74
Surrenders signed by E. O.	234

The BRN continues to work with the DCA BreZE team to verify the accuracy of the performance measures statistics. The discipline unit has one discipline analyst dedicated to working on BreZE reports.

Program – Probation

On June 23, 2016, the Probation Unit staff will be attending an all-day training put on by FirstLab. Topics that will be covered are the use of Suboxone, new developments in drug testing and the role of the Medical Review Officer (MRO).

Statistics – July 1, 2015 to June 8, 2016

Probation Data	Numbers	% of Active
Male	347	29%
Female	842	71%
Chemical Dependency	785	66.0%
Required Drug-Screening	625	52.6%
Practice	287	24.1%
Mental Health	7	0.6%
Conviction - excluding chemical dependency/alcohol use	110	9.3%
Advanced Certificates	117	10%
Southern California	689	58%
Northern California	496	42%
Pending AG - Tolled	4	0%
Pending AG	87	7%
License Revoked Fiscal YTD	36	

License Surrendered Fiscal YTD	66	
Terminated Fiscal YTD	31	
Successfully Completed Fiscal YTD	112	
Active In-State Probationers	1,189	
Completed/Revoked/Terminated/Surrendered YTD	245	
Tolled Probationers	345	
Active and Tolled Probationers	1,534	

The average case load of active probationers per probation monitor is approximately 148. However, the average number of cases per monitor including Tolled cases is 191.

There are 50 Early Termination and 9 Modification of Probation cases waiting to be heard by the Board.

9.3 Intervention Program Update and Statistics

Don Walker, Intervention Program Manager presented this report

Staffing

The Intervention program is fully staffed.

Program Update

On May 11, 2016, the Intervention program contractor, MAXIMUS conducted an educational Intervention Program presentation for 78 California State University Sacramento (CSUS) students who graduated at the end of May with their Bachelor of Science in Nursing. On June 9, 2016, MAXIMUS also conducted an educational Intervention Program presentation at the Saint Francis Hospital in San Francisco.

In addition to the noted presentations, MAXIMUS is scheduled to conduct an outreach presentation on June 16, 2016, to the San Diego Chapter of the Association of California Nurse Leaders.

On June 23, 2016, the Intervention unit staff will be attending an all-day training put on by FirstLab. Topics that will be covered are the use of Suboxone, new developments in drug testing and the role of the Medical Review Officer (MRO).

Intervention Evaluation Committees (IEC)

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

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

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

Statistics

The Statistical Summary Report for February 1, 2016, through March 31, 2016, is after this update. As of March 31, 2016, there have been 2,055 successful completions.

9.3.1 Intervention Evaluation Committee Members/ New Appointments and Transfers

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 and Reappointment 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>
Erin Boerum	RN Member	Orange County	4
John Helmuth	RN Member	Fairfield	11
Mary McCloy	RN Member	San Jose	7
Maryn Young	RN Member	Sacramento	1
Vamsi Garlpati	Public Member	Orange County	4

REAPPOINTMENTS

<u>NAME</u>	<u>TITLE</u>	<u>IEC</u>	<u>NO</u>
Scott Bertrand	RN Member	Ontario	9
Janis Bush	RN Member	Palm Springs	6
Dianne Christoffels	RN Member	San Diego	10
Sara Cardiner	RN Member	Bay Area	2
Mary Kropf	RN Member	Oakland	13
Bobbie Leva	RN Member	Burbank	8
Michael Mayo	RN Member	Fresno	5
Patricia Mraz	RN Member	Santa Ana	14
LaFrancine Tate	Public Member	Bay Area	2

RESIGNATION (For informational purposes, no vote needed)

<u>NAME</u>	<u>TITLE</u>	<u>IEC</u>	<u>NO</u>
Duane Anderson	RN Member	Burbank	8

Motion: Raymond Mallel made a motion to approve Intervention Evaluation Committee Members/ New Appointments and Reappointments

Second: Michael Jackson

No Public Comments.

Votes	MJ	EW	RM	BY	DG	IC-B	TP	PD-R
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	Y	Y	Y	Y	Y	Y	Y	Y
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9.4 Discussion and possible vote to approve the modified Regulatory Proposal to Modify the Recommended Guidelines for Disciplinary Orders and Conditions of Probation in California Code of Regulations, Article 1, Section 1444.5, Disciplinary Guidelines

Stacie Berumen, Assistant Executive Officer, presented this report.

BACKGROUND:

The Board of Registered Nursing (BRN) approved a regulatory package to amend the Recommended Guidelines for Disciplinary Orders and Conditions of Probation (Guidelines) at its June 4, 2015 board meeting. The Recommended Guidelines for Disciplinary Orders were last amended in 2003. BRN staff reviewed the Guidelines prior to the overhaul of the board members in 2010 and a regulatory proposal was initiated in March 2011 to incorporate the Uniform Standards as required by SB 1441; however, the board was sunset in December 2011 and the regulatory proposal was not acted upon by the board in time.

The language approved by the board at its June 2015 board meeting was reviewed by DCA Legal Counsel who suggested modifying the language. Attached you will find the suggested language as modified by DCA Legal Counsel for your consideration and approval.

