

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

DATE: September 14-16, 2016

LOCATION: Newport Beach Marriott Hotel  
900 Newport Center Drive  
Newport Beach, CA 92660

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  
Barbara Yaroslavsky

ALSO PRESENT: Joseph Morris, RN, MSN, Ph.D., Executive Officer  
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, Probation and Intervention  
Janette Wackerly, Supervising NEC  
Miyo Minato, Supervising NEC  
Leslie Moody, NEC  
Kay Weinkam, NEC  
Katie Daugherty, NEC  
Laura Shainian, NEC  
Don Walker, Intervention Program Manager  
Julie Campbell-Warnock, Research Program Specialist  
Kim Ott, Decisions and Appeals Analyst  
Elisa Serna, Staff Services Analyst  
Michael Santiago, DCA Legal Counsel  
Jonathan Burke, DCA Executive Office  
Adam L. Berg, Administrative Law Judge  
Erin M. Sunseri, Deputy Attorney General  
Agustin Lopez II, Deputy Attorney General

**Wednesday, September 14, 2016 – 8:00 am – Open Session: 9:00 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**

Vittoria Crescenzo  
Camille Hall

**Early Termination/Modification of Probation**

Suzanne Coleman  
Hannah Dickson  
Diana Garcia  
Michelle Naughton  
Ignacio Nunez  
Agnes Pasco  
Anuncio Sulla  
James West

Meeting adjourned at 12:30 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 12:46 p.m. The closed session adjourned at 4:24 p.m.

**6.0 Reconvene in Open Session for Purposes of Adjournment**

Michael Jackson, President, reopened the meeting at 4:24 pm and called for public comment. No public comment.

Meeting adjourned at 4:30 p.m.

**Thursday, September 15, 2016 – 9:00 am**

**1.0 Call to Order and Establishment of a Quorum**

Michael Jackson, President, called the meeting to order at 9:13 am and had the Board Members introduce themselves.

**2.0 Public Comment for Items Not on the Agenda**

- Sheri Monsein, UCLA Health
- Katherine Nickels, RN
- Jan L. Keller-Unger, Providence
- Robyn Nelson, West Coast University
- Jessie Miller, RN
- Paulette Anest, AMN Healthcare
- Genevieve Clavreul

**3.0 Review and Vote on Whether to Approve Minutes:**

- June 15-16, 2016 Board Meeting Minutes
- July 11, 2016 Board Meeting Minutes
- August 10, 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:** Michael Jackson

No Public Comments.

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y-July August A-June</b>	<b>Y-June July A- August</b>	<b>Y</b>	<b>A</b>	<b>Y-June August A-July</b>

**4.0 Report on Board Members' Activities**

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

**5.0 Board and Department Activities**

**5.1 Executive Officer Report**

Dr. Joseph Morris, RN, MSN, Ph.D., Executive Officer presented this report.

➤ **BRN Sunset Report**

The BRN staff is continuing to work on the Sunset Report update to provide information and respond to 24 issues provided by 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. They have requested an update on these issues from the 2014 Sunset Report. This report is due December 1, 2016. It is planned that a draft of the report will be provided to the Board at the October Board meeting.

➤ **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 June 6, 2016 through, September 6, 2016 the BRN received and processed 36 public record requests.

➤ **Paperless Renewal Notifications**

Staff is currently evaluating the feasibility of implementing paperless RN and advanced practice renewal notifications as a cost savings measure.

➤ **Consumer Satisfaction Survey**

The Board recently added a Consumer Satisfaction Survey to its website. E-mail notices were sent to licensees, applicants, nursing programs and stakeholders. All are encouraged to take a few minutes to complete the Survey by October 15, 2016 to let us know what we are doing well and what we could improve.

➤ **Health Professions Education Foundation ADN and BSN Scholarship and Loan Repayment Program**

The Health Professions Education Foundation (HPEF) housed within the Office of Statewide Health Planning and Development (OSHPD) is a non-profit foundation statutorily created to encourage people from underrepresented communities to become health professionals and increase access to health providers in medically underserved areas and the public mental health system. HPEF encourages people to work in these areas by providing scholarships and loan repayments. These programs for Registered Nurses are partially funded by a \$10 surcharge placed on the biennial RN renewal fee. Applications are accepted once a year and are completed and submitted through an online system CalREACH.

HPEF's 2016-2017 Annual Application Cycle Information:

- Loan Repayments programs (including Bachelor of Science Nursing Loan Repayment Program (BSNLRP) and Advanced Practice Healthcare Loan Repayment Program (APHLRP) open from August 1 through October 14, 2016.
- Scholarship Programs (including Associate Degree Nursing (ADN) and Bachelor of Science Nursing (BSN) Scholarship Programs and Advanced Practice Healthcare Scholarship Program (APHSP) open from January 3 through February 28, 2017.

Additional information regarding requirements, how to complete an application and much more can be found at:

Foundation: [www.healthprofessions.ca.gov](http://www.healthprofessions.ca.gov)

Facebook: [www.facebook.com/CalHealthWorkforce](https://www.facebook.com/CalHealthWorkforce)

Twitter: [www.twitter.com/HealthProfCAgov](https://www.twitter.com/HealthProfCAgov)

➤ **2016 California Survey of Registered Nurses (RNs)**

University of California, San Francisco (UCSF) and Board staff are currently working on the 2016 RN survey. On April 25, 2016, a survey was mailed out to a sample of 8,000 RNs with active licenses who reside in California and other states. Survey participants can complete the survey online or mail back the hard copy sent to them. Survey collection closed September 2, 2016. Surveys were received from approximately 52% of the sample (39% paper and 12% online). Data from the survey will be analyzed and a report generated providing data for this survey and previous surveys so trends can be reviewed.

The Board contracts with UCSF to conduct a biennial survey of RNs in California. The purpose of the survey is to collect and evaluate nursing workforce data to understand the demographics, education, employment patterns, nurse perceptions of the work environment, reasons for discontinuing work in nursing and plans for future employment. This is the tenth in the series of California RN workforce surveys. Previous surveys were conducted in 1990, 1993, 1997, and then on a biennial schedule beginning in 2004.

➤ **Second Annual BRN School Survey Overview Webinar Planned**

The BRN, with the University of California, San Francisco (UCSF) is hosting a Webinar to provide information to assist Nursing Program Deans, Directors, faculty and staff with completing the 2015-2016 Annual School Survey. Deans, Directors and any staff who assist in compiling and completing the survey are being encouraged to attend. The webinar will be recorded and made available to the nursing programs after the webinar is completed.

## 5.2 **Budget Update**

Workload & Revenue – The following is a sampling of the trends that were noted in various revenue categories for FY 2015/2016:

- For the fifth straight year, repeat exam applications are down from 7,675 to 7,064, a 7.96% decrease from the previous year.
- First time exam applicants went up from 15,062 to 15,332, a 1.79% increase from the previous year.
- Endorsements into the state went up from 13,081 to 15,653, a 19.66% increase from the previous year.
- Endorsements out of the state went from 14,763 to 12,404, a 15.98% decrease.
- RN renewals went up by 4.465% from FY 2014/2015.
- All other categories remained fairly consistent.

## 5.3 **Technology Update**

➤ **Work Authorization 014 Renewal Questions**

As discussed at the April 2016 Board Meeting, Work Authorization (WA) 014 was approved for implementation into BreZE and was released into production on June 16, 2016. WA014 changed the functionality of the online renewal application to allow the Board to designate specific questions as required. This functionality has assisted with the number of renewals that were being held for a non-response of required questions and has now eliminated the need for board staff intervention to move the renewal through the process. Board staff has been monitoring the effectiveness of WA014 and is pleased with the functionality.

➤ **Fingerprint Requirement**

Staff is in the process of notifying licensees who are required to submit fingerprints upon renewal. On September 2<sup>nd</sup> staff mailed out over 2,000 letters to licensee’s who have paid for the renewal of their license and there is a hold on the license renewal due to missing fingerprints. We are also working with a DCA BreZE business integrity analyst (BIA) to flag licensees renewal records prior to the licensee’s submission of a renewal fee.

➤ **WebEx**

BRN has obtained a WebEx account for board staff and management use to assist with future teleconferences amongst office and telework staff as well as other committees and workgroups of the board. We are in the process of setting up the current BRN conference room with the appropriate equipment to be able to utilize the room as a smart technology room.

➤ **Electronic Transcripts**

The Board has been piloting the acceptance of electronic transcripts from California Schools. This endeavor will be discussed during the DCA presentation regarding the CloudDrive as well as within the Licensing report.

**5.4 Staffing Update**

Board staffing needs are being evaluated based on the ongoing business process changes. Once all process changes have been implemented and refined we will re-assess our staffing needs and will submit position requests as appropriate. Additionally, we have been looking at staff flex time schedules and have implemented a Monday through Friday 8-5 schedules to improve customer services and handle the high volume of work being experienced in most areas of the board. There are six (6) permanent full-time vacancies within the board at this time.

<b>NEW HIRES</b>		
<b>Name</b>	<b>Classification</b>	<b>Program</b>
Wayne Ray	Office Technician	Investigations
Mailia Chang	Program Technician	Renewals
Arletra Duroncelet-Hutchinson	Program Technician II	Call Center
Paul Row	Program Technician II	Call Center
Uzoamaka Polee	Program Technician II	Call Center
Jake Edwards	Program Technician II	Call Center

Felix Fong	Program Technician II	Call Center
James Tipton	Office Technician	Probation
Sheila Granby	Associate Governmental Program Analyst (Retired Annuitant)	Probation
John Shicora	Program Technician II	Administration
SEPARATIONS		
Name	Classification	Program
Charla Cuevas	Office Technician	Discipline
Siqi Chen	Office Technician	Complaint Intake

**6.0 Report of the Administrative Committee**

Michael Jackson, President, Chairperson

**6.1 Discussion and Possible Action to imitate the rulemaking process to increase fees California Code of Regulations, Title 16, section 1417**

Stacie Berumen, Assistant Executive Officer presented this report

**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.

**Motion:** Barbara Yaroslavsky made a motion to initiating the rulemaking process to establish the fees charged by the BRN in Senate Bill 1039 if it is approved by the Governor

**Second:** Michael Jackson

No Public Comments.

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

**6.2 Discussion and Possible Vote on Options to Discontinue Printing and Mailing of Pocket Cards as a Cost Saving Measure**

Christina Sprigg, Deputy Chief, Licensing and Administrative Services presented this report

**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 BreEZe, 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 BreEZe 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.

Public Comment: Sheri Monsein, UCLA Health  
Jan L. Keller-Unger, Providence  
Paulette Anest, RN, AMN Healthcare

### **6.3 Discuss and Possible Vote on Transitioning License Verification process to NURSYS** Stacie Berumen, Assistant Executive Officer, presented this report

**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.

Public Comment: Sheri Monsein, UCLA Health

### **6.4 Cloud Drive Presentation by DCA-Office of Information Service** Jason Piccione, Chief Information Officer, DCA, presented this report

**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.

Public Comment: Robyn Nelson, West Coast University



## 6.5 Board Meeting Dates for 2017

### 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

## 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, San Bernardino Baccalaureate Degree Nursing Program
- Chamberlain College of Nursing Baccalaureate Degree Nursing Program
- Mount Saint Mary's University, Los Angeles Baccalaureate Degree Nursing Program
- National University Baccalaureate Degree Nursing Program
- San Diego State University Baccalaureate Degree Nursing Program
- Western University of Health Sciences Entry Level Master's Degree Nursing Program
- Carrington College LVN to RN Associate Degree Nursing Program
- College of the Sequoias Associate Degree Nursing Program
- Copper Mountain College Associate Degree Nursing Program

- Modesto Junior College Associate Degree Nursing Program
- Ohlone College Associate Degree Nursing Program
- Santa Barbara City College Associate Degree Nursing Program
- Weimar Institute Associate Degree Nursing Program
- West Hills College Lemoore Associate Degree Nursing Program
- California State University, Los Angeles Nurse Practitioner Program
- University of California, Los Angeles Nurse Practitioner Program

**Acknowledge Receipt of Program Progress Report**

- Holy Names University LVN to BSN Baccalaureate Degree Nursing Program
- California State University, Dominguez Hills Entry Level Master’s Degree Nursing Program
- Charles R. Drew University of Medicine and Science, Mervyn M. Dymally School of Nursing

**Entry Level Master’s Degree Nursing Program**

- American Career College Associate Degree Nursing Program
- East Los Angeles College Associate Degree Nursing Program
- Napa Valley College Associate Degree Nursing Program
- San Joaquin Valley College Associate Degree Nursing Program

**Motion:** Michael Jackson made a motion to Ratify Curriculum Revision for the Schools listed above

**Second:** Pilar De La Cruz-Reyes

No Public Comment.

