



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

**LEGISLATIVE
COMMITTEE MEETING**

AGENDA

Hilton Sacramento Arden West
2200 Harvard Street
Sacramento, CA 95815
(916) 922-4700

January 14, 2016

**THIS MEETING WILL IMMEDIATELY FOLLOW THE CONCLUSION OF THE
NURSING PRACTICE COMMITTEE MEETING**

Thursday, January 14, 2016:

- 8.0 Call to Order, Roll Call and Establishment of Quorum**
- 8.1 Review and Vote on Whether to Approve the Minutes of:**
- May 7, 2015
 - August 6, 2015
 - October 8, 2015
- 8.2 Discuss Bills of Interest to the Board and Recommend that the Board Adopt or Modify Positions on the Bills, and any other Bills of Interest to the Board Introduced During the 2015-2016 Legislative Session**

Assembly Bills

Senate Bills

AB 12	SB 319
AB 26	SB 323
AB 85	SB 390
AB 172	SB 408
AB 611	SB 464
AB 637	SB 466
AB 840	SB 467
AB 1060	SB 482
AB 1306	SB 531
AB 1351	SB 800
AB 1352	
AB 1386	

- 8.3 Summary of Legislation Chaptered in 2015**
- 8.4 Public Comment for Items Not on the Agenda**
- 8.5 Adjournment**

NOTICE:

All times are approximate and subject to change. Items may be taken out of order to maintain a quorum, accommodate a speaker, or for convenience. The meeting may be canceled without notice. For verification of the meeting, call (916) 574-7600 or access the Board's Web Site at <http://www.rn.ca.gov>. Action may be taken on any item listed on this agenda, including information only items.

Public comments will be taken on agenda items at the time the item is heard. Total time allocated for public comment may be limited.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting the Administration Unit at (916) 574-7600 or email webmasterbrn@dca.ca.gov, or send a written request to the Board of Registered Nursing at 1747 N. Market Blvd., Ste. 150, Sacramento, CA 95834. (Hearing impaired: California Relay Service: TDD phone # (800) 326-2297). Providing your request at least five (5) business days before the meeting will help to ensure the availability of the requested accommodation. Board members who are not members of this committee may attend meetings as observers only, and may not participate or vote. Action may be taken on any item listed on this agenda, including information only items. Items may be taken out of order for convenience, to accommodate speakers, or maintain a quorum.



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BOARD OF REGISTERED NURSING
LEGISLATIVE COMMITTEE
MEETING MINUTES

DATE: May 7, 2015

TIME: 3:00 p.m. - 4:00 p.m.

LOCATION: The Dana on Mission
Sunset Room
1710 W Mission Bay Drive
San Diego, CA 92109

MEMBERS PRESENT: Cynthia Klein, RN
Jeanette Dong
Trande Phillips, RN

STAFF PRESENT: Louise Bailey, Executive Officer
Ronnie Whitaker, Legislative and Regulatory Analyst

Cynthia Klein called the meeting to order at 3:03 p.m.

8.1 Review and Approve Minutes
The minutes of March 5, 2015 were approved.

Motion: Cynthia Klein		Second: Trande Phillips		Approve with amendments
CK: Yes	ICB: -----	JD: Abstain	TP: Yes	

8.2 Positions on Bills of Interest to the Board, and any other Bills of Interest to the Board introduced during the 2015-2016 Legislative Session.

AB 12 Cooley: Administrative regulations: review

Motion: Cynthia Klein		Second: Trande Phillips		Watch
CK: Yes	ICB: -----	JD: Yes	TP: Yes	

AB 85 Wilk: Open meetings

Motion: Janette Dong		Second: Cynthia Klein		Watch
CK: Yes	ICB: -----	JD: Yes	TP: Yes	

AB 611 Dahle: Controlled substances: prescriptions: reporting

Motion: Cynthia Klein		Second: Janette Dong		Watch
CK: Yes	ICB: -----	JD: Yes	TP: Yes	

AB 1060 Bonilla: Professions and vocations: licensure

Motion: Trande Phillips		Second: Cynthia Klein		Support if amended
CK: Yes	ICB: -----	JD: Yes	TP: Yes	

Two public comments.