The board voted at the April 2016 meeting to include the necessary trigger to identify a substance abusing licensee. The language for Section 1444.5 was updated to reflect that choice along with the updated Disciplinary Guidelines which are presented to the committee for review and vote.

Motion: Michael Jackson made a motion to approve the propose Regulatory Language for noticing the Office of Administrative Law and set for Hearing

Second: Imelda Ceja-Butkiewicz

No Public Comments

Votes	MJ	EW	RM	DG	IC-B	TP	BY	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

10.0 Report of the Nursing Practice Committee

Trande Phillips, RN, Chairperson

10.1 Vote on Whether to Recommend Initiating Formal Rulemaking Process for Draft Regulatory Language for Article 8 Standards of Nurse Practitioner with the Office of Administrative Law

Janette Wackerly, SNEC, presented this report

The proposed language for regulatory revisions to Article 8 Nurse Practitioners §1480-1485 and to add section 1483.1 Requirements for Nurse Practitioner Education Programs in California, 1483.2 Requirements for Reporting Nurse Practitioner Education Programs, 1486 Requirements for Clinical Practice Experience for Nurse Practitioner Students Enrolled in Out of State Nurse Practitioner Education Program. If approved by the Practice Committee and Board the language as attached will enter into the regulatory revision process as required by the Office of Administrative Law.

The following organizations have provided comment on the proposed language for Article 8 Standards for Nurse Practitioner Practice: California Action Coalition, California Association of Nurse Practitioners, California Hospital Association, Association of California Nurse Leaders, Western University of Health, American Nurses Association/California, California Nursing Association, SEIU 121 Nursing and letters from practicing nurse practitioners (see attachment for each Practice Committee and Board meeting at “meetings” on the BRN website)

Many of the organizations and individuals representing nurse practitioners are requesting the proposed regulations include national certification in a specialty/category. At the April 14, 2016 Board meeting DCA legal presented Business and Professions Section 350 and 350.1 that contains the prohibition of adding such a national certification requirement in regulation that is not established in law.

(see attachment)

The following interested party letters were received and are attached:

The Dean and Interim Director of the University of California (UC) Schools/Programs of Nursing-
Heather M Young, PhD, RN, FAAN, E. Alison Holman, PhD, FNP, RN, FAAN
Linda Sarna, PhD, RN, FAAN, David Vlahov, PhD, RN, FAAN
Barbara J. Ritter, Ed.D, FNP
Chad R. Barylski, NP-C, DC, DACBSP
Emily J. Baker, RN, FNP-C

Previous letter received for the Board’s Practice Committee:

Samuel Merritt University Faculty, Sacramento Campus
Samuel Merritt University Scot D. Foster CRNA, PhD, FAAN Academic Vice President/Provost
Nancy Trego, DNP,GNP-C ,CANP and member Health Policy Practice & Practice Committee

The Practice Committee and Board have provided the following meetings for interested parties to provide review and comment on proposed language for Article 8 Standards for Nurse Practitioner Practice as a preliminary activity before the formal rulemaking process.

- August 6, 2015 Practice Committee
- September 3, 2015 Board Meeting
- October 8, 2015 Practice Committee

- November 5, 2015 Board Meeting
- January 14, 2016 Practice Committee
- February 11, 2016 Board Meeting

The Board’s Nursing Education Consultants developed a comprehensive review of nurse practitioner practice, education, and regulation from a variety of state and national sources to produce changes to California Code of Regulation §1480-1484.

Motion: Elizabeth Woods made a motion to approve the propose Regulatory Language for noticing the Office of Administrative Law and set for Hearing

Second: Imelda Ceja- Butkiewicz

Public Comments: Derrick Chan, Director for Stanford Health Care
 Dr. Liz Dietz, ANALC
 Linda Walsh, CNMA
 Pat McFarlin, CNL

Votes	MJ	EW	RM	DG	IC-B	TP	BY	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

10.2 Vote on Whether to Recommend Publishing: The Centers for Disease Control and Prevention (CDC) Final Guidelines for Prescribing Opioids for Chronic Pain on the BRN Website

Janette Wackerly, Supervising NEC presented this report.

The Centers for Disease Control and Prevention (CDC) published the Final Guidelines for Prescribing Opioids for Chronic Pain. The guidelines provide recommendations about the appropriate prescribing of opioid pain relievers and other treatment options to improve pain management and patient safety. The CDC provides multiple useful resources included that will help improve communication with patients about the risks and benefits of opioid therapy for chronic pain, improve safety and effectiveness of pain treatment, and reduce the risk associated with long-term opioid therapy, including opioid use disorder, overdose, and death.

Here is the link to CDC Opioid guidelines: <http://www.cdc.gov/drugoverdose/prescribing/resources.html>

The following clinical tools are available and attached for the Practice Committee information.