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>

**7.2 Vote on Whether to Approve Education/Licensing Committee Recommendations**

Leslie Moody, NEC Presented this report

**BACKGROUND:**

The Education/Licensing Committee met on August 11, 2016 and makes the following recommendations:

**7.2.1 Continue Approval of Prelicensure Nursing Program**

- National University Baccalaureate Degree Nursing Program
- Sonoma State University Baccalaureate Degree Nursing Program
- Cerritos College Associate Degree Nursing Program
- Long Beach City College Associate Degree Nursing Program
- Mount Saint Mary’s University, Los Angeles Associate Degree Nursing Program
- Palomar College Associate Degree Nursing Program
- Pasadena City College Associate Degree Nursing Program
- Santa Rosa Junior College Associate Degree Nursing Program

**7.2.2 Continue Approval of Advanced Practice Nursing Program**

- Sonoma State University Nurse Practitioner Program

**7.2.3 Defer Approval of Prelicensure Nursing Program**

- College of Marin Associate Degree Nursing Program

**7.2.4 Approve Major Curriculum Revision**

- American University of Health Sciences Baccalaureate Degree Nursing Program (increase enrollment)
- California State University, Bakersfield Baccalaureate Degree Nursing Program (curriculum revision)
- California State University, Los Angeles Baccalaureate Degree Nursing Program (curriculum revision)
- University of California, Irvine Baccalaureate Degree Nursing Program (add ELM program)
- California State University, Bakersfield Nurse Practitioner Program (curriculum revision)
- California State University, Los Angeles Nurse Practitioner Program (curriculum revision)

Motion: Michael Jackson made a motion to Continue Approval for the Schools listed above  
 Second: Raymond Mallel

No Public Comment.

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

**7.3 Vote on Whether to Grant Initial Approval of Prelicensure Nursing Program for California Career College Associate Degree Nursing Program**

Miyo Minato, Supervising NEC, Presented this report

**BACKGROUND:** Estrada, MSN, RN, is the Director of Nursing since June 22, 2015 and has worked part-time and will transition to a full-time position upon approval of the program.

The Board accepted the feasibility study from California Career College Associate Degree Nursing Program on April 3, 2014 and approved extension of self-study phase at the Board Meeting on June 16, 2016. On June 1, 2016, Linda Sperling, NEC and Miyo Minato, SNEC, conducted an initial program approval visit for California Career College Associate Degree Nursing Program, located in Canoga Park, 25 miles northwest of downtown Los Angeles. The program was found to be in compliance with all BRN rules and regulations.

CCC is a post-secondary institution established in 2001 and operates as a private corporation owned by a sole shareholder. The school currently offers an associate degree Vocational Nursing program. CCC is approved by the Bureau of Private Postsecondary Education (BPPE) through 2017 and has an institutional accreditation by the Accrediting Bureau of Health Education Schools (ABHES) through 2018 for their LVN program. The LVN program’s NCLEX-PN pass rates is 73%, which meets the BVNPT’s standard, pursuant to Sections 2530 and 2585 of the Code: VN and PT programs are required to maintain a minimum average annual pass rate that is no more than ten (10) percentage points below the State average annual pass rate for first-time candidates of approved VN and PT schools for the same period.

CCC expects to obtain ABHES and BPPE approvals to award the Associate of Science degree for Registered Nursing to the graduates pending Board approval.

The CCC Campus consists of a two-story, 4,200 sq. ft. building. One large office for RN program and LVN director. Two offices available for full-time instructors and one office for part-time instructors. A large conference room is available for meetings and instructor/student privacy. One classroom has twenty-eight (28) seats and is sufficient to meet the needs of the program based on an enrollment of twenty-four (24) students, three (3) times per year. Classroom, skills and simulation labs can accommodate enrollments for both the LVN and RN programs scheduling classes over six (6) days per week, so that only students from one program is on campus at any one time. There spaces and other student support services available within the Administrative Offices. The academic resources, computers, and space are available for electronic library, The LIRN, collection of peer-reviewed and full-text journal, magazines, and newspaper articles, and e-books. The CCC administration has already explored additional spaces at a nearby location to provide more instructional spaces when needed.

The self-study indicated that the program has an applicant pool of qualified faculty for the ADN program. The program has plans to hire two (2) full-time nursing and four (4) part-time non-nursing, general study faculty, one administrative assistant, one lab IT non-nurse, and one librarian assistant non-nurse at the start of semester one. Faculty will be added as required to support program growth.

The conceptual and organizing framework for the curriculum integrates the nursing process and the Gordon's Functional Health Patterns as a practice model. Curriculum and course sequence progress from simple to complex knowledge and skill with emphasis on caring, problem solving, and critical thinking. The conceptual framework defines the required major concepts, views bio-psycho-social needs of the patient, and focuses on the nurse's roles with emphasis on the evidence-based practice, and promoting prevention and evaluation of outcomes. QSEN competencies and emphasis on quality and safety are incorporated throughout the nursing courses.

The curriculum is intended to be completed in two (2) years and includes the required content for licensure and college degree requirements. The curriculum is conducted in a fifteen (15) week, six (6) semester system. The total units for licensure equal 68 semester units. The total units for graduation equal seventy 70 semester units. Theory content and clinical experiences are coordinated to be concurrent beginning in semester two (2) and continue in each semester until program completion. The program plans on admitting the 24 students, three times per year, with the first cohort of students to start in Fall 2016.

At the ELC Meeting on August 11, 2016 the Committee recommended to defer the decision and asked that Board staff make a site visit to a new clinical site secured after the initial visit and report at the Board Meeting on September 15, 2016 and for a board action. The majority of the clinical sites that were visited at the initial program review verified thirteen (13) sites with contracts that covered the required five content areas: Medical Surgical, Maternal Health, Pediatrics, and Community Psych, and Geriatrics. The program was working on five additional sites to add experiences for Advanced and Complex client care. The Committee required information to ensure that there were sufficient experiences available for the Advanced Medical-Surgical experiences prior to a decision for the ELC recommendation.

On August 17, 2016 Miyo Minato, SNEC, visited Ventura County Medical Center (VCMC), a general acute care facility, licensed for 223 beds, in the following units/number of beds: Coronary Care (9); NICU (30); ICU (15); Peds (16); Perinatal (28); General Acute Care – Med-Surg (82); Acute Psych (43). There are other services available to students, such as ER and various outpatient services throughout the medical center campus. The hospital is currently building a new tower with plans to expand beds in some of the units, such as ER beds. The move to the new facility is anticipated for Spring 2017. Meeting with the Education Director and the tour of the facility verified that there are adequate clinical spaces for this new program without any displacement of current students from Ventura College, Moorpark College, and CSU Channel Islands using VCMC.

