STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

STATE AND CONSUMER SERVICES AGENCY • ARNOLD SCHWARZENEGGER, GOVERNOR

BOARD OF REGISTERED NURSING
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Ruth Ann Terry, MPH, RN, Executive Officer

DIVERSION / DISCIPLINE COMMITTEE MINUTES

DATE: **August 21, 2008**

SITE: **Doubletree Guest Suites**
2085 S. Harbor Blvd.
Anaheim, CA 92802
Phone: (714)-750-3000
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MEMBERS PRESENT: LaFrancine Tate, President
Nancy Beecham, RNC, BS, FADONA \ LTC, Acting Chair

STAFF PRESENT: Heidi Goodman, Assistant Executive Officer
Carol Stanford, Diversion & Probation Program Manager
Stacie Berumen, Project Manager
Louise Bailey, RN, NEC Supervisor
Geri Nibbs, RN, NEC

OTHERS PRESENT: Virginia Matthews, Maximus
Genevieve Clavreul, NRNPA
Susan Naimi – California Career College
Paulina Van, RN, Ph. D.
Joyce Johnson - Mt. San Jacinto College

The Acting Chair, Nancy Beecham called the meeting to order at 9:05 am.

1.0 COMMITTEE BUSINESS

1.1 Approve/Not Approve: Minutes of May 8, 2008

M/S/C: LaFrancine Tate / Nancy Beecham approved the minutes as submitted.

2.0 ENFORCEMENT PROGRAM

2.1 Information Only: Enforcement Program Update and Statistics

Attached The Enforcement Program Statistics for July 2007 through June 2008 were attached.

Statistics

The Board's Fiscal year 2007-2008 statistics indicated that within the last six fiscal the following numbers reflect the highest number of: complaints at 3,900; investigations opened at 2,754; pleadings filed at 494; and disciplinary actions at 339.

The Board opened 837 more investigations than in FY 2006/07 which is an increase of 44%. The Board referred an additional 122 cases to the Attorney General's Office for action which is an increase of 39%.

The Board settled 59% of all disciplinary matters by stipulated agreement. Additionally, only 11% of disciplinary matters went through an administrative hearing.

A meeting will be scheduled with staff at DOI and the AG's offices to create a plan of action to improve processing times and prioritize cases. Monitoring and gathering data related to the AG and DOI statistics and budget to determine if current and forecasted workload warrants pursuing a future budget change proposal for additional staffing and funding will continue. Additionally, the enforcement Program is monitoring the caseload and the number of hours being used by both the AG and DOI.

3.0 DIVERSION/PROBATION PROGRAMS

3.1 Information Only: Diversion Program Update and Statistics

Program Update

The Diversion Program Manager was appointed to NCSBNs Chemical Dependency Program Review Committee and the first committee meeting was held June 30th - July 1st. The ultimate goal of this committee is to create standards of practice guidelines for all State Monitoring Programs for RN health professionals. The committee members bring a wealth of experience, information and knowledge and will develop tools to assist programs that are required to monitor health care professionals resulting in dual accomplishments: public protection and the rehabilitation of RN healthcare professionals. The Program Manager informed the Board that BRN is tracking a new diversion bill, SB 1441.

Contract Update

On July 28, 2008, the seven Boards were informed that Maximus was awarded the Diversion Program contract. The contract was extended through December 2008, during the protest period. It is anticipated that the new contract will be in place prior to December as meetings are being held with Maximus to prepare for the new contract. The DCA Contracts Unit was instrumental in assisting the Boards in developing an exceptional RFP and maintaining a fair and impartial process in awarding the contract. Virginia Matthews, Project Director for Maximus, gave a report / update on relapse and drug use information.

Diversion Evaluation Committees (DEC)
There are currently six vacancies as follows: five physicians, and one registered nurse. Recruitment efforts continue.

Statistics
The Monthly Statistical Summary Report for April, May and June 2008 was attached. As of June 30, 2008, there were 1,319 successful completions in the Diversion Program.

3.2 Information Only: Probation Program Update and Statistics

Program Update
The Probation Program hired Elizabeth Hespeler as the new Probation Monitor and she will join the Board on September 1, 2008, as the offer was approved prior to the budget impasse. Ms. Hespeler comes to the Board from Emergency Medical Services Authority and has worked for the Department of Public Health and will be an asset to the Program.

Statistics
The current statistics through July 28, 2008 were attached.

3.3 Diversion Evaluation Committee Members

(a) Approve/Not Approve: Diversion Evaluation Committee Member Appointments/Reappointments/Term Extension
(b) Information Only: Diversion Evaluation Committee Member Resignation

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 chemical dependency and/or mental health.

APPOINTMENTS

Below are the names of candidates who were interviewed and are being recommended for appointment to the Diversion Evaluation Committees (DEC). Their applications and résumés were attached. If appointed, their terms will expireJune 30, 2012.

NAME	TITLE	DEC	NO
Elaine Bradley	Nurse	Palm Springs	6
Richard Diamond	Public	Sacramento	1
Elinore McCance-Katz	Physician	Oakland	13

M/S/C: Nancy Beecham / La Francine Tate - Approved

REAPPOINTMENTS

The following DEC members are requesting second term appointments. If their appointments are approved, their terms will expire on June 30, 2012

NAME	TITLE	DEC	NO
Edy Stumpf	Public	Orange	4
Mardelle Buss	Physician	San Jose	7
Steven Robb	Nurse	San Diego	10
Diane Christoffels	Public	San Diego	10
Shannon Chavez	Public	San Jose	10

M/S/C: Nancy Beecham / La Francine Tate - Approved

TERM EXTENSION

The following DEC member is requesting an extension of his appointment. He has served two terms and is interested in a two-year extension of his appointment. If approved, his term will expire June 30, 2010.

NAME	TITLE	DEC	NO
Juan Martinez	Public	North Central	12

M/S/C: Nancy Beecham / La Francine Tate – Approved

(b) Information Only: Diversion Evaluation Committee Member Resignation

INFORMATION ONLY

Below is the name of Diversion Evaluation Committee member who has had to resign for personal reasons. His efforts were recognized and certificates and letters of appreciation on behalf of the Board were mailed out.

NAME	TITLE	DEC	NO
Raymond Jones	Nurse	North Coast	11

4.0 OPEN FORUM

Genevieve Clavreul RN had questions regarding the amount of males disciplined in comparison to females disciplined. She asked if information regarding discipline is contained on the BRN website.

The Acting Chair adjourned the meeting at ~~9:50~~ am. 2:20

Approved: