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

DATE: June 11-12, 2014

LOCATION: Hilton Sacramento Arden West
2200 Harvard Street
Sacramento, CA  95815

PRESENT: Raymond Mallel, President
Michael D. Jackson, MSN, RN, Vice President
Cynthia Klein, RN (absent June 11)
Beverly Hayden-Pugh, MA, RN (absent 6/12, commencing of Legislative Committee)
Elizabeth A. Woods, MSN, FNP, RN
Imelda Ceja-Butkiewicz

NOT PRESENT: Erin Niemela
Trande Phillips, RN
Jeanette Dong

ALSO PRESENT: Louise Bailey, M.Ed., RN, Executive Officer
Stacie Berumen, Assistant Executive Officer
Janette Wackerly, Supervising NEC
Katie Daugherty, NEC
Leslie Moody, NEC
Kay Weinkam, NEC
Carol MacKay, NEC
Susan Engle, NEC
Julie Campbell-Warnock, Research Program Specialist
Gina Sanchez, Licensing Program Manager
Claire Yazigi, Legal Counsel
Beth Scott, Discipline, Probation and Diversion Deputy Chief
Amanda Cantrell, Probation Monitor
Tammy Logan, Discipline Manager
Shannon Silberling, Complaint Intake and Investigations Deputy Chief
Carol Stanford, Diversion Program Manager
Kim Ott, Decisions and Appeals Analyst
Christyl Cobb, Decisions and Appeals Analyst
Ronnie Whitaker, Legislative and Regulatory Analyst
Rose Ramos, Administrative Assistant
Dian Vorters, Administrative Law Judge
Christina Jansen, Deputy Attorney General
Leslie Burgermyer, Deputy Attorney General
Wednesday, June 11, 2014 – 9:00 am

1.0 Call to Order – Raymond Mallel, President called the meeting to order at 9:14 am and had the members introduce themselves.

2.0 Public Comment for Items Not on the Agenda

No public comment.

3.0 Disciplinary Matters

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<tr>
<th>Reinstatements</th>
<th>Termination/Modification of Probation</th>
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<tr>
<td>Jacque Bovee</td>
<td>Anthony Brown</td>
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<td>Lawrence Jackson</td>
<td>Amber Liebelt (Rucker)</td>
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<td>Judy Jordan (Cass)</td>
<td>Deborah Lucero-Aylor</td>
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<td>Roshawn Pearson</td>
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<td>Christianna McCarthy</td>
<td>Donna Crosby</td>
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<td>Carl Hughes</td>
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Meeting adjourned at 1:43 pm.

4.0 Closed Session

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

Raymond Mallel, President, called the closed session meeting to order at 3:10 pm. The closed session adjourned at 6:37 pm.

Thursday, June 12, 2014 – 9:00 am

1.0 Call to Order
Raymond Mallel, President, called the meeting to order at 9:09 a.m. and had the Board Members introduce themselves.

2.0 Public Comment for Items Not on the Agenda

No public comment.

3.0 Review and Approve Minutes:

➤ April 2-3, 2014, Meeting Minutes
➤ May 6, 2014, (Discipline) Meeting Minutes

No public comment.

MSC: Jackson/Ceja-Butkiewicz that the Board approve the Minutes from April 2-3, 2014, Board Meeting and the May, 6, 2014, Board Meeting (Discipline). 5/0/0
4.0 Report on Board Members' Activities

No activities to report.

5.0 Board and Department Activities

No Board and Department Activities to report.

5.1 Executive Officer Report

Louise Bailey, Executive Officer presented this report.

Appointments & Retirement

**Denise Brown, Director** - Denise was appointed by Governor Brown on January 9, 2012 as the Director of the California Department of Consumer Affairs (DCA), she has overseen the nearly 40 regulatory entities and other divisions and has more than 30 years of service with DCA. During her tenure she has held numerous positions within DCA and its various boards. Denise will retire on July 2, 2014 and members of the Board and staff extend a sincere thank you to her for the work that she has done to ensure Boards and Bureaus are protecting the consumers in California.

**Donald Chang** - Don was appointed assistant chief counsel at the California Department of Consumer Affairs in August 2012 and has served in multiple positions at the California Department of Consumer Affairs since 1979, including supervising attorney, supervising counsel and staff counsel I, II and III. He earned a Juris Doctorate degree from the University of California, Hastings College of the Law. Don was the assigned legal counsel to many boards within DCA including the Board of Registered Nursing from 2009 to 2014. Don will retire on July 30, 2014 and members of the Board and staff extend a sincere thank you for the years of legal guidance he has provided to the BRN.

**Awet Kidane** - has been appointed director of the California Department of Consumer Affairs effective July 3, 2014, following the retirement of director Denise Brown. Kidane has served as chief deputy director at the California Department of Consumer Affairs since 2012. He was chief of staff for California State Assemblymember Steven Bradford from 2009 to 2012 and senior advisor to California State Assembly Speaker Karen Bass from 2008 to 2009. Kidane served as a legislative consultant for the California State Assembly from 2003 to 2009, where he was an associate consultant from 2002 to 2003. This position requires Senate confirmation.

**Tracy Rhine** - has been appointed chief deputy director at the California Department of Consumer Affairs, where she has served as deputy director of legislative and policy review since 2012. Rhine served in multiple positions at the California Board of Behavioral Sciences from 2008 to 2012, including assistant executive officer and legislative analyst. She was a consultant for the California State Assembly Committee on Business, Professions and Consumer Protection from 2005 to 2008 and consultant for the California State Assembly Speaker’s Office of Member Services from 2002 to 2005. Rhine was a graduate research assistant in Governor Gray Davis’ Office of Innovation in 2002. This position does not require Senate confirmation.
**Cynthia Cipres Klein** - has been reappointed to the California Board of Registered Nursing, where she has served since 2012. Ms. Cipres Klein has been a registered nurse in the Internal Medicine - Sub-Specialty Clinic at Kaiser Permanente Medical Group, Riverside since 2013, where she has held multiple positions since 1998, including population care nurse, pediatric advice nurse and urgent care charge nurse. She was a nursing supervisor at U.S. Family Care West from 1997 to 1998 and registered nurse lead for the Universal Care Medical Group from 1996 to 1997. Ms. Cipres Klein was a registered nurse at Miller Children’s Hospital from 1995 to 1996 and a medical records clerk at St. Jude Children’s Research Hospital from 1991 to 1992. Her term expires June 1, 2018.

**Elizabeth (Betty) Woods** - has been reappointed to the California Board of Registered Nursing, where she has served since 2014. Ms. Woods has been a nurse practitioner at the Jewish Community Free Clinic since 2005. She was a registered nurse labor representative at the California Nurses Association from 1994 to 2007, an adjunct clinical professor at Sonoma State University from 1984 to 1995 and a nurse practitioner and sexual assault examiner at the Sonoma County Community Hospital from 1982 to 1988. Ms. Woods was a family nurse practitioner at Kaiser Permanente Medical Center, Santa Rosa from 1978 to 1996 and a registered nurse in the Hillcrest Hospital Intensive Care Unit from 1968 to 1978. She earned a Master of Science degree in nursing from Sonoma State University. Her term expires June 1, 2018.

### 5.2 Board’s Budget Update

**May Revise** – The Governor’s Revised Budget was made available May 13, 2014.

**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 2014/2015. The Board submitted its OST requests to the department on April 18, 2014. No travel was approved for the Board in FY 2013/2014 and it is anticipated that most of the requested trips may be eliminated for FY 2014/2015 due to budgetary constraints.

**Budget Change Proposals (BCPs)** – Due to BreEZe processes that have nearly doubled from what they used to be for the License and Renewals unit, the Board is looking at our current budget to determine how many BPC positions we can afford. The increased workload is presently being worked on by seasonal and intermittent staff; the Board is looking for permanent staff via the BCP process.