Motion: Michael Jackson made a motion to Grant Approval of Prelicensure Nursing for California Career College Associate Degree Nursing Program admission to 24 students per year

Second: Imelda Ceja-Butkiewicz

Public Comment: Elizabeth Estrada, California Career College  
 Susan Naimi, California Career College  
 Carlos Ramos, California Career College  
 Marylynn Aguirre, Pasadena City College

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

**7.4 Vote on Whether to Approve Education/Licensing Committee Recommendations for East Los Angeles College Associate Degree Nursing Program**

Laura Shainian, NEC, Presented this report

**BACKGROUND:** Lurelean Gaines, RN, MSN, Program Director/Chairperson.

The program is being presented subsequent to the Board’s decision to issue Warning Status with Intent to Close ELAC Nursing Program, at its September 3, 2015 meeting, as a result of continued non-compliance for substandard NCLEX pass rate. The non-compliance for substandard NCLEX pass rate originates from the program’s October 7-8, 2013 regularly scheduled continuing approval visit. Findings for the visit identified 5 areas of non-compliance for which the program has corrected 4 areas. The substandard NCLEX pass rate (<75%) remains as depicted in the table below.

Year	Taken	Passed	Annual Pass Rate
2006-2007	111	84	75.68%
2007-2008	90	58	64.44%
2008-2009	107	80	74.77%
2009-2010*	120	74	61.67%
2010-11	84	58	69.05%
2011-12	124	102	82.26%
2012-13	114	71	62.28%
<b>2013-14 (Oct CAV)</b>	91	45	49.45%
2014-15	120	74	61.67%
2015-16 (Three quarters)	83	54	65.06%

\*2010 the BRN instituted the Licensing Examination Pass Rate Standard of 75%.

At the August 2015 ELC meeting, the reported annual NCLEX pass rate was 58.02% (81 taken, 47 passed for three quarters between July 2014 and March 2015). Since that time, 4 additional quarters of NCLEX results have been reported for the program:

2014-15: April – June: 69.23%

2015-16: July – Sept: 65.22%; Oct – Dec: 63.33%; Jan – Mar: 66.67%

Quarterly progress reports submitted by the program to the NEC for January – June 2016 referenced the substandard NCLEX pass rates, and contributed it to graduates who are delaying testing beyond three months. NEC examination of cohort data verified a significant number of students who have not tested – up to one-third (34.54%) of two cohorts. The majority of graduates who are testing, are testing 4 to 6 months post-graduation with mixed results, however, there was a recent spike in the number testing within 3 months (from 6.97% to 32.72%). Reasons for delayed testing were described in the progress reports as well as out-reach efforts to contact graduates and offer free NCLEX reviews plus the use of program resources.

Program resources aimed at increasing student success in the program include:

- Kaplan standardized testing
- Automatic remediation for scoring <76% on any quiz or test
- Additional clinical available & simulation
- Student Mentorship Program
- Faculty tutoring
- One faculty assigned 50% release time to serve as Faculty Advisor to students
- Part-time Social Worker to assist students with life issues
- Additional Instructional Assistant in Learning Lab for evenings & weekends
- Program subscription to Mountain Measurement NCLEX Program Reports
- Approval for two tenure-track positions for MS & Psych

There are currently 164 students enrolled in the program. Admission continues to be limited to 48 students twice annually. The final semester of the program's new curriculum (implemented Spring 2015) will be taught this Fall 2016. The first cohort will graduate in December.

Evaluation of the new curriculum and review of the program's revised Systematic Plan for Program Evaluation (SPPE) was discussed during an NEC visit on June 22, 2016. The review

focused on areas of the SPPE that lacked evaluative data needed to demonstrate Expected Levels of Achievement in the program, and was therefore inconclusive. Areas without any evaluative data – Attrition/Retention, Program Completion Rates, Program Satisfaction, Evaluation of new curriculum – were of concern given the current status of the program. Each of these areas are to be evaluated using Key Performance Indicators as previously planned by the program in its August 2015 progress report. Follow-up with the SPPE was stressed to determine effectiveness of the total educational program. NEC discussed with the director and administration the need for consultant support for the program to assist with problem identification, the development of individualized remediation plans for high risk students, and faculty development with targeted teaching strategies, in order to make substantive improvement toward bringing the program’s pass rate into the compliance standard of 75%.

**Motion:** Michael Jackson made a motion to continue on Warning Status, decrease admission to 20 students per year and implement corrective measures to include: retain an outside consultant to evaluate the program; continue to submit quarterly progress reports to the NEC; hire a remediation case manager for student monitoring and support; hire a grant writer/coordinator; provide incentives for students to take NCLEX-RN exam within three months of graduation; and assist students in seeking scholarships. The program is to return to Education/Licensing Committee in March 2017.

**Second:** Raymond Mallel

Public Comment: Lurelean Gaines, East Los Angeles College Program Director/ Chairperson  
 Laura Ramirez, East Los Angeles College  
 Genevieve Clavruel  
 Ingela Dalhgren, SEIU Nurse Alliance of CA

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

**7.5 Vote on Whether to Accept 2015-16 ELC Goals and Objectives Achievement Report**

Leslie Moody, NEC, presented this report

**BACKGROUND:** The Education/Licensing Committee annually reviews and reports the achievements relative to the ELC goals and objectives. The attached report presents the achievements for the period of July 1, 2015 – June 30, 2016 relative to the ELC Goals and Objectives 2015-2017 which were Board approved on 02/05/2015.

Nursing program education activities reported for the period include:

- Scheduled continuing approval visits are conducted for prelicensure and advanced practice nursing programs every five years with findings reviewed by the ELC and full Board. Nursing Education Consultant (NEC) continuing approval visit reports were reviewed by Education/Licensing Committee (ELC) for 16 ADN programs, 5 BSN programs, 4 ELM programs and 3 Advanced Practice programs with approval status recommendations made to the Board.

- Four letters of intent (LOI) for new prelicensure programs were received; 3 feasibility studies were reviewed and accepted by ELC; 1 new ADN and 1 new BSN prelicensure nursing programs were granted initial program approval.

- ELC reviewed and made recommendations regarding 21 major curriculum revision proposals.
- Three prelicensure programs were placed on “Warning Status With Intent to Close the Program” and remain so at the time of this report. This status is noted on the BRN website homepage and on the BRN approved programs list per policy of the Board to inform consumers.
- ELM programs at four California State Universities voluntarily closed. One will no longer offer a prelicensure nursing program (CSUDH); three continue to offer prelicensure Baccalaureate Degree programs (CSULB, CSULA, CSUFresno).

