



INTERVENTION/DISCIPLINE COMMITTEE MINUTES

DATE: August 9, 2017

SITE: Sheraton Fairplex Hotel & Conference Center
 601 W. McKinley Avenue
 Pomona, CA 91768
 (909) 622-2220

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

MEMBERS NOT PRESENT: Barbara Yaroslavsky

STAFF PRESENT: Stacie Berumen, Assistant Executive Officer
 Shannon Silberling, Deputy Chief, Discipline, Probation & Diversion
 Joseph Pacheco, Deputy Chief, Complaints and Investigations

The Chair called the meeting to order at 10:27 a.m.

9.0 REVIEW AND APPROVE MINUTES:

Approve/Not Approve: Minutes of January 11, 2017 and May 10, 2017

Motion: Cynthia Klein to approve the January 8 and May 10, 2017 minutes			
Second: Imelda Ceja-Butkiewicz			
CK: Y	BY: Not Present	ICB: Y	

9.1 Complaint Intake and Investigations Update

COMPLAINT INTAKE:

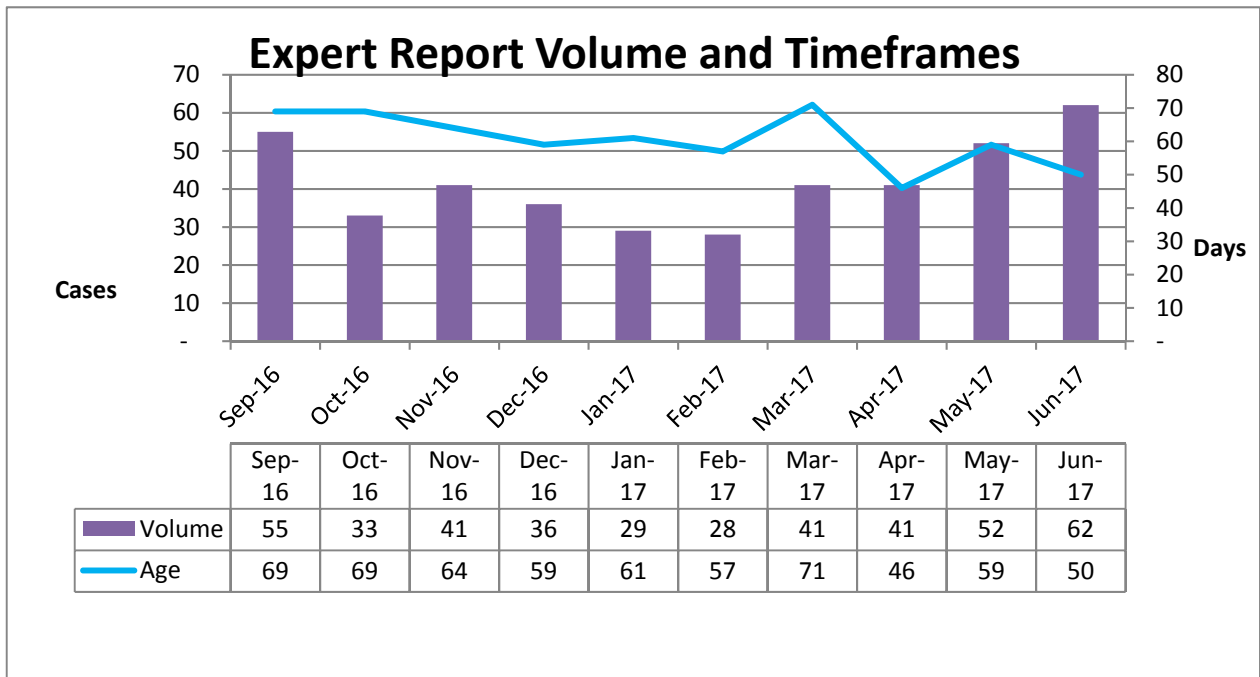
Staff

The Complaint Intake Unit is fully staffed. We expect one staff vacancy in August due to a promotion to another state agency. This anticipated vacancy will be filled immediately.

Program

BRN has recruited 19 new Expert Practice Consultants into the Enforcement program since March, and we've experienced a sustained increase in EPC applications since beginning our new recruitment efforts in February. Our capacity to handle the EPC workload is enhanced and we are

receiving an increased volume of completed Expert Reports as we work through a backlog. Expert timeframe improvement has improved slightly, and we anticipate more significant improvement in the coming months.