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 Regulations

The Board’s proposal to amend section 1419(c), Renewal of License, to increase the fine level of traffic infractions that the registered nurse is required to report at the time of license renewal from $300 to $1,000, was approved and it was effective as of 4/22/2014. The Office of Administrative Law (OAL) approved this regulation action pursuant to section 11349.3 of the Government Code.
Enforcement Regulations

This regulatory proposal is comprised of three changes that will strengthen the Board’s Enforcement Program and better enable the Board to achieve its public protection mandate. The proposed changes are: 1) delegate to the Executive Officer the authority to approve voluntary settlement agreements for the revocation, surrender, or interim suspension of a license and report these actions at each board meeting; 2) define specified actions as unprofessional conduct; and 3) amend the Board’s Disciplinary Guidelines to require an administrative law judge to render a proposed decision of license revocation, without an order staying the revocation, in cases where there is a finding of fact pertaining to specified sexual misconduct. In the April EO report it was stated that the rulemaking file had been approved by Agency and was submitted to the Office of Administrative Law (OAL) for approval. This statement was in error as the rulemaking file needed to first go to the Department of Finance for review and approval prior to submission to OAL. The rulemaking file has now been approved by the Department of Finance and will be submitted to OAL the week of June 16th.

5.4 Sunset Review Report

As reported previously, BRN staff is preparing the 2014 Sunset Review Report for the Senate Business, Professions and Economic Development Committee and the Assembly Business, Professions and Consumer Protection Committee who will jointly participate in the sunset oversight review in the fall of 2014. The review includes a detailed report of the Boards existing programs, financial state and staffing levels as well as current issues at the Board. On May 28, BRN staff met with Committee staff members/consultants to discuss some questions and issues to be addressed in the report. BRN staff is planning to have a draft of the report prepared for Board member review prior to the November 1 report due date.

5.5 Town Hall

On April 3, 2014 DCA and BRN were invited to participate in a Town Hall Meeting regarding BreEZe. The Town Hall was held at Modesto Junior College and led by Assemblymember Adam C. Gray, Assemblymember Kristin Olsen and Senator Cathleen Galgiani. There were three panels and Legislators asked panel members to present concerns, issues, and status for discussion. Many students and faculty from Modesto Junior college including, Lisa Riggs, Modesto Junior College Associate Program Director and Mark Basnight, Senior Director from Doctor’s Medical Center Modesto were also in attendance. Awet Kidane, Chief Deputy Director of DCA, Stacie Berumen, Assistant Executive Officer and Christina Sprigg, Deputy Chief of Licensing and Administrative Services represented the Board. Stacie Berumen will give a brief overview of the Town Hall and provide updates to internal changes since the Town Hall.

5.6 Education Issues Workgroup

The Education Issues Workgroup (EIW) met on June 2, 2014 in Sacramento and the main focus of the meeting was to review the 2012-2013 Annual School Survey instrument and make edits as needed for the 2013-2014 survey document. As a result of the BRN being contacted by the Executive Officer of the California Committee on Employment of People with Disabilities, questions were added to collect aggregate data on the number of disabled nursing students and their disabilities. The collection of this data will assist this Committee
in collecting data they will need to report. Other current educational issues were also discussed, including the BRN sending out a separate survey to schools inquiring about their procedures for handling and support for military veterans with previous military healthcare related education and experience. The workgroup includes nursing program directors and representatives from nursing related organizations, nursing employers, and the Community College Chancellor’s

5.7 BRN and Medical Board Meeting Regarding Certified Nurse-Midwives

In May, a meeting was held with myself, BRN Legal Counsel, and the Executive Officer, staff, and attorneys for the Medical Board. The meeting was to discuss recent questions raised by the California Nurse-Midwives Association (CNMA) regarding scope of practice issues for individuals who wish to hold dual licensure as Certified Nurse Midwives (CNM) under BRN and Licensed Midwives (LM) under the Medical Board. Some issues discussed were the following:

1. No bar exists that would prevent an individual from holding dual licensure;
2. Currently, no ‘fast-track’ exists for CNMs to be licensed as LMs with Medical Board. If the Medical Board wishes to create an abbreviated educational route for CNMs to be licensed as LMs, it will have to do so through regulation;
3. Both BRN and MBC will have disciplinary jurisdiction over an individual holding dual licensure. Practice violations will be evaluated on a case-by-case basis.

DCA Legal counsel will issue a formal response letter to CNMA.

5.8 Press Release

Seven people plead guilty to charges of forgery for using fake transcripts to become licensed as Registered Nurses. All were arrested as a result of a multi-agency probe initiated by the Board of Registered Nursing (BRN) that involved the Division of Investigation (DOI), the U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) and the Internal Revenue Service (IRS). Seven individuals applied for licenses to practice as Registered Nurses in California using false and forged nursing school transcripts from the Philippines. They now face up to three years in prison.

BRN licensing staff were instrumental in assisting with identifying the individuals involved and verifying they did not attend the nursing schools listed on applications for licensure. An eighth individual, the suspected-ringleader, currently resides in the Philippines. There is a warrant for her arrest.

At the request of the BRN, a Sacramento County Superior Court Judge ordered all seven not to practice as registered nurses. The Board of Registered Nursing filed and served accusations against them on May 16, 2014 and May 22, 2014 seeking revocation of their RN licenses.

All seven people are expected to be sentenced June 27, 2014.
5.9 Staff Recognition

On May 19, 2014 a BRN employee was presented with a Certificate of Commendation for service to the Division of Investigation (DOI). In a presentation by DOI, the employee was acknowledged for assistance provided to DOI in their undercover investigation of a fraudulent transcripts purchasing ring. Over 100 hours were spent assisting DOI in their investigation which began in late 2012 and lasted several months. The employee was able to gain the confidence of the school’s owner to reach an agreement to purchase the fraudulent certificate. The employee regularly and quickly adjusted to changing conditions during the course of the numerous undercover contacts with the schools owner, both by telephone and in person. The employee has moved on to new opportunities in their field of study and the Board sends well wishes in all future endeavors.

5.10 BreEZe Online Services

Exam application – We are happy to announce that as of March 28, 2014 we have been accepting Applications for Licensure by Exam online and to date we have received 948 online exam applications. On average in the month of May we received about 25 online applications per day. We anticipate this number will be drastically higher with the next graduation season, as the online application did not go live until most students had already submitted paper applications.

We would also like to thank Sacramento City College for assisting the Board in testing this new online exam application. On March 28th three volunteer RN students came to the board office and participated by submitting their exam applications online and provided valuable feedback to staff regarding any issues with the application. Board staff informed the students that no direction would be provided to them as we wanted to see if the students could easily navigate through the process without assistance. The students were provided with their paper applications and information they submitted via mail and the link to the online application. They first created BreEZe user accounts and then initiated the online exam application process. Throughout the application process, they provided suggestions on language that was unclear and areas that were confusing. Their comments and input assisted board staff to make the necessary changes prior to full deployment.

Nurse Practitioner Furnishing (NPF) Renewal – On June 5, 2014 the NPF renewal went live online. This was the only renewal transaction that did not go live in October due to necessary changes that were not completed in time for the October release. This newest addition to our online services will benefit all licensees who hold an NPF number and will now provide them with the online renewal capability for all license and certifications held.

For additional information regarding online services you can refer to the Boards website www rn.ca.gov.