**Motion:** Cynthia Klein made a motion to accept 2015-16 ELC Goal and Objectives Achievement Report

**Second:** Barbara Yaroslvsy

No Public Comment.

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

**7.6 SB466 Education Regulations Rulemaking Process Update with Vote on Whether to Continue Rulemaking Process, Accept Recommendations and Adopt Related Guideline**  
Leslie Moody, NEC, presented this report

**BACKGROUND:** The regulatory proposal amending Title 16, CCR sections 1418, 1423.1, 1423.2, 1424, 1426, and 1430, for implementation of SB 466 expanded requirements of registered nursing education programs, was the subject of a 45-Day Notice comment period culminating on July 11, 2016 when a public hearing was held. There was no public testimony at the hearing. During the comment period two organizations submitted comments. Following is a summary of the comments and proposed responses.

**Chancellor’s Office California Community Colleges and California State University Office of the Chancellor:** In a joint letter from Ms. Walker of the Chancellor’s Office California Community Colleges, and Dr. Blanchard of the California State University Office of the Chancellor objection was expressed regarding “section 1430. Previous Education Credit” relative to the requirement of “individualized instructional plans.” Alternate language was suggested.

**Proposed Response: Reject the recommendation.**

It is believed that the authors of the letter intended to comment on section 1426(d)(1) which is where the language of individualized instructional plans is included. The requirement for an individualized instructional plan refers to the student’s demonstration that some required elements of the approved curriculum have already been met, thus the student would not be required to complete those elements, which comprises the individualized plan. The nursing program will develop policies/procedures to determine how prior learning/experience will be assessed in the context of the program’s required curriculum, and will award credit for same when applicable in accordance with the program policies.



**Western Governors University:** In a letter from Dr. Martanegara of Western Governors University concern was expressed regarding section 1423.1(a) regarding validation methodology to be applied to clinical competencies for the purpose of awarding credit relative to prior experience.

**Proposed Response: Reject the comments.**

The proposed regulatory language does not specify how programs will conduct equivalency validation relative to their curriculum requirements, including evaluation of clinical competency for awarding of credit or advanced placement. It will be the responsibility of the program to establish policy/procedure which defines the methodology and related requirements for demonstrating applicability of prior knowledge/experience.

ELC recommendation for action was requested regarding adoption of Specific Language For Proposed Changes and the related Guideline which is intended to be posted on the website and distributed to nursing programs upon final approval of regulatory revisions.

**Motion:** Michael Jackson made a motion to accept Recommendations and Adopt Related Guidelines

**Second:** Cynthia Klein

No Public Comment.

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

**7.7 Information Only: Possible US Department of Education Action Regarding the Accrediting Council of Independent Colleges and Schools (ACICS)**

Leslie Moody, NEC, Presented this report

**BACKGROUND:** Information has been received regarding the National Advisory Committee on Institutional Quality and Integrity (NACIQI) recommendation that the U.S. Department of Education (USDOE) deny recognition to the Accrediting Council for Independent Colleges and Schools (ACICS). The attached USDOE notice provides information regarding the action, process and potential consequences.

The National Council of State Boards of Nursing has shared information that the final US DOE decision about ACICS recognition is anticipated to be made by September 21st. If it is a negative decision, ACICS would have 10 days to file an intent to appeal, and they have 20 days to appeal to the Secretary. There is no specific timeline for that appeal decision.

The California Bureau for Private Postsecondary Education (BPPE) has published a Fact Sheet (see attached) regarding this issue. Note that the BPPE Fact Sheet lists Charter College under the Board of Registered Nursing but this college does not have an approved RN program and notice has been sent to the BPPE for correction. BRN approved prelicensure nursing education programs which have reported their parent institutions hold ACICS accreditation and rely upon it for BPPE approval to operate in California are:

- American University of Health Sciences Baccalaureate Degree Nursing Program
- Brightwood College Associate Degree Nursing Program

- Shepherd University Associate Degree Nursing Program  
BRN rules and regulations require prelicensure nursing programs have degree-granting authority per accreditation and/or required BPPE approval. Relevant excerpts from the Nursing Practice Act are provided in the attachment.

Staff will continue to monitor the progress of this issue, take appropriate action, and report accordingly to the Board.

No Public Comment.

## 7.8 NCLEX Update

Katie Daughtery, 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

July 1, 2015-June 30, 2016\*\*/\*\*

JURISDICTION	TOTAL TAKING TEST	PERCENT PASSED %
California**/**	11,167	86.92
United States and Territories	161,156	83.94

### CALIFORNIA NCLEX RESULTS – FIRST TIME CANDIDATES

By Quarters and Year July 1, 2015-June 30, 2016\*\*/\*\*

7/01/15- 9/30/15		10/01/15- 12/31/15		1/01/16- 3/31/16		4/01/16- 6/30/16		7/1/15- 6/30/16	
# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass
4,000	88.20	1,744	84.29	3,414	86.94	2,009	86.61	11,167	86.92

\*Includes (0), (4), (1) and (3) "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](http://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.

## 7.9 Licensing Program Update

Christina Sprigg, Chief of Licensing and Administrative Services, Presented this report

**PROGRAM UPDATE:** The Licensing Program evaluators are currently processing the initial review of exam applications received in August and endorsement applications received in July. The Board has processed applications for spring graduation and received approximately 6,703 CA applications and 5,335 CA rosters. To assist students on how to apply to the Board, the Licensing's management team continues to present an overview regarding the application and eligibility process to California students.

The Licensing unit has also conducted an application evaluation training session for staff in various units of the Board to help with processing of applications. Staff was then given the opportunity to process applications during overtime. On a temporary basis the Licensing unit has received redirected staff from within the BRN and DCA to assist with processing initial applications. Additionally, licensing management continues to assess internal business processes and make necessary changes to ensure the evaluation and licensure processes is as streamlined as possible. Along with this continued assessment the Board has been working closely with the DCA BreEZe team to incorporate changes into the system to more efficiently process applications.

We continue to improve processes within the Licensing Program and have begun utilizing the CloudDrive to receive electronic transcripts from California programs. The CloudDrive is an offsite storage facility that is securely accessible from the internet. It allows for secure sharing of documents and is managed by Department of Consumer Affairs Office of Information Services staff. The Board has successfully piloted the CloudDrive with a California program and was able to receive and process electronic transcripts. We are currently reaching out to other California programs to continue piloting to ensure our internal business process are intact before we move forward with implementing the CloudDrive to all California programs. This pilot process has assisted licensing management in preparing internal processing procedures for staff and streamlining implementation instructions for California programs so that this transition from paper to electronic transcripts is smooth.

