



BOARD OF REGISTERED NURSING
PO Box 944210, Sacramento, CA 94244-2100
P (916) 322-3350 F (916) 574-8637 | www.rn.ca.gov
Louise R. Bailey, MEd, RN, Executive Officer



DIVERSION/DISCIPLINE COMMITTEE MINUTES

DATE: January 8, 2015

SITE: Hilton Los Angeles Airport
5711 West Century Blvd.
Los Angeles, CA 90045

MEMBERS PRESENT: Cynthia Klein, RN, Chair
Imelda Ceja-Butkiewicz
Raymond Mallel

MEMBERS NOT PRESENT: Beverly Hayden-Pugh, MA, RN

STAFF PRESENT: Louise Bailey, M.Ed., RN, Executive Officer
Stacie Berumen, Assistant Executive Officer
Beth Scott, Deputy Chief, Discipline, Probation & Diversion
Shannon Silberling, Deputy Chief, Complaints and Investigations
Ronnie Whitaker, Legislation and Regulation Analyst

The Chair called the meeting to order at approximately 1:39 p.m.

9.0 REVIEW AND APPROVE MINUTES:

Approve/Not Approve: Minutes of May 7, 2014
Approve/Not Approve: Minutes of August 7, 2014
Approve/Not Approve: Minutes of October 9, 2014

M/S/C: Motion by Cynthia Klein to approve all minutes with a correction to Imelda's last name, Second by Raymond Mallel.

Cynthia Klein	Votes Yes
Raymond Mallel	Votes Yes
Imelda Ceja-Butkiewicz	Votes Yes

9.1 Complaint Intake and Investigations Update

COMPLAINT INTAKE:

Staff

Complaint Intake has gained many new positions through a Budget Change Proposal (BCP) approved for fiscal year 2014/15 – 1 Associate Governmental Program Analyst (AGPA), 2 Staff Services Analysts (SSA), 1 Office Technician (OT) and 2 Office Assistants (OA).

We have filled all of our BCP positions.

Program

Complaint intake continues to work new complaints, ensuring cases are moving to investigations in a timely manner and that aging cases are worked as a priority.

INVESTIGATIONS:

Staff

The investigation unit has gained many new positions from the BCP approved for fiscal year 2014/15 – 5 Special Investigators and 1 Office Technician.

We have filled all but 1 of our BCP positions, which is a northern special investigator.

Program

Investigators are focused on clearing all aging cases. There are approximately 16 cases over one year old that have not been completed. The new field investigators will help us keep cases in house that are more appropriate for investigation by the board.

Investigative staff continues to attend Task Force meetings and develop working relationships with allied agencies.

Statistics

The following are internal numbers (end of month) across all investigators not broken out on the performance measurement report.

BRN Investigation Unit	Dec 2013	Jan 2014	Feb 2014	Mar 2014	Apr 2014	May 2014
Total cases assigned	256	252	243	223	242	244
Total cases unassigned (pending)	89	59	58	49	74	70
Average days to case completion	278	215	294	326	229	230
Average cost per case	\$3,447	\$2,792	\$3,312	\$3,529	\$3,772	\$2,289
Cases closed	36	34	19	33	37	45

BRN Investigation Unit	June 2014	Jul 2014	Aug 2014	Sep 2014	Oct 2014	Nov 2014
Total cases assigned	236	225	218	285	287	290
Total cases unassigned (pending)	71	88	116	47	80	104
Average days to case completion	209	228	227	219	294	221
Average cost per case	\$3,106	\$3,743	\$3,453	\$2,809	\$3,481	\$2,641
Cases closed	31	28	39	47	37	34

As of December 29, 2014, there were 391 DOI investigations pending.

9.2 Discipline and Probation Update

PROGRAM UPDATE

Staff

The Probation Unit has filled the vacancy for a probation monitor at the Associate Governmental Program Analyst (AGPA) and at the Staff Services Analyst (SSA) level. The Probation Unit has one vacancy in the Office Technician (OT) position as one of our OTs, was promoted to a SSA position in the Licensing Unit.