5.11 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 March 26, 2014 through June 5, 2014, the BRN received and processed 3 public record requests.
### NEW HIRES

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<tr>
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<tbody>
<tr>
<td>Dean Fairbanks</td>
<td>Program Technician II</td>
<td>Licensing Evaluations</td>
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<td>Suzanne Smith</td>
<td>Program Technician II</td>
<td>Licensing Evaluations</td>
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<tr>
<td>Maritess Desvarro</td>
<td>Seasonal Clerk</td>
<td>Licensing Support</td>
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<td>Nicoll Walton</td>
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<td>Jolaa Goode</td>
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<td>Omaira Garcia</td>
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<td>Dominique Levy</td>
<td>Youth Aid</td>
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<td>Stephanie Johnson</td>
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<tr>
<td>Joseph Heredia</td>
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<td>David Leyva</td>
<td>Youth Aid</td>
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<td>Tammy Logan</td>
<td>Staff Services Manager I</td>
<td>Discipline</td>
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<tr>
<td>Brianne Gregory</td>
<td>Associate Governmental</td>
<td>Citation and Fine</td>
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<td></td>
<td>Program Analyst</td>
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<td>Bea Vue</td>
<td>Seasonal Clerk</td>
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<tr>
<td>Loretta Chouinard</td>
<td>Nurse Education Consultant</td>
<td>Southern California NEC</td>
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<tr>
<td>Carol Velas</td>
<td>Nurse Education Consultant</td>
<td>Southern California NEC</td>
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<tr>
<td>Jennifer Gereghty</td>
<td>Staff Services Analyst (Retired Annuitant)</td>
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### NEW ASSIGNMENTS

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<tr>
<td>Foad Gharahgoziou</td>
<td>Program Technician II</td>
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<td>Jessica Hardwick</td>
<td>Office Technician</td>
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### PROMOTIONS

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<tr>
<td>Tim Maciel</td>
<td>Associate Governmental Program Analyst</td>
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<td>Charla Newton</td>
<td>Office Technician</td>
<td>Complaint Intake</td>
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**SEPARATIONS**

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<tr>
<td>Yvonne Natad</td>
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<td>Omaira Garcia</td>
<td>Seasonal Clerk</td>
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<tr>
<td>Kathlyne (Kat) Tran</td>
<td>Key Data Operator</td>
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**RETIREMENT**

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<tr>
<td>Kelly McHan</td>
<td>Nurse Education Consultant</td>
<td>Northern California NEC</td>
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Kelly McHan began her career in public service in September 2009 as a Nursing Education Consultant. She earned the trust, respect and friendship of all who have worked with her including the Deans and Directors she worked with from the various California nursing programs she oversaw. Prior to working for the Board she was an Assistant Professor of Nursing at Pacific Union College in Angwin, California. Kelly will retire from the Board on June 28, 2014 and will return to teaching at Loma Linda University where she will once again have her hand in influencing our future nurses. Our congratulations to Kelly on her retirement and we extend best wishes for success and fulfillment in all her new endeavors.

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<tr>
<td>Larlee Walters</td>
<td>Staff Services Analyst</td>
<td>Licensing Evaluations</td>
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Larlee Walters began her career in public service in March 1975 as a Seasonal Clerk with the Franchise Tax Board. She started her tenure with the Board in February 1997 and has held various positions throughout her time with the Board. She has worked as an Office Assistant, Office Technician, Management Services Technician and most recently Staff Services Analyst. Larlee has had experience in all areas of the Board from the Renewals support unit to Administration and Enforcement units to her most recent position as a Staff Services Analyst in Licensing. She has earned the trust, respect and friendship of all who have worked with her; and friends and colleagues honored Larlee Walters with a reception on April 24, 2014. We congratulate Larlee Walters on the occasion of her retirement, commend her outstanding record of service and extend best wishes for success and fulfillment in all her endeavors. Larlee retired on April 30, 2014.
6.0 Report of the Administrative Committee
Raymond Malle, Chairperson

6.1 Election of officers

No public comment.

MSC: Ceja-Butkiewicz/Jackson elected Raymond Mallel as President. 6/0/0

No public comment.

MSC: Hayden-Pugh/Woods elected Michael Jackson as Vice President. 6/0/0

6.2 Update: Renewal of license – California Code of Regulations, Section 1419(c)

This Agenda Item was addressed in the Executive Report under Agenda Item 5.3 – Regulations.

No public comment and no motion required.

6.3 Assembly Member Kristin Olsen’s Request for an Audit

The Joint Legislative Audit Committee received a request for the State Auditor to conduct an audit of the selection, planning, design, and implementation of the BreEZe system at the Board of Registered Nursing (BRN).

The BRN is scheduled to attend the hearing at the State Capitol on Tuesday, July 1, 2014, to answer questions from the Joint Legislative Audit Committee.

No public comment and no motion required.

6.4 Review/Discuss and Vote on Nurse Licensure Compact

Louise Bailey, Executive Officer provided information she presented at the November 2013 Board Meeting for the Board’s consideration.

Public Comment:

Marti Smith, RN, CNA
Tricia Hunter, MN, RN, ANA/C
Patricia McFarland, MS, RN, ACNL
Jeannie King, SEIU Nurse Alliance of California

MSC: Jackson/Hayden-Pugh that the Board not join the Nurse Licensure Compact. 6/0/0

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:

- The Valley Foundation School of Nursing at San Jose State University Baccalaureate Degree Nursing program
- University of California San Francisco Entry Level Master's Degree Nursing Program
- University of San Diego Hahn School of Nursing Entry Level Master's Degree Nursing Program
- College of the Siskiyous Associate Degree Nursing Program
- Contra Costa College Associate Degree Nursing Program
- Copper Mountain College Associate Degree Nursing Program
- Fresno City College Associate Degree Nursing Program
- Modesto Junior College Associate Degree Nursing Program
- Sacramento City College Associate Degree Nursing Program

No public comment.

MSC: Jackson/Hayden-Pugh to ratify minor curriculum revision and acknowledge receipt of Program Progress Report. 6/0/0

7.2 Vote On Whether to Approve Education/Licensing Committee Recommendations

BACKGROUND:

The Education/Licensing Committee met on May 7, 2014 and makes the following recommendations:

A. Continue Approval of Prelicensure Nursing Program
   - California State University, Stanislaus Baccalaureate Degree Nursing Program
   - Cabrillo College Associate Degree Nursing Program
   - Chaffey College Associate Degree Nursing Program
   - Cypress College Associate Degree Nursing Program
Santa Barbara City College Associate Degree Nursing Program

B. Defers Action to Continue Approval of Prelicensure Nursing Program
   > Merritt College Associate Degree Nursing Program

C. Approve Major Curriculum Revision
   > San Francisco State University Entry Level Master's Degree Nursing Program

A summary of the above requests and actions is attached.

No public comment.

MSC: Jackson/Mall to approve Education/Licensing Committee recommendations as presented for schools listed in 7.2. 6/0/0

7.3 Vote on Whether to Grant Initial Approval of Prelicensure Nursing Program

7.3.1 Stanbridge College Associate Degree Nursing Program

Badrieh Caraway, NEC presented this report.

BACKGROUND:

Terri Whitt, EdD, MN, BSN, RN, is the Program Director. On April 4, 2014, Miyo Minato, SNEC, and Badrieh Caraway, NEC, conducted an Initial Program Approval site visit. The program was found to be in compliance with Board rules and regulations.

Stanbridge College (SC), privately owned, for-profit college, in Orange County, was founded in 1996. Information Technology certificate program; name was changed to current name in 2004. Mr. Yasith Weerasuriya is the CEO/President and co-founder of Stanbridge College.

Programs offered are; LVN (diploma) program; Information Technology certificate and degrees are (Associate, Baccalaureate, and Master). RN-BSN (online) program offered since June 2011. Master of Science in Information Technology and Master of Science in Nursing. Allied Health Programs include: Occupational Therapy Assistant (Associate Degree), Physical Therapy Assistant (Associate Degree) and Hemodialysis Technicians with Criminal Justice (diploma).

Stanbridge College is currently accredited by Accrediting Commission of Career Schools and Colleges (ACCSC) and approved by the Bureau of Private Postsecondary Education (BPPE) to award Associate of Science Degrees in Nursing. The total number of enrollment for the college is 812 students.

The vocational nursing Program is approved by the Board of Vocational Nursing & Psychiatric Technicians (BVPNT), and their pass rates are:
Dr. Terri Whitt was hired on January 4, 2013 as the Director of the ADN program. She has developed the curriculum working with curriculum consultants. Their curriculum consultants are Catherine McIlvenet, RN, MN, Director of Southwestern College, Nursing Program, and Dr. Diane Morey, PhD, MSN, RN, Nursing Program Director from College of the Canyons.

The Board accepted the feasibility study from Stanbridge College at the Board meeting on June 25, 2011. Stanbridge is establishing a generic ADN Program to start in October, 2014.