SB 323 Hernandez: Nurse practitioners: scope of practice

Motion: Cynthia Klein		Second: Trande Phillips		Watch
CK: Yes	ICB: -----	JD: Yes	TP: Yes	

Five public comments.

SB 466 Hill: Nursing: Board of Registered Nursing

Motion: Cynthia Klein		Second: Janette Dong		Watch
CK: Yes	ICB: -----	JD: Yes	TP: Yes	

One public comment.

SB 800 Committee on Business, Professions and Economic Development: Healing Arts

Motion: Janette Dong		Second: Cynthia Klein		Support
CK: Yes	ICB: -----	JD: Yes	TP: Yes	

8.3 Public Comment for Items Not on the Agenda

There were seven public comments.
Katherine Hughes, SEIU National Nurse Alliance
Linda Walsh, President, CNMA
Melanie Martin
Tricia Hunter, MN, RN, ANA/C
Donna Emanuele, President, CANP
Linda Calderon, CNM, UNAC
Deann McEwen, RN, CNA

The meeting adjourned at 3:52 p.m.

Submitted by: _____
Ronnie Whitaker, Legislative and Regulatory Analyst

Approved by: _____
Cynthia Klein, RN



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BOARD OF REGISTERED NURSING
LEGISLATIVE COMMITTEE
MEETING MINUTES

DATE: August 6, 2015
TIME: 3:00 p.m.- 4:00 p.m.
LOCATION: DoubleTree by Hilton San Francisco Airport
Sierra Ballroom
835 Airport Boulevard
Burlingame, CA 94010
MEMBERS PRESENT: Cynthia Klein, RN, Acting Chair
Trande Phillips, RN
MEMBERS ABSENT: Jeanette Dong
Imelda Ceja-Butkiewicz
STAFF PRESENT: Louise Bailey, Executive Officer
Stacie Berumen, Assistant Executive Officer

Cynthia Klein called the meeting to order at 3:00 p.m.

8.1 Review and Approve Minutes

The minutes of May 7, 2015 were deferred to October 2016 meeting due to meeting as a sub-committee.

8.2 Positions on Bills of Interest to the Board, and any other Bills of Interest to the Board introduced during the 2015-2016 Legislative Session.

AB 1351 Eggman: Deferred entry of judgement: pretrial diversion

Motion: Cynthia Klein		Second: Trande Phillips		Oppose Unless Amended
CK: Yes	ICB: -----	JD: -----	TP: Yes	

AB 1352 Eggman: Deferred entry of judgment: withdrawal of plea

Motion: Cynthia Klein		Second: Trande Phillips		Oppose Unless
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			Amended
CK: Yes	ICB: -----	JD: -----	TP: Yes

SB 464 Hernandez: Healing arts: self-reporting tools

Motion: Cynthia Klein	Second: Trande Phillips	Support
CK: Yes	ICB: -----	JD: -----
		TP: Yes

SB 466 Hill: Nursing: Board of Registered Nursing

Motion: Cynthia Klein	Second: Trande Phillips	Watch
CK: Yes	ICB: -----	JD: -----
		TP: Yes

SB 467 Hill: Professions and vocations

Motion: Cynthia Klein	Second: Trande Phillips	Watch
CK: Yes	ICB: -----	JD: -----
		TP: Yes

8.3 Update on Regulatory Proposal to Increase Fees in California Code of Regulations, Article 1, Section 1417, Fees

The emergency rulemaking file is expected to be submitted to the Office of Administrative Hearings on August 11, 2015. The OAH has 10 days to make a decision regarding the emergency rulemaking file.

8.4 Public Comment for Items Not on the Agenda

There were no public comments.

