



INTERVENTION/DISCIPLINE COMMITTEE MINUTES

- DATE:** August 11, 2016
- SITE:** Four Points by Sheraton
Los Angeles International Airport
9750 Airport Blvd.
Los Angeles, CA 90045
- MEMBERS PRESENT:** Cynthia Klein, RN, Chair
Imelda Ceja-Butkiewicz
Raymond Mallel
- STAFF PRESENT:** Stacie Berumen, Assistant Executive Officer
Beth Scott, Deputy Chief, Discipline, Probation & Diversion
Shannon Silberling, Deputy Chief, Complaints and Investigations
Don Walker, Intervention Program Manager

The Chair called the meeting to order at approximately 12:49 p.m.

9.0 REVIEW AND APPROVE MINUTES:

Approve/Not Approve: Minutes of May 12, 2016

Motion: Minutes deferred to October committee meeting			
Second:			
CK:	RM:	ICB:	

9.1 Complaint Intake and Investigations Update

COMPLAINT INTAKE:

Staff

We have one Office Technician position vacant and we have one Limited Term, Associate Governmental Analyst position vacant.

Program

We have one analyst that continues to work with the Department of Consumer Affairs (Department) BreZe team and involved in the Reports User Group, as well as the Enforcement User Group.

Effective July 1, 2016, all California licensed furnishing/prescribing practitioners must be registered to access CURES/PDMP. They can find information on the Board's website to assist them in this process.

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

FY Statistics

Fiscal Year	Convictions	Consumer	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

As of August 3, 2016, we have received 700 complaints for the current fiscal year. We currently have 478 pending applicants and 609 pending complaints. Of the 609 complaints, 447 are arrest/convictions.

INVESTIGATIONS:

Staff

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

Program

We continue to assign cases based on the Department's Consumer Protection Enforcement Initiative (CPEI).

As of August 3, 2016, there were approximately 44 BRN investigative cases over one year old and there are approximately 64 DOI cases over one year old, that are still open.

FY Statistics

FY 2015/16		
	BRN	DOI
Closed Cases	632	367
Closed Case Total Hours	17523.88	8455.5
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	2318.5
Supplemental Total Cost	\$61,060	\$391,826.50
FY Total Hours	23090.36	14838.25
FY Total Cost	\$2,034,029.81	\$2,507,664.25
Cases Opened	723	334

FY 2014/15		
	BRN	DOI
Closed Cases	487	524
Closed Case Total Hours	14768.96	13462.25
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	2432
Supplemental total cost	\$31,948	\$571,520.00
FY Total Hours	19780.52	20914.25
FY Total Cost	\$1,742,466.01	\$4,914,848.75
Cases Opened	709	464

FY 2013/14		
	BRN	DOI
Closed Cases	404	589
Closed Case Total Hours	11402.3	16493.5
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	2380.5
Supplemental total cost	\$36,000	\$502,285.50
FY Total Hours	15185.04	24148.25
FY Total Cost	\$1,301,813.48	\$5,095,280.75
Cases Opened	368	625

FY 2012/13		
	BRN	DOI
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	2310.5
Supplemental total cost	\$8,366	\$487,515.50
FY Total Hours	13166.56	22797.00
FY Total Cost	\$1,128,769.19	\$4,810,167.00
Cases Opened	323	588

9.2 Discipline and Probation Update

Staffing

The Probation Program is in the process of interviewing for two vacancies, an Office Technician (support staff) and an Associate Governmental Program Analyst (probation monitor) 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 FY 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 3, 2016) discipline statistics:

Decisions Adopted	73
Pleadings served	76
Petitions to Revoke Probation served	10
Surrenders signed by E. O.	16

The BRN continues to work with the DCA BreZE 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 BreZE team.

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

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

Statistics - Probation

Statistics – July 1, 2016 to August 2, 2016

Probation Data	Numbers	% of Active
Male	351	29%
Female	847	71%
Chemical Dependency	789	65.9%
Required Drug-Screening	637	53.2%
Practice	288	24.0%
Mental Health	7	0.6%
Conviction - excluding chemical dependency/ alcohol use	114	9.5%
Advanced Certificates	114	10%
Southern California	689	58%
Northern California	505	42%
Pending AG - Tolled	4	0%
Pending AG	107	9%
License Revoked Fiscal YTD	2	

License Surrendered Fiscal YTD	12	
Terminated Fiscal YTD	3	
Successfully Completed Fiscal YTD	17	
Active In-State Probationers	1,198	
Completed/Revoked/Terminated/Surrendered YTD	34	
Tolled Probationers	348	
Active and Tolled Probationers	1,546	

The average case load of active probationers per probation monitor is approximately 149. However, the average number of cases per monitor including Tolled cases is 193. There are 57 Early Termination and 9 Modification of Probation cases waiting to be heard by the Board.

