

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

DATE: December 22, 2015

MAIN LOCATION: Department of Consumer Affairs
Hearing Room
1747 N. Market Avenue, Suite 186
Sacramento, CA 95834

TELECONFERENCE LOCATIONS:

Hospital Council of California 1625 E. Shaw Avenue, Suite 139 Fresno, CA 93710	28506 Driver Avenue Agoura Hills, CA 91301
173 Vineyard Circle Sonoma, CA 95476	1755 Holland Circle Walnut Creek, CA 94597
Office of the Attorney General One America Plaza 600 West Broadway, Suite 1800 Conference Room 1801 San Diego, CA 92101	

PRESENT: Michael D. Jackson, MSN, RN, President
Raymond Mallel, Vice President
Elizabeth A. Woods, MSN, FNP, RN
Trande Phillips, RN
Pilar DeLaCruz-Reyes, MSN, RN

ABSENT: Cynthia Klein, RN
Jeanette Dong
Imelda Ceja-Butkiewicz
Dr. Bhavna Shamasunder, M.ES., PhD

ALSO PRESENT: Louise Bailey, M.Ed., RN, Executive Officer
Stacie Berumen, Assistant Executive Officer
Christina Sprigg, Deputy Chief, Licensing and Administrative Services
Beth Scott, Deputy Chief, Discipline, Probation and Diversion
Kim Ott, Decisions and Appeals Analyst
Christyl Cobb, Decisions and Appeals Analyst
Elizabeth Elias, Probation Program Manager
Norine Marks, Supervising Legal Counsel
Kurt Heppler, Supervising Legal Counsel
Kent Harris, Supervising Deputy Attorney General
Cynthia Dines, DCA Budget Office
Jennifer Amen, DCA Budget Office

Tuesday, December 22, 2015

1.0 Call to Order/Roll Call/Establishment of Quorum

Michael Jackson, President, called the meeting to order at 9:05 a.m. and had the members introduce themselves.

2.0 Public Comment for Items Not on the Agenda

No public comment.

3.0 Fee Audit Committee Recommendations for Fees Contained in Business and Professions Code Sections 2786.5, 2815, 2815.5, 2830.7, 2838.2 for Consideration and Possible Action

BACKGROUND

Imelda Ceja-Butkiewicz and Cynthia Klein volunteered to participate on the Fee Audit Committee at the September 3, 2015 board meeting.

Two telephone conferences were conducted with the committee members, board staff, and Dan Edds, fee audit contractor on or about September 10 and 15, 2015.

Minor corrections were suggested and made to the fee audit report and was presented to the board for consideration. The Fee Audit Committee asked Mr. Edds to extend the fee increases from five to 10 years along with an annual increase of 4.5%.

Upon review of the fees outlined by Mr. Edds it was determined some fees are not reasonable. The Fee Audit Committee asked board staff to review the fees and provide recommendations at the November 2015 board meeting.

Staff reviewed the fee audit information and provided additional recommendations to the Board at the November 5, 2015 board meeting. At that meeting Cynthia Klein made a motion for the committed to review the numbers in depth and wanted additional information added regarding the reserve line item. She also wanted the Board to conduct a teleconference call with all of the board members prior to the end of the year to review the additional fee increase information.

Public Comment:

- Sarah Huchel, Senate Business, Professions, & Economic Development Committee
- Cynthia Dines, DCA Budget Office
- Philip Bautista, Public Health Nurse

Motion 1: Elizabeth Woods		Motion for the Board to set the statutory minimum fees for all advance practice (NA, NMW, NP) Temporary License to \$150 with a statutory maximum of \$500.				
Second: Trande Phillips						
Votes	MJ	RM	TP	EW	PDC-R	
	Y	Y	Y	Y	Y	

Motion 2: Michael Jackson		Motion for the Board to set the statutory maximum fee for Public Health Nurse at \$250.				
Second: Elizabeth Woods						
Votes	MJ	RM	TP	EW	PDC-R	
	Y	Y	Y	Y	Y	