The proposed curriculum is based on the National League for Nursing (NLN) Education Competencies Model. The integrating concepts used in this model include: context and environment, knowledge and science, personal/professional development, quality and safety, relationship-centered care, and teamwork. The core values are: caring, diversity, ethics, excellence, holism, integrity and patient centeredness. The curriculum incorporates the nursing process throughout courses. Learning outcomes include: Professional Behaviors, Assessment, Communication, Clinical Decision-Making, Teaching and Learning, Collaboration, and Managing Care. These integrating concepts lead to the outcomes within this model that include four domains: human flourishing, nursing judgment, professional identity, and spirit of inquiry. Each domain has competencies that incorporate the NLN educational competencies for ADN graduates, as well as the competencies from the Quality and Safety Education for Nurses (QSEN).

The curriculum covers two years, eight quarters, with each quarter being 10 weeks in length. The total curriculum has 119.5 quarter units: Nursing units are 78 (49.5 Theory and 28.5 clinical); Communications are 9 units; Sciences are 28.5 units and other degree requirements are 4 units. The curriculum plan includes LVN to ADN option and the required 45 unit LVN non-degree option.

Stanbridge College has sufficient space and resources for the nursing program. There are 10 smart classrooms; each accommodates 32-48 students. Skills Lab has 9 beds and one gurney with 7 low fidelity and 2 medium fidelity simulators for patient care scenarios. The state of the art simulation lab has 7 beds. The simulation lab can accommodate 20 students. The simulation lab has three hi-fidelity, four medium and seven low fidelity manikins, including Sim Man, Noelle, infant and child are available for patient care scenarios. Full time simulation lab coordinator (software development specialist) has been hired to assist faculty with simulation lab scenarios. There are currently 32 scenarios for use by students (20 M-S, and 12 OB & Neonatal Care).

The College Learning Resource System (LRS) includes the Learning Resource Center (LRC) which offers study resources and tutorial assistance to students. Students will have laptops, the college has WIFI capabilities, and portable electronic devices will be used for students’ resource needs. Stanbridge digital library is available to access online resources, such as the ProQuest. IT department provides network support. Students are provided access code to get current media available.
Director has been on board since January 4, 2013, and the plan includes specific timeline for adding faculty as student numbers increase. Assistant Director/Faculty, Administrative Assistant, are added for the first quarter. Projected total faculty number is 25: 9 FT, 16 PT (2 Administrators, 22 Faculty, and one Administrative Assistant). The self-study includes a plan as to when and the number of faculty are hired as the program grows (please see attached documents).

The program proposes to admit 30 students once in 2014, twice in 2015 (60), three times in 2016 (90), and then every other quarter, or five times every two years. The program has committed clinical sites from twenty (20) clinical agencies (please see attached document).

There are 20 signed and 3 pending contracts. Four sites were visited on April 4, 2014, and NECs verified with agency representatives for any displaced students due to the new clinical cohort, and adequacy for the required five content areas. Additionally, the program plans to use off shifts, such as night shifts, for areas such as OB, Pediatrics and Advanced M-S (Intensive Care Unit). Program works with the Long Beach/Orange consortium and the current number of agencies will be adequate for placement of students, although program is continuing to expand the list of clinical agencies as the number of students grows. (Please see attached projected clinical facility rotation documents).

The program has had inquiries about the proposed program and has a number of interested students without having advertisements. Their resources for admission and other support services, such as financial aid and tutoring services are already in place and ready for the proposed program opening. Administration has been planning and is committed to making this program a successful program similar to their LVN program.

NEC Recommendation: Grant initial approval of Associate Degree Nursing Program.

ELC Recommendation: Grant initial approval of Stanbridge College Associate Degree Nursing program.

No public comment.

MSC: Jackson/Mallel vote to Grant Initial Approval of Stanbridge College Associate Degree Nursing Program. 6/0/0

7.4 Vote On Whether to Accept Feasibility Study for Prelicensure Nursing Program

7.4.1 Glendale Career College Associate Degree Nursing Program
Carol Mackay, NEC presented this report.

BACKGROUND:
Dr. Sybil Damon and Judy Corless, MN, RN, consultants, submitted the Feasibility Study (FS) for a new Associate Degree Nursing Program on behalf of Glendale Career College (GCC).

GCC was in the process of having a FS proposal reviewed when the BRN placed a moratorium on accepting FS in June 2011. The GCC FS dated December 20, 2013, is the
first feasibility study submitted since the Board lifted the moratorium April 1, 2013. Following initial review of the 12/20/2013 FS, the BRN requested additional information in order to determine compliance with BRN requirements. GCC submitted the requested information on April 14, 2014.

The following summary describes how the proposed program plans to meet the BRN requirements as outlined in Step 3 of the Instructions for Institutions Seeking Approval of New Prelicensure Registered Nursing Program (EDP-1-01(REV 03/10).

**Description of the Institution**

Since being established in 1946, Glendale Career College has had both ownership and name changes, expanded program offerings, and in 1993 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 offers eight health related programs: Health Administration, Central Service Technician, Computerized Office Assistant, Licensed Vocational Nurse, Massage Therapy, Medical Assistant, Medical Office Specialist, and Surgical Technology. All of these are non-degree programs with the exception of the Health Administration program which awards an Associate of Science degree upon completion. The enrollment for Spring 2014 at GCC is 276 students (132 LVNs).

GCC and its branch campus Nevada Career Institute in Las Vegas were initially accredited by the Accrediting Bureau of Health Education Schools (ABHES) on December 17, 2010. This accreditation was valid through December 31, 2013. At the January 2014 ABHES meeting, the Commission acted to extend GCC’s current grant of accreditation through August 31, 2014 and to defer action on continued accreditation until its July 2014 meeting. The deficiency relates to the Massage Therapy and Medical Office Specialists programs at the Nevada Career Institute. (Details to the deficiency may be found in the attached report from GCC).

The approval of GCC by the California Bureau of Private Postsecondary Education is via its ABHES accreditation. At this time, the BPPE has granted GCC approval until August 31, 2014. (Official correspondence between GCC and both ABHES and the BPPE are in the attached report from GCC).

The NCLEX-PN pass rates for graduates of GCC vocational nursing program for the past five years are: 2009-77% (N48), 2010-74% (N62), 2011-77% (N44), 2012-82% (N45), and 2013 81%(N59). The minimum pass rate standard used by the BRN to monitor how successful RN programs are in preparing graduates for NCLEX-RN is 75%.

**Geographic Area**

GCC hired a private company to conduct a market analysis to determine the demand in the Glendale/Los Angeles County area for a nursing program. The Executive Summary (ES) from the study is located in the 12/20/2013 GCC FS (Section B). The ES included a
market overview of the following: geographic definition, public health overview, and competition overview. The study concludes there is moderate to good potential for success regarding a nursing program in the area.

Type of Program

GCC is planning to offer a generic ADN program. General education and science courses may be completed at GCC or may be transferred from other accredited institutions. The nursing courses will be offered in four 16-week semesters over a two year period. The proposed program meets the BRN requirement that an approved prelicensure nursing program not be less than 2 academic years.

Applicant Pool

GCC intends to draw applicants from graduates of its own health related programs, as well as qualified individuals who were not accepted by other RN programs in the geographic region. From 2011-2013, there were 1400 hundred inquiries to North-West College (owner of GCC) from individuals interested in the RN program. The GCC FS includes a description of its marketing plan.

GCC plans to enroll a total of 90 students annually: 30 generic students twice per year (March 1 and July 1) and 30 LVN Advanced placement students once per year (October 1). The LVN Advanced Placement students will be integrated into the ongoing generic program. Maximum program enrollment will be 180 students.

The proposed start date for the GCC ADN program is March 2015. GCC has been advised of the BRN recommendation of a two year time frame between acceptance of a college’s FS and the projected enrollment date of the first student cohort

Curriculum

The proposed ADN curriculum consists of 72 academic semester units: 31 prerequisite nursing units and 41 nursing semester units (22 nursing theory and 19 of clinical practice). The Feasibility Study includes a brief description of the courses and the proposed course sequence. GCC plans to award an Associate of Science Degree upon successful completion of the program.