9.3 Intervention Program Update and Statistics

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 programs 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.

The Board of Registered Nursing's Intervention program will be present at the California State Capitol on September 7, 2016, 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 brings over 5,000 people together for a day to celebrate recovery.

Intervention Evaluation Committees (IEC)

There are currently three Physician member vacancies at this time, 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.

**BOARD OF REGISTERED NURSING
INTERVENTION PROGRAM
STATISTICAL SUMMARY
Apr 1, 2016 - Jun 30, 2016**

	CURRENT MONTHS	YEAR TO DATE (FY)	PROGRAM TO DATE
INTAKES COMPLETED	32	132	5,137
Intake Information			
Female	24	100	4,010
Male	8	32	1,100
Unknown	0	0	27
Average Age	30-54		
Most Common Worksite*	Unemployed		
Most Common Specialty	Critical Care		
Most Common Substance Abused	Alcohol		
Presenting Problem at Intake			
Substance Abuse (only)	18	65	3,217
Mental Illness (only)	0	6	168
Dual Diagnosis	12	56	1,668
Undetermined	2	5	84
Referral Type**			
Board	26	106	3,786
Self	6	26	1,351
Ethnicity Reported at Intake			
American Indian/Alaska Native	0	0	39
Asian/Asian Indian	4	10	124
African American	0	5	165
Hispanic	3	7	219
Native Hawaiian/Pacific Islander	1	3	30
Caucasian	23	104	4,217
Other	1	3	77
Not Reported	0	0	266
Closures			
Successful Completion	28	93	2,083
Failure to Derive Benefit	0	2	123
Failure to Comply	2	7	978
Moved to Another State	0	0	52
Not Accepted by IEC	0	2	60
Voluntary Withdrawal Post-IEC	3	8	339
Voluntary Withdrawal Pre-IEC	4	16	529
Participant Withdrawn-Failure to sign contract	0	0	1
Closed Public Risk	3	27	351
No Longer Eligible	0	1	17
Clinically Inappropriate	1	4	34
Client Expired	1	1	41
Sent to Board Pre-IEC	0	1	2
TOTAL CLOSURES	42	162	4,610
NUMBER OF PARTICIPANTS: 400 (as of June 30, 2016)			

NOTES:

*All RN licenses are placed on inactive status once an RN enrolls in the Program

**Referral source may change after an RN enrolls in the Program

Board of Registered Nursing
Intervention Program
Statistical Summary
By Fiscal Year (2011-2016)

INTAKES						
	FY11/12	FY12/13	FY13/14	FY14/15	FY15/16	Program to Date
Referral Type*						
Board-Referred	137	176	153	113	106	3,786
Self-Referred	53	34	40	35	26	1,351
TOTAL INTAKES COMPLETED	190	210	193	148	132	5,137

**May change after Intake*

CLOSURES						
	FY11/12	FY12/13	FY13/14	FY14/15	FY15/16	Program to Date
Successful Completion	102	110	114	97	93	2,083
Failure to Derive Benefit	8	2	3	1	2	123
Failure to Comply	14	11	11	11	7	978
Moved to Another State	0	1	0	0	0	52
Not Accepted by IEC	4	4	4	3	2	60
Voluntary Withdrawal Post-IEC	16	10	10	8	8	339
Voluntary Withdrawal Pre-IEC	29	19	25	27	16	529
Participant Withdrawn-Failure to sign contract	0	0	0	1	0	1
Closed Public Risk	32	23	30	25	27	351
No Longer Eligible	0	3	3	0	1	17
Clinically Inappropriate	2	7	6	5	4	34
Client Expired	1	0	1	1	1	41
Sent to Board Pre-IEC	0	0	0	0	1	2
TOTAL CLOSURES	208	190	207	179	162	4,610