The meeting adjourned at 3:33 p.m.

Submitted by: _____
Stacie Berumen, Assistant Executive Officer

Approved by: _____
Cynthia Klein, RN



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BOARD OF REGISTERED NURSING

LEGISLATIVE COMMITTEE MEETING MINUTES

DATE: October 8, 2015

TIME: 2:06 p.m. - 2:24 p.m.

LOCATION: Embassy Suites Santa Ana
Orange County Airport North
1325 E. Dyer Road
Santa Ana, CA 92705

MEMBERS PRESENT: Imelda Ceja-Butkiewicz, Chair
Trande Phillips, RN

MEMBERS ABSENT: Cynthia Klein, RN
Jeanette Dong

STAFF PRESENT: Louise Bailey, Executive Officer

Imelda Ceja-Butkiewicz called the meeting to order at 2:06 p.m.

8.1 Review and Approve Minutes

The minutes of May 7, 2015 and August 6, 2015 were deferred to the January 2016 meeting due to meeting as a sub-committee.

8.2 Positions on Bills of Interest to the Board, and any other Bills of Interest to the Board introduced during the 2015-2016 Legislative Session.

- AB 85** **Wilk: Open meetings**
Bill Status: Vetoed on 9/28/15.
Committee Position: No action taken.
- AB 172** **Rodriguez: Emergency departments: assaults and batteries**
Bill Status: Governor's Desk
Committee Position: No action taken.
- AB 1351** **Eggman: Deferred entry of judgment: pretrial diversion**
Bill Status: Governor's Desk
Committee Position: No action taken.
- AB 1352** **Eggman: Deferred entry of judgment: withdrawal of plea**
Bill Status: Governor's Desk
Committee Position: No action taken.

- SB 319** **Beall: Child welfare services: public health nursing**
Bill Status: Governor's Desk
Committee Position: No action taken.
- SB 464** **Hernandez: Healing arts: self-reporting tools**
Bill Status: Chapter 387, Statutes of 2015
Committee Position: No action taken.
- SB 466** **Hill: Nursing: Board of Registered Nursing**
Bill Status: Chapter 489, Statutes of 2015
Committee Position: No action taken.
- SB 467** **Hill: Professions and vocations**
Bill Status: Governor's Desk
Committee Position: No action taken.
- SB 800** **Committee on Business, Profession and Economic Development: Healing arts**
Bill Status: Chapter 426, Statutes of 2015
Committee Position: No action taken.

8.3 Public Comment for Items Not on the Agenda

There were no public comments.

The meeting adjourned at 2:24 p.m.

Submitted by: _____
Stacie Berumen, Assistant Executive Officer

Approved by: _____
Imelda Ceja-Butkiewicz, Chair

BOARD OF REGISTERED NURSING
Legislative Committee
Agenda Item Summary

AGENDA ITEM: 8.2
DATE: January 14, 2016

ACTION REQUESTED: Discuss Bills of Interest to the Board and Recommend that the Board Adopt or Modify Positions on the Bills, and any other Bills of Interest to the Board introduced during the 2015-2016 Legislative Session.

REQUESTED BY: Imelda Ceja-Butkiewicz, Public Member, Chairperson

BACKGROUND:	<u>Assembly Bills</u>		<u>Senate Bills</u>		
	Comm.	Board		Comm.	Board
AB 12	Watch	Watch	SB 319		Watch
AB 26		No Action	SB 323	Watch	Support
AB 85	Watch	Oppose	SB 390		Watch
AB 172		Support	SB 408		Oppose
AB 611	Watch	Support	SB 464	Support	
AB 637		Watch	SB 466	Watch	Watch
AB 840		Support	SB 467	Watch	Watch
AB 1060	Support if amended	Support if amended	SB 482		Support
AB 1306		Support	SB 531		Watch
	Oppose	Oppose			
AB 1351	Unless Amended	Unless Amended	SB 800	Support	Support
	Oppose	Oppose			
AB 1352	Unless Amended	Unless Amended			
AB 1386		Support			