- Guideline for Prescribing Opioids for Chronic Pain- Recommendations
- Checklist for Prescribing Opioids for Chronic Pain
- Nonopioid Treatments for Chronic Pain
- Assessing Benefits and Harms of Opioid Therapy
- Calculating Total Daily Dose of Opioids for Safer Dosage
- Prescription Drug Monitoring Programs (PDMPs)

Motion: Michael Jackson made a motion to approve Publishing the CDC Final Guidelines for Prescribing Opioids for Chronic Pain on BRN Website

Second: Elizabeth Woods

Public Comments: Dr. Philip Greiner, San Diego State

Votes	MJ	EW	RM	DG	IC-B	TP	BY	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

11.0 Adjournment

The meeting adjourned at 1:12 pm.

Note: The Committee may not discuss or take action on any matter raised during the Public Comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting. (Government Code Section 11125 and 11125.7(a)).

Stacie Berumen
Assistant Executive Officer

Michael Jackson
President

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

DRAFT

DATE: July 11, 2016

LOCATION: Department of Consumer Affairs HQ2
1625 N. Market Blvd., Hearing Room
Sacramento, CA 95834

Office of the Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-364

Tom Bradley Youth and Family Center
5213 West Pico Blvd
Los Angeles, CA 90019

28506 Driver Avenue
Agoura Hills, CA 91301

Jewish Community Free Clinic
50 Montgomery Dr.
Santa Rosa, CA 95404

1309 L Street
Bakersfield, CA 93301

1888 Holland Drive
Walnut Creek, CA 94597

PRESENT: Michael D. Jackson, MSN, RN, President
Raymond Mallel, Vice President
Elizabeth A. Woods, MSN, FNP, RN
Trande Phillips, RN
Imelda Ceja-Butkiewicz
Donna Gerber
Barbara Yaroslavsky

NOT PRESENT: Cynthia Klein, RN
Pilar De La Cruz-Reyes, MSN, RN

ALSO PRESENT: Stacie Berumen, Assistant Executive Officer
Elisa Serna, Administrative Assistant

Monday, July 11, 2016 –9:00 am Board Meeting

1.0 Call to Order and Establishment of a Quorum

Michael Jackson, President, called the meeting to order at 9:11 a.m. and had the members introduce themselves.

2.0 Public Comment for Items Not on the Agenda

No public comment.

3.0 Closed Session

Personnel

Pursuant to Government Code Section 11126(a) (1) the Board will meet in closed session to consider employment matters, relative to a public employee.

Michael Jackson, President, called the closed session meeting to order at 9:15 am.

4.0 Reconvene in Open Session for Purposes of Adjournment

No public comment.

Meeting adjourned at 9:55 am.

Stacie Berumen
Assistant Executive Officer

Michael D. Jackson
President

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

DATE: August 10, 2016

LOCATION: Four Points by Sheraton
9750 Airport Blvd.
Los Angeles, CA 90045

PRESENT: Michael D. Jackson, MSN, RN, President
Raymond Mallel, Vice President
Elizabeth A. Woods, MSN, FNP, RN
Pilar De La Cruz-Reyes, MSN, RN
Donna Gerber
Barbara Yaroslavsky

NOT PRESENT: Cynthia Klein, RN
Trande Phillips, RN
Imelda Ceja-Butkiewicz

ALSO PRESENT: Joseph Morris, PhD, MSN, RN, Executive Officer
Stacie Berumen, Assistant Executive Officer
Christina Sprigg, Administration and Licensing Deputy Chief
Beth Scott, Enforcement Deputy Chief
Shannon Silberling, Enforcement Deputy Chief
Christyl Cobb, Decisions and Appeals Analyst
Ralph Berumen, Probation Monitor
Elisa Serna, Decisions and Appeals Analyst
Michael Santiago, DCA Legal Counsel
Howard Cohen, Administrative Law Judge
Bora McCuthcheon, Deputy Attorney General
Leslie Walden, Deputy Attorney General

Wednesday, August 10, 2016 –9:00 am Board Meeting

1.0 Call to Order and Establishment of a Quorum

Michael Jackson, President, called the meeting to order at 9:14 a.m. and had the members introduce themselves.

2.0 Public Comment for Items Not on the Agenda

No public comment.

3.0 Disciplinary Matters. Hearings on Petitions For:

Reinstatements

Sandra Costello
Toni Davis
Tye Fosberg
Julie Garcia
Patrice Johnson

Early Termination/Modification of Probation

Robert Fischer
Kristi Kilburn
Kristine Mackey
Charisse Magsaysay
Rokeya Mazumder

Open Session Meeting adjourned at 12:48 pm.

5.0 Closed Session

Disciplinary Matters

The Board convened in **closed session** pursuant to Government Code Section 11126(c) (3) to deliberate on the above matters and other disciplinary matters including stipulations and proposed decisions.

Pending Litigation

The Board will convene in closed session pursuant to Government Code section 11126(e)(1) to confer with and receive advice from legal counsel regarding Deseray Gwadery v. CA Board of Registered Nursing et al., Los Angeles Superior Court Case No. BS158547.

Michael Jackson, President, called the closed session meeting to order at 12:59 pm.

6.0 Reconvene in Open Session for Purposes of Adjournment

No public comment.

Meeting adjourned at 4:15 pm.

Joseph Morris, PhD, MSN, RN
Executive Officer

Michael D. Jackson
President