The Board is actively recruiting for 6 positions in the Licensing Unit; one full-time Program Technician II (PHN Evaluator), 4 limited-term Program Technician II (US Evaluator) and one limited term Program Technician (Support). 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 October.

**STATISTICS:** The Board is currently using Quality Business Interactive Report Tool (QBIRT) and is able to create and run various reports on a daily basis. In addition to partaking in the QBIRT training, our Analyst will be attending additional training for IBM Cognos Report Studio Authoring Professional Reports Fundamentals. This intermediate course is to learn report building techniques and methods of enhancing, customizing and managing professional reports.

Below is application data that was generated using QBIRT. This overview provides our fiscal year numbers of applications received. As we become more versed in using the QBIRT reporting tool we will be able to provide more detailed statistical reports.

Applications Received			
Application Type	Fiscal Year 2013 – 2014	Fiscal Year 2014-2015	Fiscal Year 2015-2016
Exams	14,284	15,777	16,059
Endorsement	9,679	13,534	15,713
Repeat/Reapply	5,716	7,734	6,879
Advanced Practice	6,921	8,084	6,701
<b>Total</b>	<b>36,600</b>	<b>45,129</b>	<b>45,352</b>

Public Comment: Sheri Monsein, UCLA Health

## 8.0 Report of the Legislative Committee

Donna Gerber, Chairperson

### 8.1 Discuss Bills of Interest to the Board and Adopt or Modify Positions on the Bills Introduced during the 2015-2016 Legislative Session

Kay Weinkam, NEC, Presented this report

<u>Assembly Bills</u>			<u>Senate Bills</u>	
AB 12	AB 1306	<b>AB 2272</b>	SB 319	SB 800
AB 26	AB 1351	AB 2399	SB 323	SB 960
AB 85	AB 1352	AB 2507	SB 390	<b>SB 1039</b>
AB 172	<b>AB 1386</b>	AB 2606	SB 408	<b>SB 1076</b>
AB 611	<b>AB 1748</b>	AB 2701	SB 464	<b>SB 1139</b>
AB 637	AB 1992	AB 2744	SB 466	SB 1155
<b>AB 840</b>	AB 1939	<b>AB 2859</b>	SB 467	SB 1195
AB 1060	AB 2079		<b>SB 482</b>	SB 1217
	<b>AB2105</b>		SB 531	SB 1334
	AB2209			SB 1348

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

#### Bill: AB 840 (Ridley-Thomas) Nurses and Certified Nursing Assistants: Overtime

**Motion:** Imelda Ceja-Butkiewicz made a motion that the Board **Support** AB 840.

**Second:** Michael Jackson

No Public Comment:

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

**Bill: AB 1386 (Low) Emergency medical care: epinephrine auto-injectors.**

**Motion:** Imelda Ceja-Butkiewicz made a motion that the Board **Watch** AB 1386.

**Second:** Michael Jackson

No Public Comment:

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	Y	Y	Y	Y	Y	Y	Y	Y

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

**Motion:** Imelda Ceja-Butkiewicz made a motion that the Board **Watch** AB 1748.

**Second:** Michael Jackson

No Public Comment:

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	Y	Y	Y	Y	Y	Y	Y	Y

**Bill: AB 2105 (Rodriguez) Workforce Development: Allied Health Professions**

**Motion:** Imelda Ceja-Butkiewicz made a motion that the Board **Watch** AB 2105.

**Second:** Michael Jackson

No Public Comment:

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	Y	Y	Y	Y	Y	Y	Y	Y

**Bill: AB 2272 (Thurmond) Occupational safety and health standards**

**Motion:** Michael Jackson made a motion that the Board **Support** AB 2272.

**Second:** Elizabeth Woods

No Public Comment:

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	Y	Y	Y	Y	Y	Y	Y	Y

**Bill: AB 2859 (Low) Professions and vocations: retired category: licenses**

**Motion:** Imelda Ceja-Butkiewicz made a motion that the Board **Watch** AB 2859.

**Second:** Michael Jackson

No Public Comment:

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	Y	Y	Y	Y	Y	Y	Y	A

**Bill: SB 482 (Lara) Controlled substances: CURES database**

**Motion:** Imelda Ceja-Butkiewicz made a motion that the Board **Support** SB 482.

**Second:** Michael Jackson

No Public Comment:

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	Y	Y	Y	Y	Y	Y	Y	A

**Bill: SB 1039 (Hill) Professions and Vocations**

**Motion:** Imelda Ceja-Butkiewicz made a motion that the Board **Support** SB 1039.

**Second:** Michael Jackson

No Public Comment:

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	Y	Y	Y	Y	Y	Y	Y	A

**Bill: SB 1076 (Hernandez) General Acute Care Hospitals: Observation Services**

**Motion:** Michael Jackson made a motion that the Board **Support** SB 1076.

**Second:** Trande Phillips

No Public Comment:

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	Y	Y	Y	Y	N	Y	Y	A

**Bill: SB 1139 (Lara) Health Professionals: medical school programs: healing arts residency training programs: undocumented immigrants: nonimmigrant aliens: scholarships, loans, and loan repayments**

**Motion:** Imelda Ceja-Butkiewicz made a motion that the Board **Watch** SB 1139.

**Second:** Raymond Mallel

No Public Comment:

<b>Votes</b>	<b>MJ</b>	<b>EW</b>	<b>RM</b>	<b>BY</b>	<b>IC-B</b>	<b>TP</b>	<b>CK</b>	<b>PD-R</b>
	Y	Y	Y	Y	Y	Y	Y	A

**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.

### COMPLAINT INTAKE:

**Staff:** As of 9/2/16:

#### **Office Technicians (OT's)**

- 1 OT Vacancy – She laterally moved to the Discipline Unit as of August 2016.
  - We have scheduled interviews on 9/6/16 and hope to have someone hired and in place by end of September
- 1 OT out on leave until April 2017.
  - We are currently trying to fill with a Limited Term (LT) position
- 1 LT OT promoting to another board within DCA; last day September 16, 2016.
  - This was a limited term position that was set to expire at the beginning of October

#### **Staff Service Analysts (SSA)**

- We are currently fully staffed

#### **Associate Governmental Program Analyst (AGPA)**

- 1 AGPA out on leave – returning October 3, 2016

### **Program**

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

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

We continue to work with the State Auditor's Office to provide reports and information, as requested.