NEXT STEP: Place on Board agenda

FINANCIAL IMPLICATIONS, IF ANY: None

PERSON TO CONTACT: Stacie Berumen
Assistant Executive Officer
Phone: (916) 574-7600

**BOARD OF REGISTERED NURSING
ASSEMBLY BILLS 2015-2016
January 14, 2016**

BILL #	AUTHOR	SUBJECT	COMM POSITION (date)	BOARD POSITION (date)	BILL STATUS
AB 12	Cooley	State government: administrative regulations: review	Watch (5/7/15)	Watch (6/4/15)	Senate Appropriations
AB 26	Jones-Sawyer	Medical Cannabis		No Action (1/8/15)	Assembly Business & Professions
AB 85	Wilk	Open meetings	Watch (5/7/15)	Oppose (6/4/15)	Vetoed on 9/28/15
AB 172	Rodriguez	Emergency departments: assaults and batteries		Support (6/4/15)	Vetoed on 10/10/15
AB 611	Dahle	Controlled substances: prescriptions: reporting	Watch (5/7/15)	Support (6/4/15)	Assembly Business & Professions
AB 637	Campos	Physician Orders for Life Sustaining Treatment forms		Watch (4/2/15)	Chapter 217, Statutes of 2015
AB 840	Ridley-Thomas	Nurses and certified nurse assistants: overtime		Support (4/2/15)	Senate Public Employment and Retirement
AB 1060	Bonilla	Professions and vocations: licensure	Support if Amended (5/7/15)	Support if Amended (6/4/15)	No Longer Applicable to the Board
AB 1306	Burke	Healing arts: certified nurse-midwives: scope of practice		Support (6/4/15)	Senate Professions and Economic Development
AB 1351	Eggman	Deferred entry of judgment: pretrial diversion.	Oppose Unless Amended (8/6/15)	Oppose Unless Amended (9/3/15)	Vetoed on 10/8/15
AB 1352	Eggman	Deferred entry of judgment: withdrawal of plea.	Oppose Unless Amended (8/6/15)	Oppose Unless Amended (9/3/15)	Chapter 646, Statutes of 2015
AB 1386	Low	Emergency medical care: epinephrine auto-injectors.		Support (6/4/15)	Assembly Business & Professions

Bold denotes a bill that is a new bill for Board consideration or has been amended since last Board consideration.

**BOARD OF REGISTERED NURSING
SENATE BILLS 2015-2016
January 14, 2016**

BILL #	AUTHOR	SUBJECT	COMM POSITION (date)	BOARD POSITION (date)	BILL STATUS
SB 319	Beall	Child welfare services: public health nursing		Watch (4/2/15)	Chapter 535, Statutes of 2015
SB 323	Hernandez	Nurse practitioners: scope of practice	Watch (5/7/15)	Support (6/4/15)	Assembly Business & Professions
SB 390	Bates	Home health agencies: skilled nursing services		Watch (4/2/15)	Senate Health
SB 408	Morrell	Midwife assistants		Oppose (6/4/15)	Chapter 280, Statutes of 2015
SB 464	Hernandez	Healing arts: self-reporting tools	Support (8/6/15)		Chapter 387, Statutes of 2015
SB 466	Hill	Nursing: Board of Registered Nursing	Watch (8/6/15)	Watch (9/3/15)	Chapter 489, Statutes of 2015
SB 467	Hill	Professions and vocations	Watch (8/6/15)	Watch (9/3/15)	Chapter 656, Statutes of 2015
SB 482	Lara	Controlled substances: CURES database.		Support (6/4/15)	Assembly Pending Referral
SB 531	Bates	Board of Behavioral Sciences		Watch (4/2/15)	No Longer Applicable to the Board
SB 800	Committee on Business, Professions and Economic Development	Healing arts	Support (5/7/15)	Support (6/4/15)	Chapter 426, Statutes of 2015

Bold denotes a bill that is a new bill for Board consideration or has been amended since last Board consideration.