Fiscal Year 2017 Statistics

Complaints Received	4,004
Arrest & Conviction Criminal Offender Reports	5,182
Total Complaints Received (FY 16/17)	9,186

Current Complaint Intake Workload

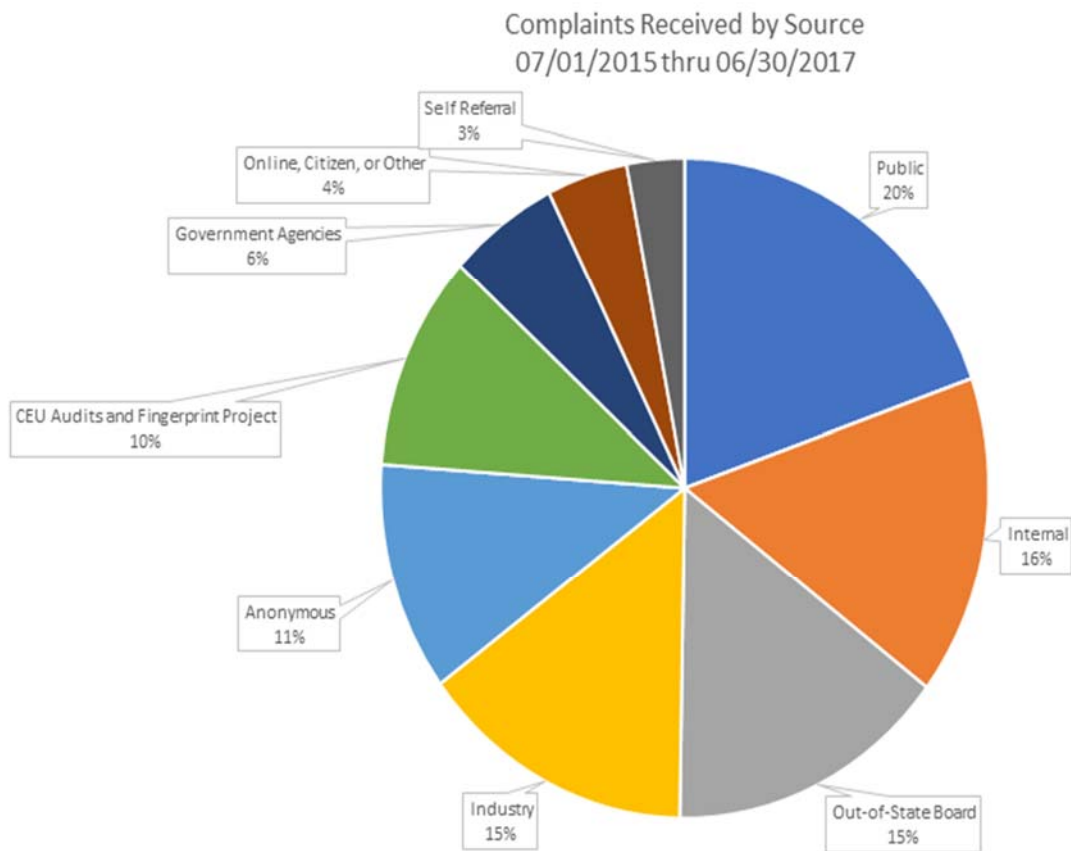
Complaint Intake Desk Investigations Pending (All open complaints, not-including field investigations)	1,213
Desk Investigations Pending > 1 year	51
Cases Pending Expert Review	68

Sources of Complaints

The IDC Committee has asked for statistics and data regarding the source of complaints against nurses. All CORI cases are received from a law enforcement source of fingerprints. All other complaints come from a variety of sources. Board Staff have reviewed the total complaints for the last two full fiscal years. The volume of cases is as follows:

	FY 2015/16	FY 2016/17	Two-Year Totals
Complaints	3,212	4,004	7,216
Convictions/Arrests	4,330	5,182	9,512
Total	7,542	9,186	16,728

Breeze data captures the sources of incoming complaints. The graph below shows the following source data for all non-CORI complaints:



INVESTIGATIONS:

Staff

The BRN Investigation Unit is fully staffed, and there are no vacancies. The support staff position previously on loan to the probation unit has returned.

I would like to introduce Special Investigator Danielle Farwell, the newest member of the BRN Investigation Unit.

Program

The pace of incoming investigation referrals remains very high. Despite our strict adherence to the DCA Guidelines for investigation referrals, and increasing each investigator's pending workload, the BRN Investigation Unit again has some unassigned cases.

Investigative timeframes continue to be a focus. I am working closely with DOI management staff and the BRN Supervising Special Investigators to identify efficiencies and address the causes of investigative delays. Data in the charts below show both DOI and BRN average investigative timeframes are showing continued improvement from historical averages.

As of July 27, 2017, there were approximately 49 BRN investigative cases and 50 DOI cases that have been within their respective units for more than one year.

Statistics

Cumulative Investigation Referrals - Fiscal Year 2017

	No. of Cases	Percent of all Referrals
Referred to DOI	621	48%
Referred to BRN Investigation Unit	675	52%

Historical Production Numbers

BRN Investigations	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	Jun 2017
Total cases pending	484	475	492	474	499	489
Cases closed	50	86	52	61	52	67
Average days to case completion	272	279	262	269	261	253
Average cost per case	\$2,366	\$3,054	\$2,272	\$2,633	\$2,701	\$2,549
Division of Investigations	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	Jun 2017
Total cases pending	349	325	352	353	376	416
Cases closed	49	24	35	28	32	25
Average days to case completion	330	302	292	315	224	250
Average cost per case	\$6,527	\$4,346	\$6,721	\$8,133	\$6,893	\$7,529

Public Comment: Kathy Hughes, SEIU
Genevieve Clavreul

9.2 Discipline and Probation Update

PROBATION UNIT

Staffing

There is a Staff Services Analyst/Associate Governmental Program Analyst (Probation Monitor) vacancy that is in the process of being advertised.