DEMOGRAPHICS						
	FY11/12	FY12/13	FY13/14	FY14/15	FY15/16	Program to Date
Presenting Problem at Intake						
Substance Abuse (only)	100	103	96	77	65	3,217
Mental Illness (only)	2	6	5	5	6	168
Dual Diagnosis	84	94	75	59	56	1,668
Undetermined	4	7	17	7	5	84
Most Common Substance Used Prior to Intake	Alcohol	Alcohol	Alcohol	Alcohol	Alcohol	
Worksite at Intake**						
Case Management	0	0	0	0	0	5
Clinic	1	2	0	1	0	118
Clinical - Public, non-profit	0	1	0	0	0	2
Corporation	0	0	0	0	0	9
Doctor's Office	0	0	0	0	0	46
Government Agency	0	1	0	0	1	7
Group Practice - profit	0	0	1	0	0	16

Board of Registered Nursing
Intervention Program
Statistical Summary
By Fiscal Year (2011-2016)

	FY11/12	FY12/13	FY13/14	FY14/15	FY15/16	Program to Date
Health Maintenance Organization	1	0	0	0	0	6
HMO	0	0	0	0	0	1
Home Health Care	0	0	0	0	0	19
Hospital	34	20	28	15	12	2,597
Not Working in Nursing	1	0	1	0	0	4
Nursing Home	1	2	0	1	0	10
Other	1	1	2	1	0	247
Prison/Jail	1	0	0	0	0	13
Private Practice	0	0	0	0	1	9
Registry	5	1	0	2	0	178
Retail	0	0	0	0	0	1
School of Nursing	0	0	0	0	0	9
Telephone Advice	0	0	0	0	0	1
Temporary Service	0	1	0	0	0	3
Undetermined	0	0	0	0	0	567
Unemployed	145	181	160	128	118	1,269
**NOTE: RN licenses/APN certificates are placed on inactive status once an RN enrolls in the Program						
Specialty at Intake						
Chemical Dependency	1	0	0	0	0	8
Critical Care	27	39	27	22	18	908
Dental Public Health	0	0	1	0	0	1
Doctor's Office	1	1	0	2	0	27
Emergency Department	37	33	26	22	18	588
Gerontology	1	2	1	1	3	28
Home Care	14	6	8	6	6	98
Hospital	37	43	44	36	22	337
Insurance	0	0	1	1	0	5
Medical Surgical	20	38	17	20	12	982
None	0	1	1	9	8	74
Nurse Anesthesia	2	2	1	2	3	52
Nurse Midwife	0	0	1	0	0	7
Nurse Practitioner	4	1	3	1	2	108
Nursing Home	0	2	3	1	2	16
Obstetrics/Gynecology	10	10	16	3	8	290
Oncology	5	3	4	0	3	156
Operating Room	6	7	5	5	6	179
Other/Other Specialty	8	12	23	10	12	479
Pediatrics	7	5	5	2	2	138
Psychiatry	5	4	4	5	1	143
Recovery Room	5	1	2	0	6	100
Undetermined	0	0	0	0	0	413

Board of Registered Nursing
Intervention Program
Statistical Summary
By Fiscal Year (2011-2016)

	FY11/12	FY12/13	FY13/14	FY14/15	FY15/16	Program to Date
Gender						
Female	151	165	156	104	100	4,010
Male	39	45	37	44	32	1,100
Unknown	0	0	0	0	0	27
Age Category (at Intake)						
20-24	1	2	6	1	3	34
25-29	15	17	16	13	6	418
30-34	19	36	20	25	19	863
35-39	31	31	31	19	21	1,069
40-44	41	38	40	13	20	1,063
45-49	34	28	23	29	25	826
50-54	27	30	31	25	11	528
55-59	12	25	13	14	18	237
60-64	7	3	12	9	8	76
65+	3	0	1	0	1	10
DOB Error/Not Entered	0	0	0	0	0	13
Ethnicity						
American Indian/Alaska Native	1	3	2	3	0	39
Asian/Asian Indian	7	10	10	2	10	124
African American	6	8	11	2	5	165
Hispanic	10	19	14	9	7	219
Native Hawaiian/Pacific Islander	2	1	3	4	3	30
Caucasian	162	166	149	124	104	4,217
Other	2	3	4	4	3	77
Not Reported	0	0	0	0	0	266

9.3.1 Diversion Evaluation Committee Members

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.

<u>NAME</u>	<u>TITLE</u>	<u>IEC</u>	<u>NO</u>
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

Motion: To approve deferred to September board meeting			
Second:			
CK:	RM:	ICB:	

RESIGNATION (For informational purposes, no vote needed)

<u>NAME</u>	<u>TITLE</u>	<u>IEC</u>	<u>NO</u>
Felicity Blau	RN Member	Oakland	13
Vamsi Garlpati	Public Member	Orange County	4

9.4 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 1:06 p.m.

Approved: 