Resources

GCC is located at 221 N Brand Blvd, in Glendale, CA. This entire two story commercial building will be dedicated to the RN program and is waiting remodeling. The plans for renovation of the second floor (10,209 square feet) identify space allocation for 3 classrooms (each accommodate 30 plus students), a science lab, a four-bed skills lab, a state-of-the-art simulation center, computer lab with 30 computers, and administration and faculty offices. The renovation timeline for the building is included in the April 10, 2014 GCC FS.

GCC anticipates hiring a total of 26 faculty members to support the program at full enrollment: 18 full-time and eight part-time. GCC already has a full array of student services in place.
Budget

The GCC FS includes a budget forecast for the first five years of program implementation which demonstrates the ability of the college to support the proposed program. The tuition for the ADN program will be $75,000.

GCC has allocated several million dollars for implementation of the RN program, as well as secured a line of credit for an additional $2 million dollars. The executive team for GCC is fully prepared to fund this program well into the future. Contingency funds are built into the budget. These funds are modest the first few years of program implementation, but grow to $1.75 million dollars by academic year 5.

Clinical Placements

The GCC-FS includes Facility Verification Forms (FVF) from 49 health care facilities. The following list identifies the acute care facility forms submitted. Sites which offer specialty clinical experiences are also identified.

Acute Care Facilities (9)

Citrus Valley Health Partners, Intercommunity Campus
Average Daily Census: 111
M/S Experience

Citrus Valley Health Partners, Queen of the Valley
Average Daily Census Facility: 200-225 patients
M/S, OB and Pediatric Experience

Foothill Presbyterian Hospital
Average Daily Census: 58
M/S Experience

Keck Hospital of USC
Average Daily Census Facility: 240-260
M/S Experience

USC Norris Cancer Center
Acute/Ambulatory
Average Daily Census: M/S Unit-28, Ambulatory Units-300 out patients

Victor Valley Global Medical Center
Average Daily Census: 65
M/S, OB, Pediatric Experience

Hemet Hospital
Average Daily Census: 90-100
M/S and Geriatric Experience
Providence St. Joseph Medical Center / St. Elizabeth Center
Average Daily Census: 220
M/S and Geriatric Experience

Olympia Medical Center
Average Daily Census: 85
M/S and Psychiatric Experience

Psych/Mental Health Facilities (5)

Aurora Behavioral/Charter Oak
(inpatient and outpatient care for children, adolescents and adults with acute psychiatric and chemical dependency problems)
Average Daily Census: 130

Silverado Senior Living, Sierra Vista
Assisted Living
Average Daily Census: 84
Psych/MH and Geri Experience

Silverado Senior Living, Alhambra
Residential Care Facility
Average Daily Census: 30
Psych/MH and Geri Experience

Alliance Cherry Lee
SNF, Rehab, Psych
Average Daily Census: 46
Psych/MH, M/S, and Geri Experience

Alliance El Monte
SNF, Rehab, Psych
Average Daily Census: 59
Psych/MH, M/S, Geri Experience

Outpatient Clinic

Mother Child Health Center (City of Industry)
Average Daily Census: 60 (30 Peds and 30 OB)

With respect to BRN FS requirement and clinical facilities, GCC meets the requirement. There is at least one clinical placement in each BRN required clinical areas (MS, OB, Peds, Psych and Geri) with the ability to accommodate at least eight students. Further, there are in-patient experiences available in each BRN required clinical area on the day or evening shift.

Currently, the LA county area does not have a clinical placement consortium. Clinical placements are secured directly by the SON and the health care facility. GCC is aware that new program placements should not result in displacement of existing students. The GCC
FS consultants have done extensive work securing clinical placements. In some instances, grids were presented to document existing SON placements would not be effected by a GCC placement.

Conclusion
The Glendale Career College Feasibility Study meets all the BRN Feasibility Study requirements.

ELC Recommendation: Accept the Feasibility Study for Glendale Career College Associate Degree Nursing Program.

No public comment.

MSC: Jackson/Hayden-Pugh vote to Accept Feasibility Study for Glendale Career College Associate Degree Nursing Program. 6/0/0

7.5 2012-2013 Post licensure Program Annual Report
Julie Warnock-Campbell presented this report.

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 2012-2013 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. Faculty data has been updated since the report version presented at the Education Licensing Committee meeting on May 7, 2014.

No public comment and no motion required.

7.6 Licensing Program Report
Gina Sanchez presented this report.

PROGRAM UPDATE:
The Licensing unit evaluators are currently processing the initial review of applications cashiered in early May. According to our in house statistics and manual counts, we have already received and are processing the majority of the California Spring graduates as the influx of applications we normally receive was earlier this season than in previous years.

As we enter our busiest month, the licensing unit is well prepared for the release of rosters and receipt of transcripts. Temporary staff the Board has brought on is greatly assisting the transition from Department of Consumer Affairs borrowed staff to the dependence of
solely Board staff. It is anticipated that by the end of June, the Licensing unit will be fully self-sufficient with Board staff.

The online exam application has proven successful however due to the early submissions of applications the numbers are lower than initially anticipated. This has proven beneficial however as the Licensing unit has had to implement new procedures for a new type of application. All Licensing staff is fully trained on processing web submitted applications. We anticipate there will be a higher percentage of online applications for the fall graduation season.

With the implementation of the new traffic violation reporting regulation, the Licensing unit has begun to see a significant decrease in the number of files that require a second level review through enforcement. The Board has updated the website with this information and is in the process of updating the licensing and renewal forms.

The Board website is regularly updated to reflect the most current information in regards to Licensing, Renewal and Verification timeframes. Links have been provided at the top of the home page to assist both applicants and licensee’s with the current timeframes and hot topics or trends the Board needs to communicate.

Larlee Walters, senior international analyst retired from the Board on April 28, 2014. We are currently recruiting for her position along with a support staff position recently vacated. Both employees were strong effective members of our team and will be missed. Our US evaluator licensing staff is now fully staffed with the addition of two employees, Dean Fairfield and Suzanne Smith; both with previous licensing experience.

**STATISTICS:**

Statistics and reports are currently unavailable in the BreEZe system however we have determined that since we went live with BreEZe we have licensed 9,964 RN’s. Applicants we have licensed include endorsement, new exam, and reapply applicants.

<table>
<thead>
<tr>
<th>Applicants Licensed</th>
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<tbody>
<tr>
<td>10/08/2014 – 04/01/2014</td>
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<tr>
<td>4/01/2014 – 05/27/2014</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>10/08/2014 – 05/27/14</td>
</tr>
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</table>

Board staff and the Licensing manager have been attending joint meetings with DCA BreEZe staff and other release one Board staff to develop licensing and applicant reports. This collaboration was designed to allow boards to work together on reports and create fewer DCA wide reports that will benefit the boards instead of hundreds of individual reports that are Board specific. This process will also assist everyone to more quickly get the reports when we need them.

No public comment and no motion required.
7.7 NCLEX Pass Rate Update
Katie Daugherty, NEC presented this report.

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, 2013–March 31, 2014*

<table>
<thead>
<tr>
<th>JURISDICTION</th>
<th>TOTAL TAKING TEST</th>
<th>PERCENT PASSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>California*</td>
<td>9,467</td>
<td>82.23</td>
</tr>
<tr>
<td>United States and Territories</td>
<td>152,393</td>
<td>81.49</td>
</tr>
</tbody>
</table>

CALIFORNIA NCLEX RESULTS – FIRST TIME CANDIDATES
By Quarters and Year April 1, 2013-March 31, 2014*

<table>
<thead>
<tr>
<th></th>
<th>4/01/13-3/31/14</th>
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<tbody>
<tr>
<td></td>
<td>6/30/13</td>
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<td>9/30/13</td>
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<tr>
<td></td>
<td>10/01/13-12/31/13</td>
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<tr>
<td></td>
<td>1/01/14-3/31/14</td>
</tr>
<tr>
<td># cand. % pass</td>
<td># cand. % pass</td>
</tr>
<tr>
<td>2,335 83.00</td>
<td>4,057 81.69</td>
</tr>
<tr>
<td>946 69.45</td>
<td>2,129 88.12</td>
</tr>
<tr>
<td>9,467 82.23</td>
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</tr>
</tbody>
</table>

*Includes (3), (4), (5) and (2) "re-entry" candidates. April 1, 2013 the 2013 NCLEX-RN Test Plan and the higher Passing Standard of 0.00 logit was implemented and remains effective through March 31, 2016. 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.