BOARD OF REGISTERED NURSING
Legislative Committee
Agenda Item Summary

AGENDA ITEM: 8.3
DATE: January 14, 2016

ACTION REQUESTED: Summary of Legislation Chaptered in 2015

REQUESTED BY: Imelda Ceja-Butkiewicz, Public Member, Chairperson

BACKGROUND:

A summary of the bills chaptered in 2015 has been compiled for review.

NEXT STEPS: Place on Board agenda

FISCAL IMPACT, IF ANY: None

PERSON(S) TO CONTACT: Stacie Berumen
Assistant Executive Officer
(916) 574-7600

**BOARD OF REGISTERED NURSING
LEGISLATIVE COMMITTEE**

2015 Legislative Summary

During the two-year 2015-2016 Legislative Session, many bills of general interest to the Board, or those having potential impact on the administration of the Board, were followed. Although these bills address many subjects, each affects registered nursing in some way. In 2013, the Board followed 22 bills of which eight were signed into law by the Governor. Three bills were vetoed, and two bills no longer apply. Because 2015 is the first year of a two-year session, the respective legislative bodies may act in 2016 on the nine bills that remain. The following is a brief description of some of the bills followed by the Board that were chaptered. Please refer to the bills themselves for more details. Unless otherwise stated, the statutes of 2015 became effective January 1, 2016.

**AB 637 (Campos)
Chapter 217, Statutes of 2015
Physician Orders for Life Sustaining Treatment Forms (POLST)**

AB 637 authorizes the signature of a nurse practitioner or a physician assistant acting under the supervision of the physician and within the scope of practice authorized by law to create a valid Physician Orders for Life Sustaining Treatment form (POLST).

**AB 1352 (Eggman)
Chapter 646, Statutes of 2015
Deferred Entry of Judgment: Withdrawal of Plea**

AB 1352 authorizes a defendant who has successfully completed a deferred entry of judgment treatment program on or after January 1, 1997 to obtain a dismissal of the plea upon which the deferred entry of judgment was granted under specified procedures. This dismissal is available to the former defendant if he or she performed satisfactorily during the deferred entry of judgment period, and the charges were dismissed pursuant to the program. If court records are not available, a defendant's declaration under penalty of perjury that the charges were dismissed after completion of the deferred entry of judgment program shall be presumed true if the defendant submits a copy of his or her state summary criminal history information.

**SB 319 (Beall)
Chapter 535, Statutes of 2015
Child Welfare Services: Public Health Nursing**

SB 319 authorizes a provider of health care to disclose medical information to a foster care public health nurse, as defined, for the purpose of coordinating health care services and medical treatment for a minor who has either been taken into temporary custody, had a petition filed with the court, or been adjudged a dependent child or ward of the juvenile court, as specified. Medical information regarding a minor, as defined, disclosed by a provider of health care to authorized entities includes, but is not limited to, information related to screenings, assessments, and

laboratory tests necessary to monitor the administration of psychotropic medications. Requires a foster care health nurse have access to a child's medical, dental, and mental health care information in order to allow that nurse to fulfill his or her duties, as specified, and in a manner that is consistent with all relevant privacy requirements. Includes among the duties of public health nurses the monitoring and oversight of psychotropic medications. Requires a foster care public health nurse to, among other things at the request of and under the direction of a non-minor dependent, assist the non-minor dependent in making informed decisions about his or her health care by, at a minimum, providing educational materials. Requires public health nurses to receive training related to psychotropic medications, as specified.

SB 408 (Morrell)
Chapter 280, Statutes of 2015
Midwife Assistants

SB 408 authorizes a midwife assistant to perform certain assistive activities under the supervision of a licensed midwife or certified nurse-midwife, including the administration of medicine, the withdrawing of blood, and midwife technical support services. The bill defines terms for these purposes. The bill prohibits a midwife assistant from being employed for inpatient care in a licensed general acute care hospital.