We are also recruiting and in the process of setting up interviews for two new Limited Term Staff Services Analysts (Probation Monitors).

Program

On July 26, 2017, Probation Program Manager, Elizabeth Elias and Probation Monitor, Lisa Hall instructed the Probation Monitoring Module of DCA’s SOLID Enforcement Academy for staff at various Board and Bureaus within DCA.

The probation unit has initiated the new business process of allowing petitioners, who have met all probation conditions and other criteria, an opportunity to stipulate to early termination of probation. Through this process the probation unit has been able to remove 45 probationers from the current list of petitioners waiting to appear before the Board.

Probation Statistics	<u>FY 2014/2015</u>	<u>FY 2015/2016</u>	<u>Current FY 2016/2017</u>
Active In-State Probationers	1,095	1,189	1,196
# of Chemical Dependency Probationers	707	785	787
Tolled Out of State Probationers	290	345	380
Pending Cases at AGO for further discipline of licensure	128	91	130
Total Probationers	1,385	1,534	1,576

The average case load of active probationers per probation monitor is approximately 132. However, the average number of cases per monitor including Tolled cases is 175. There are 19 Early Termination and 16 Modification of Probation cases waiting to be heard by the Board. Once the two new limited term positions are filled, this will bring our average down slightly to 143 cases per monitor. This is still over the average case load of 75, which was estimated to be the appropriate level per monitor.

CITE AND FINE

Staffing

We are currently fully staffed.

Program

We have begun issuing citations for the licensees that have been non-compliant with fingerprints. We are anticipating this to be completed by end of this calendar year.

Statistics

	FY 2015/16	FY 2016/17	FY Current 2017/18
Citations Issued	542	366	92
Amount Ordered	\$ 299,638	\$ 266,428	\$85,450
Amount Received	\$ 253,974	\$ 202,614	\$13,575

DISCIPLINE UNIT

Staffing

We are currently fully staffed.

Program

We will begin our pilot project of case transfer via the cloud. We have been transmitting FastTrack and Petition cases, since July 20, 2017, to the Attorney General's Office. We will be providing updates on case aging as well as when a full roll out can be expected.

AG Statistics

	FY 2015/16	FY 2016/17	FY Current 2017/18
No. of Cases Referred to the AG	1,395	1,198	75
No. of Cases Pending	1,338	1,191	1,231
No. of Cases Older than 1 yr.	390	349	386
No. of Cases Older than 1 yr. Without Pleading	56	51	63
No. of Cases Awaiting Hearing	214	162	146

Legal Desk Statistics

	FY 2015/16	FY 2016/17	FY Current 2017/18
Pleadings Served	1,277	1,059	56
Petitions to Revoke Probation	87	120	5
Stipulated Surrenders Signed by EO	255	254	15
Withdrawals of SOI	15	9	0
Decisions Adopted	1,641	1,282	92

Additional statistics to follow.

Public Comment: Kathy Hughes, SEIU

9.3 Intervention Program Update and Statistics

Staffing

The previous vacant Staff Service Analyst (SSA) position has been filled and the Intervention unit is fully staffed.

Program Update

On June 19th, 2017, Intervention program staff and Virginia Matthews, MAXIMUS Project Manager provided training to approximately 50 nursing and pharmacy leaders at Mission Hospital, Mission Viejo. Topics of discussion were, what is the Intervention program, what is Substance Use Disorder and the signs, symptoms and progression of the disease.

On August 23, 2017, Intervention program staff and Virginia Matthews, MAXIMUS Project Manager will be presenting an educational outreach presentation at Citrus Valley Hospital, San Gabriel Valley. This will be a two session presentation for the facility's nurses and leadership.

On August 17th, 2017, the Intervention program will be hosting the third in a series of approximately four Mental Health Ad Hoc Committee meetings. The committee members have been working effectively to review all current practices and are scheduled to discuss different approaches and potential changes at this upcoming meeting. The purpose of this committee is to develop best practice strategies to meet the unique needs of nurses with mental illness and to develop a model rehabilitation plan for use by all the Intervention Evaluation Committees.

Intervention Evaluation Committees (IEC)

There are currently two physician member vacancies, one in Oakland (IEC 13) and one in San Jose (IEC 7).

Statistics – Intervention

The Statistical Summary Report is attached. To date there have been 2,197 successful completions.

Public Comment: Charlotte Moore
Alyssa Brown

9.4 Public Comment for Items Not on the Agenda

BJ Bartleson, CHA
Deborah Greenspan, AHNA
Genevieve Clavreul
Marketa Huskova, ANA-C
Paulette Anest, AMN

The Chair adjourned the committee meeting at approximately 11:31 a.m.

Approved: 