Note: Effective April 1, 2014, NCSBN/Pearson VUE transitioned from a 5 digit school education program code system to a 10 digit system. All exam candidates must use the 10 digit program code to register to take the exam with Pearson VUE and all NCSBN/Pearson VUE Pass Rate reports use the 10 digit codes.

No public comment and no motion required.
8.0 Report of the Legislative Committee
Cynthia Klein, Committee Member (filled in for Erin Niemela, Chair)

8.1 Adopt/Modify Positions on Bills of Interest to the Board, and any other Bills of Interest to the Board Introduced during the 2013-2014 Legislative Session
Kay Weinkam, NEC presented this report.

AB 548 (Salas)

Public Postsecondary education: community college registered nursing programs

No public comment.

MSC: Jackson/Mallel that the Board Watch AB 548. 5/0/0

AB 809 (Logue) Healing arts: telehealth

No public comment.

MSC: Jackson/Ceja-Butkiewicz that the Board Watch AB 809. 5/0/0

AB 1841 (Mullin) Medical assistants

No public comment.

MSC: Woods/Jackson that the Board Watch AB 1841. 5/0/0

AB 2058 (Wilk) Open meeting

No public comment.

MSC: Ceja-Butkiewicz/Jackson that the Board Watch AB 2058. 5/0/0

AB 2062 (Hernández) Health facilities: surgical technologists

No public comment.

MSC: Klein/Ceja-Butkiewicz that the Board Watch AB 2062. 5/0/0

AB 2102 (Ting) Licensees: data collection

No public comment.

MSC: Woods/Jackson that the Board Watch AB 2102. 5/0/0

AB 2144 (Yamada) Staff-to-patient ratios

No public comment.
MSC: Malle/Woods that the Board Support AB 2144. 5/0/0

AB 2247 (Williams) Postsecondary education: accreditation documents

No public comment.

MSC: Klein/Ceeja-Butkiewicz that the Board Watch AB 2247. 5/0/0

AB 2396 (Bonta) Convictions: expungement: licenses

No public comment.

MSC: Woods/Jackson that the Board Watch AB 2396. 5/0/0

AB 2720 (Ting) State agencies: meetings: record of action taken

No public comment.

MSC: Mallel/Jackson that the Board Watch AB 2720. 5/0/0

SB 911 (Block) Residential care facilities for the elderly

No public comment.

MSC: Woods/Jackson that the Board Watch SB 911. 5/0/0

SB 1159 (Lara) Professions and vocations: license applicants: federal identification number

No public comment.

MSC: Klein/Ceeja/Butkiewicz that the Board Watch SB 1159. 5/0/0

SB 1299 (Padilla) Workplace violence prevention plans

Public comments:

Marti Smith, RN, CNA

MSC: Woods/Klein that the Board Support SB 1299. 5/0/0

Public Comment:

Additional public comment received from Lydia Bourne, CSNO.

9.0 Report of the Diversion/Discipline Committee
Cynthia Klein, RN, Chairperson

23
9.1 Complaint Intake and Investigations Update
Shannon Silberling, Complaint Intake and Investigations Deputy Chief presented this report.

PROGRAM UPDATES
COMPLAINT INTAKE:

Staff
Complaint Intake has a vacancy for Associate Governmental Program Analyst (AGPA), which we hope to fill this month.

Program
Enforcement management is working with BRN staff to develop the plan to initiate fingerprinting the large number of nurses who do not fully meet the fingerprint requirements in CCR 1419(b). BRN subject matter experts continue to work to resolve these issues with DCA BreEZe staff. It will be very difficult to have such a large group of licensees fingerprinted if we are having issues processing the results.

We will be experiencing an increase in the number of applicant conviction complaints since we will have hundreds of spring grads.

The complaint intake unit has been utilizing our new enforcement NEC to assist in determining the direction we take on cases that are more complex practice cases.

INVESTIGATIONS:

Staff
Investigations is fully staffed.

Program
The longest delay in the investigation process continues to be obtaining records. We continue to use the subpoena process and look for any ways to decrease the time it takes.

Investigators are focused on clearing all the oldest cases. There are approximately 46 cases over one year old that have not been completed.

Our new enforcement NEC is assisting in reviewing investigative cases that would have otherwise been sent out for expert review. This helps reduce our case time prior to transmitting to the AGO as well as our closure time, should the allegations not be substantiated.

Statistics
The following are internal numbers (end of month) across all investigators not broken out on the performance measurement report.
<table>
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<tbody>
<tr>
<td>Total cases assigned</td>
<td>267</td>
<td>253</td>
<td>266</td>
<td>279</td>
<td>270</td>
<td>256</td>
</tr>
<tr>
<td>Total cases unassigned (pending)</td>
<td>72</td>
<td>104</td>
<td>83</td>
<td>64</td>
<td>104</td>
<td>89</td>
</tr>
<tr>
<td>Average days to case completion</td>
<td>238</td>
<td>292</td>
<td>275</td>
<td>263</td>
<td>212</td>
<td>278</td>
</tr>
<tr>
<td>Average cost per case</td>
<td>$3,028</td>
<td>$3,105</td>
<td>$3,211</td>
<td>$3,194</td>
<td>$2,920</td>
<td>$3,447</td>
</tr>
<tr>
<td>Cases closed</td>
<td>37</td>
<td>42</td>
<td>35</td>
<td>34</td>
<td>23</td>
<td>36</td>
</tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Total cases assigned</td>
<td>252</td>
<td>243</td>
<td>223</td>
<td>236</td>
<td>251</td>
<td>242</td>
</tr>
<tr>
<td>Total cases unassigned (pending)</td>
<td>59</td>
<td>58</td>
<td>49</td>
<td>52</td>
<td>49</td>
<td>74</td>
</tr>
<tr>
<td>Average days to case completion</td>
<td>215</td>
<td>294</td>
<td>326</td>
<td>301</td>
<td>327</td>
<td>229</td>
</tr>
<tr>
<td>Average cost per case</td>
<td>$2,792</td>
<td>$3,312</td>
<td>$3,529</td>
<td>$3,804</td>
<td>$3,776</td>
<td>$3,772</td>
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<tr>
<td>Cases closed</td>
<td>34</td>
<td>19</td>
<td>33</td>
<td>28</td>
<td>49</td>
<td>37</td>
</tr>
</tbody>
</table>

As of May 30, 2014, there were 424 DOI investigations pending.

**OUTREACH:**

**Item #1**

We attended the Professional Development Insurance Network (PDIN) meeting on 03/27/14. The meeting did not include any guest speakers, but issues were discussed in reference to the recent fraud experienced by the different medical insurance carriers.

They reported an increase in fraud with substance abuse programs. Recent cases suggest the programs are employing their participants and testing them on a daily basis without informing them of the daily charges submitted to their (the employees/participants) insurance company. The Dept. of Health Care Services is also conducting weekly operations to audit these programs to minimize the exposure.

Also discussed were a couple of physicians who have been overprescribing methadone. The FBI Supervisor participated in the meeting and extended his support in any investigations involving fraud. The next meeting will be scheduled for May.

**Item #2**

We attended the Residential Placement Protocols (RPP) Taskforce. The focus was on several residential care facilities in the Los Angeles area which had a number of issues. Although the most obvious problems are facilities that are unlicensed, there are facilities that are licensed but caring for more residents than they should be, facilities that are providing substandard care, facilities where the owner holds on to the resident’s EBT or Cal Fresh cards, but provides very little food in return, facilities with fire code or health violations, etc.

Other trends have been discharge planners of various hospitals, who discharge essentially homeless patients into unlicensed facilities. Many of the family members of residents in unlicensed facilities don’t really care if the facility is licensed or not, since the prices are more reasonable if they are not licensed.

25
New contacts were made with the Supervising Investigator for the LA DA’s office and with the Investigation Agent in Charge for the Social Security Administration.