The Citation and Fine Unit has a vacancy for a SSA, Limited Term position and has begun the recruitment process. The Discipline Unit has hired one SSA and is awaiting hiring approval for a vacant SSA position, which will be in the decision processing section. We currently have one vacant discipline analyst at the SSA level; recruitment has begun for this vacancy. The discipline unit filled one OT position and will fill the final OT position in the near future.

Program – Discipline

The Discipline Unit is working with the Attorney General's office to complete our cases in a timely manner and streamline our processes for efficiency.

Below reflects FY2015 (July 1, 2014 – December 29, 2014) decision statistics:

Decisions Adopted	859
Pleadings served	526
Petitions to Revoke Probation served	50
Surrenders signed by E. O.	147

Statistics - Discipline

The BRN continues to work with the DCA BreeZe team to verify the accuracy of the performance measures statistics, formally the E19 report.

Program – Probation

The case load per probation monitor is approximately 143.

Statistics – Probation

Below are the statistics for the Probation program from July 1, 2014 to December 30, 2014.

Probation Data	Numbers	% of Active
Male	238	26%
Female	689	74%
Chemical Dependency	409	44%
Practice Case	234	25%
Mental Health	1	0%
Conviction (Alcohol/Drug = 98)	283	31%
Advanced Certificates	91	10%
Southern California	500	54%
Northern California	414	45%
Tolled at the AG	13	01%
Pending with AG/Board	118	13%
License Revoked YTD	15	01%
License Surrendered YTD	47	05%
Terminated YTD	14	01%
Successfully completed YTD	59	06%
Active in-state probationers	927	
Completed/Revoked/Terminated/ Surrendered YTD	135	
Tolled Probationers	265	
Active and Tolled Probationers	1,192	

9.3 Diversion Program Update and Statistics

Program Update

Virginia Matthews, Maximus Project Director, and Carol Stanford, Diversion Program Manager presented information concerning Diversion and the Board of Registered Nursing to over 60 nurse supervisors and managers at Cedars-Sinai Medical Center on November 26, 2014, and to several graduating nurses at Everest College on December 17th. The supervisors were thankful for information they felt would help provide added protection for patients while also being able to refer nurses suffering from mental illness and substance use disorders to a place for the help they need. The professors appreciated the information and indicated they were aware of a significant need for this type of training and information in the nursing schools.

Effective December 31, 2014, Carol Stanford, the Diversion Program Manager, and LaConstance Johnson, Office Technician (OT) for the program retired from state service. The Board of Registered Nursing would like to thank both for their service to the program. Connie was the Office Technician

for 6 years. Carol Stanford was an Associate Governmental Program Analyst in the Diversion Program for 6 years and the Program Manager for 8 years. Both will be missed.

Several applications have been received for both positions and they will be filled as soon as possible. Information regarding the new Diversion Program Manager and the new OT will be provided at an upcoming DDC meeting. Recruitment efforts continue.

Contractor Update

Maximus, the Diversion Program Contractor is in the process of updating their computer processes beginning in early 2015 as outlined in the contract requirements. These requirements for updated technological processes will assist the program in providing easier access to forms and reporting requirements by the program stakeholders.

Diversion Evaluation Committees (DEC)

There is currently one physician member vacancy at this time. Recruitment continues.

Statistics

The Statistical Summary Report for September, October, and November is attached. As of November 30, 2014, there were 1,927 successful completions.

Public Comment:

Ingrid Dahlgren, SEIU

9.3.1 Diversion Evaluation Committee Members

No new DEC members to consider at this meeting.

9.4 Update: “Uniform Standards Regarding Substance-Abusing Healing Art Licensees” Business and Professions Code, Section 315

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 Doreathea 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.

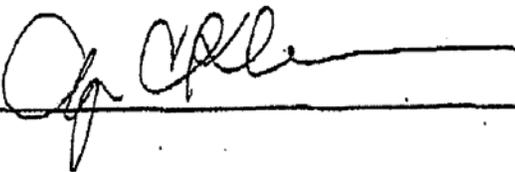
Staff will facilitate discussion of each standard in conjunction with the attachments.

The committee discussed standards 5 and 6 at this meeting and will continue to discuss at each meeting until all have been discussed.

9.5 Public Comment for Items Not on the Agenda

No public comment for items not on the agenda.

The Chair adjourned the committee meeting at approximately 2:09 p.m.

Approved:  _____