Motion 3: Trande Phillips			Motion for the Board to set the statutory minimum fee for International Exam and Endorsement application fees to \$750.		
Second: Raymond Mallel					
Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 4: Trande Phillips			Motion for the Board to set the statutory maximum fees for International Exam and Endorsement applications at \$1500.		
Second: Pilar DeLaCruz-Reyes					
Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 5: Michael Jackson			Motion for the Board to set the statutory maximum fees for Exam, Repeat/Reapply and Endorsement applications to \$1000.		
Second: Trande Phillips					
Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 6: Pilar DeLaCruz-Reyes			Motion for the Board to set the minimum initial application fee for Public Health Nurse to \$300 and set the statutory maximum fees to \$1000.		
Second: Michael Jackson					
Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 7: Elizabeth Woods			Motion for the Board to set the minimum fees for all initial Advance Practice (CNS, NA, NMW, NP) applications to \$500 and initial application for Advance Practice furnishing (NMW, NPF) to \$400.		
Second: Michael Jackson					
Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 8: Pilar DeLaCruz-Reyes			Motion for the Board to set the minimum initial application fee for Psychiatric Mental Health Nurse to \$350 and set the statutory maximum fee to \$750.		
Second: Michael Jackson					
Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 9: Michael Jackson			Motion for the Board to set the Continuing Education Provider initial application statutory maximum fee to \$1000.		
Second: Pilar DeLaCruz-Reyes					
Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 10: Pilar DeLaCruz-Reyes			Motion for the Board to set the minimum initial application fee for a new school to \$40,000 and set the statutory maximum fee at \$80,000.		
Second: Elizabeth Woods					
Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 11: Pilar DeLaCruz-Reyes			Motion for the Board to set the minimum Registered Nursing (RN) renewal fee to \$180 and set the statutory maximum fee at \$750.		
Second: Michael Jackson					
Votes	MJ	RM	TP	EW	PDC-R
	Y	N	Y	Y	Y

Motion 12: Michael Jackson			Motion for the Board to set the minimum 8 year no exam renewal fee to \$350 and set the statutory maximum fee at \$1,000.		
Second: Trande Phillips					

Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 13: Michael Jackson			Motion for the Board to create a renewal fee for Public Health Nurse and set the minimum at \$125 and set the statutory maximum fee at \$500.		
Second: Trande Phillips					

Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	N

Motion 14: Elizabeth Woods			Motion for the Board to set the minimum advance practice (CNS, NA, NMW); Furnishing (NMF, NPF); and create the nurse practitioner (NP) renewal fees at \$150 and set the statutory maximum fee for all at \$1,000.		
Second: Raymond Mallel					

Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	N

Motion 15: Michael Jackson			Motion for the Board to set the minimum Continuing Education Provider (CEP) renewal fee at \$250 and set the statutory maximum fee at \$1,000.		
Second: Pilar DeLaCruz-Reyes					

Votes	MJ	RM	TP	EW	PDC-R
	Y	N	Y	Y	Y

Motion 16: Pilar DeLaCruz-Reyes			Motion for the Board to set the minimum Continuing approval of schools of nursing fees at \$15,000 and set the statutory maximum fee at \$40,000.		
Second: Michael Jackson					

Votes	MJ	RM	TP	EW	PDC-R
	Y	N	Y	N	Y

Motion 17: Michael Jackson			Motion for the Board to set the late renewal fee at 50% of timely renewal fee as stated in statute.		
Second: Trande Phillips					

Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 18: Michael Jackson			Motion for the Board to set the minimum outgoing license verification fee at \$100 and set the statutory maximum fee at \$200.		
Second: Pilar DeLaCruz-Reyes					

Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 19: Michael Jackson			Motion for the Board to set the minimum major curriculum change for schools of nursing fee at \$2,500 and set the statutory maximum fee at \$5,000.		
Second: Trande Phillips					

Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 20: Michael Jackson		Motion for the Board to remove the request for modification of penalty probation and petition for reinstatement fees off of the fee list. Set a discussion item for the February 2016 Board Meeting.			
Second: Raymond Mallel					
Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Motion 21: Michael Jackson		Motion for the Board to accept all remaining fees listed under “Fees (1) Proposed by Committee Year #1” on the Board of Registered Nursing Fee Increase Proposal (Draft) document be accepted by the Board as designated in the “Fees (1)” column to be set as the minimum 1 st year fees and those in the “Proposed Fee Cap” column to be set as the statutory maximum.			
Second: Raymond Mallel					
Votes	MJ	RM	TP	EW	PDC-R
	Y	Y	Y	Y	Y

Open Session Meeting adjourned at 11:15 a.m.

**4.0 Closed Session
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 Tourtlotte v. Board of Registered Nursing et al., Sacramento Superior Court Case No. 34-2015-80002175.

Michael Jackson, President, called the closed session meeting to order at 11:19 a.m. The closed session adjourned at 12:16 p.m.

5.0 Reconvene in Open Session for Purposes of Adjournment

Michael Jackson, President, called for public comment. No public comment.

Meeting adjourned at 12:18 p.m.

Louise F. Bailey M.Ed., RN

 Louise Bailey, M.Ed., RN
 Executive Officer

Michael Jackson, MSN, RN, CEN

 Michael Jackson
 President