**Item #3**

We attended the OC RX Coalition Task Force Meeting. Topics included discussions with the producer of “Behind the Orange Curtain” Natalie Costa depicting drug abuse amongst teens in affluent areas of Orange County and LA and her new segment “I am the Face of Addiction.” Discussions regarding pending legislation, cases, and Take Back events were also conducted.

**Item #4**

On 05/19/14, BRN Special Investigators attended a joint meeting between BRN Investigations and Health Facility Evaluation Nurse staff from the San Jose, East Bay and Santa Rosa District Offices of the CA Department of Public Health, Licensing and Certification Units. BRN provided a short presentation on the BRN Investigation process and the meeting provided an opportunity for BRN Special Investigators to network with investigating nurse staff from CDPH. Our agencies share mutual jurisdiction over nursing incompetence and unprofessional conduct of RN’s, and this meeting was successful at establishing networking contacts for all Bay Area cases with CDPH involvement.

**Item #5**

On 05/22/14, staff attended the FBI/PDIN meeting. The meeting referenced several trends noted within the industry. One trend is an increase in marijuana dispensary related injuries and fires. Another trend noted was an influx of HIV drugs being laced with other narcotics. The term used to smoke this type of drug is “swishing.”

Dental Board member conveyed they are working with insurance companies to attempt to utilize “UC” insurance cards to determine if there is any exposure to overbilling or fraud.

The Social Security Department member reported they have seen an increase in “out of state” physicians and psychologist submitting invoices for services rendered in CA. Mostly related to disability claims involving soft tissue injuries and mental conditions. They are currently investigating cases in Phoenix and Utah.

The next meeting is scheduled for July. An email will be distributed with the specific date.

No public comment and no motion required.

9.2 **Discipline and Probation Update**

Beth Scott, Discipline, Probation and Diversion Deputy Chief presented this report.

**BACKGROUND:**

**PROGRAM UPDATE**

**Staff**

The Probation Unit is fully staffed with 6 monitors and one Office Technician (OT).
The new cite and fine AGPA began on April 1, 2014 and the Discipline Manager began on May 19, 2014.

Program – Discipline
The discipline unit continues to work with the Attorney General office to complete our cases in a timely manner.

Below reflects FY2014 to present (July 1, 2013 - May 31, 2014) decision statistics:

<table>
<thead>
<tr>
<th>Decisions Adopted by Board</th>
<th>1,210</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pending Processing by legal support staff</td>
<td>0</td>
</tr>
<tr>
<td>Accusations/ PTR served</td>
<td>1,480</td>
</tr>
</tbody>
</table>

Staff continues to increase its usage of citation and fine as a constructive method to inform licensees and applicants of violations which do not rise to the level of formal disciplinary action. The discipline unit is concentrating on processing cite and fine cases.

The BRN continues to issue citations for address change violations pursuant to the California Code of Regulations §1409.1. The BRN website was updated with a reminder of the address change requirement.

Citation information below (FY 2014), statistics from July 1, 2013 – October 3, 2013.

<table>
<thead>
<tr>
<th>Number of citations issued</th>
<th>187</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total fines ordered</td>
<td>$96,075.00</td>
</tr>
<tr>
<td>Fines paid (amounts only include payments from fines issued in current fiscal year)</td>
<td>$62,778.00</td>
</tr>
</tbody>
</table>

Statistics - Discipline
The BRN continues to work with the DCA BreeZe team to verify the accuracy of the performance measure statistics, formerly the E19 report.

Program – Probation
The case load per probation monitor is approximately 142.

Statistics – Probation
Below are the statistics for the Probation program from July 1, 2013 to May 20, 2014.

<table>
<thead>
<tr>
<th>Probation Data</th>
<th>Numbers</th>
<th>% of Active</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>230</td>
<td>27%</td>
</tr>
<tr>
<td>Female</td>
<td>619</td>
<td>73%</td>
</tr>
<tr>
<td>Chemical Dependency</td>
<td>398</td>
<td>48%</td>
</tr>
<tr>
<td>Practice Case</td>
<td>223</td>
<td>26%</td>
</tr>
<tr>
<td>Mental Health</td>
<td>2</td>
<td>0%</td>
</tr>
<tr>
<td>Conviction  (Alcohol/Drug = 94)</td>
<td>226</td>
<td>26%</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>Advanced Certificates</td>
<td>82</td>
<td>10%</td>
</tr>
<tr>
<td>Southern California</td>
<td>400</td>
<td>48%</td>
</tr>
<tr>
<td>Northern California</td>
<td>435</td>
<td>51%</td>
</tr>
<tr>
<td>Tolleled at the AG</td>
<td>14</td>
<td>1%</td>
</tr>
<tr>
<td>Pending with AG/Board</td>
<td>102</td>
<td>12%</td>
</tr>
<tr>
<td>License Revoked YTD</td>
<td>22</td>
<td>2%</td>
</tr>
<tr>
<td>License Surrendered YTD</td>
<td>62</td>
<td>7%</td>
</tr>
<tr>
<td>Terminated YTD</td>
<td>21</td>
<td>1.5%</td>
</tr>
<tr>
<td>Successfully completed YTD</td>
<td>123</td>
<td>14%</td>
</tr>
<tr>
<td>Active in-state probationers</td>
<td>849</td>
<td></td>
</tr>
<tr>
<td>Completed/Revoked/Terminated/</td>
<td>228</td>
<td></td>
</tr>
<tr>
<td>Surrendered YTD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tolleled Probationers</td>
<td>248</td>
<td></td>
</tr>
<tr>
<td>Active and Tolleled Probationers</td>
<td>1097</td>
<td></td>
</tr>
</tbody>
</table>

No public comment and no motion required.

9.3 **Diversion Program Update and Statistics**
Carol Stanford, Diversion Program Manager, presented this report.

**BACKGROUND:**

**Program Update**

In March 2014, the Diversion Program staff participated in the National Organization for Alternative Program (NOAP) educational conference in San Diego. This is the only educational training put on specifically for alternative to discipline and discipline programs throughout the country. The Diversion Program Manager was one of the speakers at the conference. Some of the topics covered at the conference were: Update on Treatment of Health Care Professionals; HIPPA and Privacy Risks; Avoiding Countertransference and Codependency When Working with Other HealthCare Professionals.

There were also topics such as: It’s Not your Mama’s Weed Anymore which provided information regarding the potency of Marijuana showing it is not the same as in the 60’s. Its potency levels have increased from 2% to 30% and it causes psychotic breaks in some users. Since 2007, it has highest rate of dependence after alcohol. As a result of its increase in use, some states have seen a 400% increase in Emergency Rooms visits. Other presentations such as, Drug Diversion in the Healthcare Setting, provided information that Fentanyl is now the most widely diverted narcotic and Neuroscience of Addiction, Trauma and Recovery from Both – The Brain as Healing Ground discussed how thoughts, emotions, and behaviors affect recovery and the brain’s structure in relation to fear and stress. These important topics provided current information to keep the California program abreast of current trends and future issues that may have an impact on the nursing population.
On June 26 and 27, the Diversion Program Manager will present information about the BRN's Diversion Program at the 2nd Annual Dave E. Smith, MD Symposium in San Francisco. This symposium is free to all those who register and will provide CE's for those healthcare professionals who attend. There will be information and topics such as: The New ASAM Criteria and SAM-5: Implications for Addiction Medicine; Health Care Reform: Opportunities and Challenges for Behavioral Health Care Providers; Update on Addiction Treatment; Models of Recovery for Health Care Professionals, etc. The Symposium will be held at the J W Marriott San Francisco Union Square with an expected attendance of over 300 Healthcare professionals and providers.

Additional information from the NOAP conference and the upcoming Symposium is available upon your request.

**Contractor Update**

Maximus, the contracted vendor for the Diversion Program had its second consecutive 3-year International Standards Organization (ISO) certification. The ISO provides an external quality review of the program. The focus of the evaluation is on the contract, and how the internal quality practices monitor and support adherence to the contract requirements. Maximus again passed this strict independent review. The California Diversion Program is the only ISO-certified health professionals monitoring program in the world.