Under the complaint intake unit is our expert witness analyst desk. We currently have 195 active experts across California. We continue to recruit RN's for expert witness for all areas of expertise but are currently in high demand for RN's with a background in;

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

Anyone interested should fill out an application on our website, [www.rn.ca.gov/pdfs/enforcement/expwit.pdf](http://www.rn.ca.gov/pdfs/enforcement/expwit.pdf).

## Fiscal Year Statistics

Fiscal Year	Conviction Complaints	Consumer Complaints	Total Complaints
2011/12	5,127	2,770	7,897
2012/13	5,459	2,927	8,386
2013/14	4,640	3,287	7,927
2014/15	3,344	3,491	6,835
2015/16	4,360	3,368	7,728

## Current Fiscal Year Statistics

### As of September 2, 2016:

- BRN has received 1,526 complaints for the current fiscal year.
- There are 1,148 pending complaints (1,061 in Complaint Intake)
  - 599 Applicants - 52%
    - 587 Convictions – 98%
  - 549 Licensee Complaints – CORI & Public – 48%
    - 433 Convictions - 78%
    - 43 High/Urgent – 8%
      - 29 Convictions – 67%
  - 134 over 1 year – 11%
    - 44 Applicants – 33%

## INVESTIGATIONS:

### Staff

We just filled our Limited Term Office Technician position (24 months), which makes us fully staffed in both Northern and Southern California.

### Program

The Division of Investigation (DOI) has currently updated the Department’s Consumer Protection Enforcement Initiative (CPEI) case acceptance guidelines, as of August 25, 2016.

As of September 6, 2016, there were approximately 40 BRN investigative cases over one year old and there are approximately 66 DOI cases over one year old, that are still open.

**Fiscal Year Statistics** - There were 5 additional Special Investigators added after July 1, 2014, which is why our numbers have greatly improved since FY13/14

FY 2015/16		
	BRN	DOI
Closed Cases	632	367
Closed Case Total Hours	17,523.88	8,455.5
Hourly Rate	\$88.09	\$169.00
Closed Case Total Cost	\$1,543,678.59	\$1,428,979.50



Average cost per case	\$2,443	\$3,894
Average days to case completion	276	300
Supplemental hours	693.16	2,318.5
Supplemental Total Cost	\$61,060	\$391,826.50
FY Total Hours	23,090.36	14,838.25
FY Total Cost	\$2,034,029.81	\$2,507,664.25
Cases Opened	723	334

<b>FY 2014/15</b>		
	<b>BRN</b>	<b>DOI</b>
Closed Cases	487	524
Closed Case Total Hours	14,768.96	13,462.25
Hourly Rate	\$88.09	\$235.00
Closed Case Total Cost	\$1,300,997.69	\$3,163,628.75
Average cost per case	\$2,671	\$6,037
Average days to case completion	277	291
Supplemental hours	362.67	2,432
Supplemental total cost	\$31,948	\$571,520.00
FY Total Hours	19,780.52	20,914.25
FY Total Cost	\$1,742,466.01	\$4,914,848.75
Cases Opened	709	464

<b>FY 2013/14</b>		
	<b>BRN</b>	<b>DOI</b>
Closed Cases	404	589
Closed Case Total Hours	11,402.3	16,493.5
Hourly Rate	\$85.73	\$211.00
Closed Case Total Cost	\$977,519.18	\$3,480,128.50
Average cost per case	\$2,420	\$5,909
Average days to case completion	464	262
Supplemental hours	419.92	2,380.5
Supplemental total cost	\$36,000	\$502,285.50
FY Total Hours	15,185.04	24,148.25
FY Total Cost	\$1,301,813.48	\$5,095,280.75
Cases Opened	368	625

<b>FY 2012/13</b>		
	<b>BRN</b>	<b>DOI</b>
Closed Cases	235	580
Closed Case Total Hours	9458.57	15551.5
Hourly Rate	\$85.73	\$211.00

Closed Case Total Cost	\$810,883.21	\$3,281,366.50
Average cost per case	\$3,451	\$5,658
Average days to case completion	650	271
Supplemental hours	97.58	2,310.5
Supplemental total cost	\$8,366	\$487,515.50
FY Total Hours	13,166.56	22,797.00
FY Total Cost	\$1,128,769.19	\$4,810,167.00
Cases Opened	323	588

### Current Fiscal Year Statistics

BRN Investigations	July 2016	Aug 2016
Total cases assigned	330	381
Total cases unassigned (pending)	176	134
Average days to case completion	238	248
Average cost per case	\$2,850	\$2,788
Cases closed	44	72
Division of Investigations	July 2016	Aug 2016
Total cases assigned	259	262
Total cases unassigned (pending)	25	141
Average days to case completion	390	336
Average cost per case	\$8,420	\$5,444
Cases closed	30	29

Public Comment: Genevieve Clavreul  
Johnathan Burke, DCA

## 9.2 Discipline and Probation Program Update and Statistics

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

### Staffing

The Probation Program has filled the Office Technician (OT) role effective September 6, 2016. A candidate has been selected for the vacant Associate Governmental Program Analyst (probation monitor). We are in the process of finalizing the hiring paperwork and hope to have him on board the beginning of October.

The vacant OT position in the discipline unit is waiting on approval from Human Resources to review the applications.

Interviews are scheduled for September 13, 2016 for the vacant discipline analyst 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.

The average cycle time for final discipline has decreased by 2.8 months since July 2015.

## **Statistics - Discipline**

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

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

Below reflects FY 16/17 (July 1, 2016 – August 30, 2016) discipline statistics:

Decisions Adopted	149
Pleadings served	92
Petitions to Revoke Probation served	13
Surrenders signed by E. O.	24

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

During the week of August 22 to 26, our BreeZe Subject Matter Experts attended “Reports Studio Training” which is advanced training for the use of the QBIRT tool. This training will enable the BRN to expand the use of the report feature. This training was offered at no cost to the BRN.

## **Program – Probation**

The Probation Program is currently working in union with DCA’s BreEZe Team to automate probation monitoring using the BreEZe system.

On June 23, 2016, Probation Program staff attended a symposium hosted by FirstLab. Topics included new developments and changes in testing, the role of the Medical Review Officer (MRO) and a demonstration of the FirstLab mobile App. Probation staff found the symposium informative.