SB 464 (Hernandez)
Chapter 387, Statutes of 2015
Healing Arts: Self-Reporting Tools

SB 464, notwithstanding any other law, authorizes a physician and surgeon, a registered nurse acting in accordance with the authority of the Nursing Practice Act, a certified nurse-midwife acting within the scope of specified existing law relating to nurse-midwives, a nurse practitioner acting within the scope of specified existing law relating to nurse practitioners, a physician assistant acting within the scope of specified existing law relating to physician assistants, or a pharmacist acting within the scope of a specified existing law relating to pharmacists to use a self-screening tool that will identify patient risk factors for the use of self-administered hormonal contraceptives by a patient, and, after an appropriate prior examination, to prescribe, furnish, or dispense, as applicable, self-administered hormonal contraceptives to the patient. The bill authorizes blood pressure, weight, height, and patient health history to be self-reported using the self-screening tool.

SB 466 (Hill)
Chapter 489, Statutes of 2015
Nursing: Board of Registered Nursing

SB 466 extends the repeal date of the BRN's operation to January 1, 2018. This bill requires the board to contract with the California State Auditor's Office to conduct a performance audit of the board's enforcement program, as specified, by February 1, 2016. The bill requires the board to reimburse the office for the cost of the performance audit. The bill requires the office to report the results of the audit to the Governor, the department, and the appropriate policy committees of

the Legislature by January 1, 2017. The bill requires the board's staff and management to cooperate with the office and provide the office with access to data, case files, employees, and information. This bill requires the board to deny or revoke approval of a school of nursing that does not give student applicants credit in the field of nursing for military education and experience by the use of challenge examinations or other methods of evaluation. The bill requires the board, by January 1, 2017, to adopt regulations requiring schools seeking approval to have a process to evaluate and grant credit, as defined, for military education and experience. The bill would require the board to review a school's policies and practices regarding granting credit for military education and experience at least once every 5 years to ensure consistency in evaluation and application across schools. The bill requires the board to post on its Internet Web site information related to the acceptance of military coursework and experience at each approved school.

SB 467 (Hill)
Chapter 656, Statutes of 2015
Professions and Vocations

SB 467 requires the Attorney General to submit a report to the department, the Governor, and the appropriate policy committees of the Legislature, on or before January 1, 2018, and on or before January 1 of each subsequent year, that includes specified information regarding the actions taken by the Attorney General pertaining to accusation matters relating to consumer complaints against a person whose profession or vocation is licensed by an agency within the department. This bill, in order to implement the Consumer Protection Enforcement Initiative of 2010, requires the Director of Consumer Affairs, through the Division of Investigation, to implement "Complaint Prioritization Guidelines" for boards to utilize in prioritizing their complaint and investigative workloads and to determine the referral of complaints to the division and those that are retained by the health care boards for investigation. The bill exempts the Medical Board of California from required utilization of these guidelines. This bill also extends the sunset dates of the California Accountancy Board and the Contractors State License Board to January 1, 2020.

SB 800 (Committee on Business Professions and Economic Development)
Chapter 426, Statutes of 2015
Healing Arts

SB 800 is the omnibus bill for the healing arts board of the Department of Consumer Affairs. The Nursing Practice Act provides for the licensure and regulation of registered nurses and nurse practitioners by the Board of Registered Nursing. The act, on and after January 1, 2008, requires an applicant for initial qualification or certification as a nurse practitioner who has not been qualified or certified as a nurse practitioner to meet specified requirements. Certain provisions allow the board to find registered nurses qualified to use the title of "nurse practitioner." This bill deletes those title provisions. The act also provides for a diversion program to identify and rehabilitate registered nurses whose competency may be impaired due to abuse of alcohol and other drugs, or due to mental illness. This bill refers to the program as an intervention program.