In March, Maximus hired a new Clinical Case Manager, John Olive, RN, to replace Bill Frantz, RN. John brings the following qualifications to the position:
- Diploma in Nursing (Psychiatric) University of Wales, Bangor UK 1995
- Post Graduate Diploma (Drug Addiction) John Moores Univ. Liverpool UK 1998

John and his wife, who is also a RN, relocated to the Sacramento area in 2001. Since coming to the U.S, and earning his California RN license in 2011, John has worked at St. Helena Hospital and Heritage Oaks Hospital in Sacramento. The BRN welcomes John and his family as a part of the Maximus team.

**Diversion Evaluation Committees (DEC)**

There are currently 3 vacancies at this time: one physician, one registered nurse and one public member. Recruitment efforts continue.

**Statistics**

The Statistical Summary Report for November through March is attached. As of March 31, 2014, there were 1,857 successful completions.

9.3.1 **Diversion Evaluation Committee Members**

**BACKGROUND:**

In accordance with B & P Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committees. Each Committee for the Diversion Program is composed of three registered nurses, a physician and a public member with expertise in substance use disorders and/or mental health.
NEW APPOINTMENTS
Below are the names of the candidates who are being recommended for appointment to the Diversion Evaluation Committees (DEC) that were not originally reviewed by the Diversion Discipline Committee. Their application and résumés are attached. If appointed, their terms will expire June 30, 2018.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>DEC</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>William Frantz</td>
<td>Nurse</td>
<td>North Central</td>
<td>12</td>
</tr>
<tr>
<td>Felicity Blau</td>
<td>Nurse</td>
<td>Oakland</td>
<td>13</td>
</tr>
</tbody>
</table>

APPOINTMENT
Below is the name of the candidate who is being recommended for appointment to the Diversion Evaluation Committee (DEC). If appointed, his term will expire June 30, 2018.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>DEC</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paul Glibert</td>
<td>Nurse</td>
<td>Los Angeles</td>
<td>3</td>
</tr>
</tbody>
</table>

REAPPOINTMENTS
Below are the names of candidates who are being recommended for reappointment to the Diversion Evaluation Committees (DEC). If appointed, their terms will expire June 30, 2018.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>DEC</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diane Hambrick</td>
<td>Physician</td>
<td>Bay Area</td>
<td>2</td>
</tr>
<tr>
<td>Diane Alvy</td>
<td>Nurse</td>
<td>Los Angeles</td>
<td>3</td>
</tr>
<tr>
<td>Grace Murphy</td>
<td>Nurse</td>
<td>Los Angeles</td>
<td>3</td>
</tr>
<tr>
<td>Thomas Dosumu-Johnson</td>
<td>Physician</td>
<td>Palm Springs</td>
<td>6</td>
</tr>
<tr>
<td>Mary Richards</td>
<td>Nurse</td>
<td>San Jose</td>
<td>7</td>
</tr>
<tr>
<td>Dianne Souza</td>
<td>Public</td>
<td>San Diego</td>
<td>10</td>
</tr>
</tbody>
</table>

Below is the name of candidate who is being recommended for term extensions to the Diversion Evaluation Committees (DEC). If appointed, her term will expire June 30, 2017.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>DEC</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ernestine Leverette</td>
<td>Nurse</td>
<td>Santa Ana</td>
<td>14</td>
</tr>
</tbody>
</table>

Below are the names of candidates who are being recommended for term extensions to the Diversion Evaluation Committees (DEC). If appointed, their terms will expire June 30, 2016.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>DEC</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richard Jaco</td>
<td>Nurse</td>
<td>Sacramento</td>
<td>1</td>
</tr>
<tr>
<td>Suzette Otlewis</td>
<td>Nurse</td>
<td>Orange County</td>
<td>4</td>
</tr>
<tr>
<td>Edy Stumpf</td>
<td>Public</td>
<td>Orange County</td>
<td>4</td>
</tr>
<tr>
<td>Michael Mayo</td>
<td>Public</td>
<td>Central Valley</td>
<td>5</td>
</tr>
<tr>
<td>Dianne Christoffels</td>
<td>Nurse</td>
<td>San Diego</td>
<td>10</td>
</tr>
</tbody>
</table>
TRANSFER

Below are the names of the DEC members who are being recommended for transfers to the DEC committees listed below.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>DEC</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cynthia Rinde</td>
<td>Public</td>
<td>Sacramento</td>
<td>1</td>
</tr>
<tr>
<td>Sharon Fritz</td>
<td>Nurse</td>
<td>Ontario</td>
<td>9</td>
</tr>
<tr>
<td>Richard Diamond</td>
<td>Public</td>
<td>Oakland</td>
<td>13</td>
</tr>
</tbody>
</table>

RESIGNATION

Below is a Diversion Evaluation Committee Member who resigned for personal reasons.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>DEC</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phillip Belleville</td>
<td>Public</td>
<td>Santa Ana</td>
<td>14</td>
</tr>
</tbody>
</table>

No public comment.

MSC: Jackson/Mallel to accept all new Diversion Evaluation Committee members’ appointment and reappointments. 5/0/0

9.4 Update: “Uniform Standards Regarding Substance-Abusing Healing Arts Licensees” – Business and Professions Code, Section 315 et. seq.

BACKGROUND:

As directed by the Board at its November 2013 meeting, staff conducted a comparative analysis of the Uniform Standards, Diversion Program, and Probation Program, including the potential fiscal impact. Staff met with Legal Counsel to discuss a number of issues related to Uniform Standards, including the specific recommendations from Doreatha Johnson, Deputy Director, DCA Legal Affairs. Legal Counsel advised the Board continue with the regulatory process, although the Attorney General’s Office has not rendered its opinion relative to the Uniform Standards. The Board will be notified if changes are necessary as a result of the opinion.

Staff submitted a report of its findings to the Committee at its March 2014 meeting.

The Medical Board of California has promulgated regulations implementing the Uniform Standards. A comparison was made and is provided for the committee’s consideration at the May 2014 meeting.

Public comments:

Marti Smith, RN, CNA
Jeannie King, SEIU Nurse Alliance of California
Tricia Hunter, MN, RN, ANA/C
10.0 Report of the Nursing Practice Committee
Michael Jackson, Committee Member (filling in for Trande Phillips, Chair)

10.1 Information Only: Nurse practitioner: Education and Practice
Janette Wackerly, Supervising NEC presented this report.

BACKGROUND:
BRN-NEC staff will present talking points:


Nurse Practitioner Practice information provided by the American Nurses Association and American Association of Nurse Practitioners.

RESOURCES:
American Academy of Nurse Practitioners (www.aanp.org)
American Association of Colleges of Nursing (www.aacn.nche.edu)
American College of Nurse Practitioners (www.acnpweb.org)
American Nurses Association (www.NursingWorld.org)
Centers for Medicare and Medicaid (CMS.gov)

Public comment received by Marti Smith, RN, CAN.

No motion required.

10.2 Information and Discussion

Nurse Practitioner Laws and Regulations – Title 16 of the California Code of Regulations, Article 8, Sections 1480-1484.

BACKGROUND:
The BRN staff APRN workgroup has continued review of Article 8 Nurse Practitioners Laws and Regulations, the NCSBN Model Act, and language implemented in other states. Attached from the APRN workgroup is the current working document which includes the existing regulations and draft suggested language for review and discussion. The working document is in black ink; type and underlining and cross out have been incorporated to reflect changes.

Nursing Education Consultant APRN (Advanced Practice Registered nurse)
Workgroup suggested updating and revising of:

1. Section 1480 — Definitions
2. Section 1481 — Categories of nurse Practitioners
3. Section 1482 — Requirements for Nurse Practitioners
4. Section 1483 — Evaluation of Credentials
5. Section 1483.1 — Approved APRN-NP Program Accreditation Required and Board Notification Process
6. Section 1483.2 – Applications for APRN-NP Program Approval
7. Section 1483.3 – Changes to an Approved program
8. Section 1484 – APRN-NP Education

No public comment and no motion required.

11.0 Public Comment for Items Not on the Agenda

Public Comment:

Carol Doud, RN, Dept. of Corrections

12.0 Adjournment

The meeting adjourned at 12:39 pm.

Louise Bailey, M.Ed., RN
Executive Officer

Raymond Mallel
President