**Probation Program Growth**

	<b>FY 2011/2012</b>	<b>FY 2012/2013</b>	<b>FY 2013/2014</b>	<b>FY 2014/2015</b>	<b>FY 2015/2016</b>	<b>Current FY 2016/2017</b>
<b>Active In-State Probationers</b>	692	743	862	1,033	1,189	1,198
<b>Out of State Probationers</b>	207	226	254	281	345	348
<b>Total Probationers</b>	692	969	1,116	1,314	1,534	1,546

**Statistics - Probation**

**Statistics – July 1, 2016 to September 1, 2016**

Probation Data	Numbers	% of Active
Male	357	29%
Female	854	71%
Chemical Dependency	788	65.1%
Required Drug-Screening	632	52.2%
Practice	299	24.5%
Mental Health	9	0.7%
Conviction - excluding chemical dependency/alcohol use	115	9.5%
Advanced Certificates	115	9%
Southern California	695	57%
Northern California	510	42%
Pending AG - Tolled	6	0%
Pending AG	105	9%
License Revoked Fiscal YTD	2	
License Surrendered Fiscal YTD	12	
Terminated Fiscal YTD	3	
Successfully Completed Fiscal YTD	17	
Active In-State Probationers	<b>1,211</b>	
Completed/Revoked/Terminated/Surrendered YTD	34	
Tolled Probationers	346	
Active and Tolled Probationers	<b>1,557</b>	

The average case load of active probationers per probation monitor is approximately 151. However, the average number of cases per monitor including Tolerated cases is 194. There are 61 Early Termination and 10 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 currently has a vacancy for an Office Technician and we are currently working to fill this position.

#### **Program Update**

The Intervention program is currently in the process of preparing for the 2016, Intervention Liaison Committee meeting (ILC). The ILC meeting is held annually to maintain the continuity and integrity of the program in addition to providing a forum to vote on pertinent policy proposals that support the enhancement of the Intervention Program. The Intervention Discipline Committee (IDC) Chairperson, Executive Officer, Assistant Executive Officer, the Chief of Enforcement, Intervention Staff, and the IEC Member Chairs are invited to attend. This year's meeting will be held in Northern California on October 24, 2016.

In addition to the ILC meeting, the Intervention program staff are also preparing for the Nurse Support Group Facilitator's Conference. This conference is conducted to develop greater communication between the facilitators, Board staff and MAXIMUS, the Intervention program's contractor. There will be discussion regarding the facilitator's role and responsibilities as outlined in the Intervention program contract, guidelines and policies. This year's meeting will be held in Northern California on October 25, 2016.

On June 23, 2016, the Intervention unit staff attended an all-day symposium put on by FirstLab. Topics that were covered included, new developments and changes in testing, the role of the Medical Review Officer (MRO) and a demonstration of the FirstLab mobile App. The symposium was educational and well received.

On September 7, 2016, the Board of Registered Nursing's Intervention program was present at the California State Capitol for the annual Recovery Happens rally. Recovery Happens is the statewide campaign for everyone to celebrate the lives of people who are recovering from alcohol and/or drug addiction. Recovery Happens provides the perfect platform to inform Californians about the positive effects that recovery and treatment have on our communities. The rally brought over 5,000 people together for a day to celebrate recovery.

## **Intervention Evaluation Committees (IEC)**

There are currently four Physician member vacancies at this time, one in San Jose (IEC#7) one in Burbank (IEC 8) one in Ontario (IEC 9)\* and one in San Diego (IEC 10)\*.

There are currently two RN member vacancies at this time, one in Burbank (IEC 8) and one in Oakland (IEC 13)\*.

There are currently two Public member vacancies at this time, one in Orange county (IEC 4) and one in Santa Ana (IEC 14)\*

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

## **Statistics – Intervention**

The Statistical Summary Report for April 1, 2016, through June 30, 2016, is after this update. As of June 30, 2016, there have been 2,083 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.

<b><u>NAME</u></b>	<b><u>TITLE</u></b>	<b><u>IEC</u></b>	<b><u>NO</u></b>
Alan Abrams, MD	Physician Member	San Diego	10
Mihran Ask, MD	Physician Member	Ontario	9
Nicole Gilbert	Public Member	Santa Ana	14
Brooke Kilpatric	RN Member	Oakland	13

#### **RESIGNATION (For informational purposes, no vote needed)**

<b><u>NAME</u></b>	<b><u>TITLE</u></b>	<b><u>IEC</u></b>	<b><u>NO</u></b>
Felicity Blau	RN Member	Oakland	13
Vamsi Garlpati	Public Member	Orange County	4
Robert Watrous, MD	Physician Member	San Jose	7

**Motion:** Cynthia Klein made a motion to approve Committee Members and New Appointments

**Second:** Elizabeth Woods

No Public Comment.

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

**10.0 Report of the Nursing Practice Committee**

Trande Phillips, RN, Chairperson

**10.1 Information Only: Initiating Formal Rulemaking Process for Regulatory Language for Article 8 Standard of Nurse Practitioner with the Office of Administrative Law**

Janette Wackerly, Presented this report

**Background:** BRN staff received approval at the June 16, 2016 Board meeting to initiate the rulemaking process for draft regulatory language for Article 8 Standards Nurse Practitioners 1480-1485; adding section 1483.1 Requirements for Nurse Practitioner Education Programs in California, 1486 Requirements for Clinic Practice Experience for Nurse Practitioner Students Enrolled in Out of State Nurse Practitioner Education Program with the Office of Administrative Law.

**Update**

APRN Rulemaking file was submitted to OAL on July 20, 2016

Publication date was August 5, 2016

Public Hearing will be on September 19, 2016

How to Participate in the Rule Making Process: <http://www.oal.ca.gov/rulemaking.htm>

**10.2 Information Only: Planned 2017 Survey of Nurse Practitioner and Certified Midwives in California**

Janette Wackerly, Supervising NEC presented this report.

**Background:** The BRN has commissioned the University of California San Francisco (UCSF), Center for the Health Professions to complete a survey of California Nurse Practitioners (NPs) and Certified Nurse-Midwives (CNMs). In January of 2017 a survey will be sent to a sample of NPs and CNMs in California. This will be the second survey completed by the BRN of these Advanced Practice Registered Nurses, the first was in 2010. The purpose of the survey is to learn information about demographics, education, employment, and practice. While collecting data on any changes to the practice is important, it is also planned that the survey design will allow for comparisons between this and the 2010 survey.

A report with descriptive information and findings will be completed by UCSF. Dr. Joanne Spetz from UCSF will attend a future Board meeting to provide a presentation of the highlights of the data and when finalized the report will be posted to the BRN website.

## 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)).



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**Dr. Joseph Morris, RN, MSN, Ph.D.**  
**Executive Officer**



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**Michael Jackson, President**