



LEGISLATIVE COMMITTEE MEETING

AGENDA

Embassy Suites Anaheim – South
11767 Harbor Blvd.
Garden Grove, CA 92840
(714) 539-3300

January 11, 2017

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

Wednesday, January 11, 2017:

8.0 Call to Order, Roll Call, and Establishment of Quorum

8.01 Review and Vote on Whether to Approve Previous Meeting Minutes:

- May 12, 2016
- August 5, 2016
- October 6, 2016

8.1 2015-2016 Goals and Objectives: Summary of Accomplishments

8.2 2015-2016 Legislative Session Summary

8.3 2017-2018 Suggested Goals and Objectives for the Current Legislative Session; Recommendation to Full Board

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.



BOARD OF REGISTERED NURSING

LEGISLATIVE COMMITTEE MEETING MINUTES

DATE: May 12, 2016

TIME: 1:10 p.m. - 2:12 p.m.

LOCATION: Embassy Suites
 San Francisco Airport
 250 Gateway Boulevard
 South San Francisco, California 94080

MEMBERS PRESENT: Donna Gerber, Chair
 Imelda Ceja-Butkiewicz
 Cynthia Klein, RN
 Trande Phillips, RN

MEMBERS ABSENT: None

STAFF PRESENT: Stacie Berumen, Assistant Executive Officer
 Kay Weinkam, Nursing Education Consultant

Donna Gerber called the meeting to order following the adjournment of the Nursing Practice Committee.

8.1 Review and Approve Minutes

- March 10, 2016

Motion: Approve, by Cynthia Klein			
Second: Trande Phillips			
DG: Yes	IC-B: Yes	CK: Yes	TP: Yes

8.2 Discuss Bills of Interest to the Board and Recommend that the Board Adopt or Modify Positions on the Bills.

8.2.1 The Committee took action on the following bills:

AB 1748 **Mayes: Pupils: pupil health: opioid antagonist**

No public comment.

Motion: Watch, by IC-B

Second: DG			
DG: Yes	IC-B: Yes	CK: Yes	TP: Yes

SB 482 Lara: Controlled substances: CURES database

No public comment.

Motion: Continue Support, by IC-B			
Second: TP			
DG: Yes	IC-B: Yes	CK: Yes	TP: Yes

SB 1039 Hill: Professions and Vocations

Comments from two members of the public.

Motion: Continue Support/Watch, by TP			
Second: CK			
DG: Yes	IC-B: Yes	CK: Yes	TP: Yes

SB 1195 Hill: Professions and vocations: board actions: competitive impact

Comments from five members of the public.

Motion: Continue Oppose, by TP			
Second: DG			
DG: Yes	IC-B: Yes	CK: absent	TP: Yes

8.2.2 The Committee continues support of the Board's previous position for these bills:

- AB 1939 Patterson: Licensing requirements (Watch)**
- AB 2079 Calderon: Skilled nursing facilities: staffing (Watch)**
- AB 2209 Bonilla: Health care coverage: clinical care pathways (Watch)**
- AB 2507 Gordon: Telehealth: access (Watch)**
- AB 2606 Grove: Crimes against children, elders, dependent adults, and persons with disabilities (Watch)**
- AB 2744 Gordon: Healing arts: referrals (Watch)**

- SB 960 Hernandez: Medi-Cal: telehealth: reproductive health care (Watch)**
- SB 1139 Lara: Health professions: medical residency programs: undocumented immigrants: scholarships, loans, and loan repayments (Watch)**

- SB 1217 Stone: Healing arts: reporting requirements: professional liability resulting in death or personal injury (Watch)**
SB 1334 Stone: Crime reporting: health practitioners: reports (Watch)

8.2.3 SB 1076 Hernandez: General acute care hospitals: observation services was presented as an information item.

8.3 Public Comment for Items Not on the Agenda

There were no public comments.

The meeting adjourned at 2:12 p.m.

Submitted by: _____
Kay Weinkam, Nursing Education Consultant and Legislative Liaison

Approved by: _____
Donna Gerber, Chair

DRAFT



BOARD OF REGISTERED NURSING

LEGISLATIVE COMMITTEE MEETING MINUTES

DATE: August 11, 2016

TIME: 1:15 p.m. - 2:14 p.m.

LOCATION: Four Points by Sheraton
Los Angeles International Airport
9750 Airport Boulevard
Los Angeles, California 90045

MEMBERS PRESENT: Donna Gerber, Chair
Barbara Yaroslavsky
Raymond Mallel

MEMBERS ABSENT: Imelda Ceja-Butkiewicz
Trande Phillips, RN

STAFF PRESENT: Dr. Joseph Morris, Executive Officer
Stacie Berumen, Assistant Executive Officer
Kay Weinkam, Nursing Education Consultant

Donna Gerber called the meeting to order at 1:15 p.m. following the adjournment of the Nursing Practice Committee. President Michael Jackson appointed Mr. Mallel to the Committee for today's meeting in order that a quorum be present.

8.1 Review and Approve Minutes

- May 12, 2016

Approval deferred until the October meeting.

8.2 Discuss Bills of Interest to the Board and Recommend that the Board Adopt or Modify Positions on the Bills

8.2.1 The Committee took action on the following bills:

AB 26 Jones-Sawyer: Medical cannabis

No public comment.

Motion: Watch, by Donna Gerber

Second: Barbara Yaroslavsky

Votes: DG: Yes	RM: Yes	BY: Yes	
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AB 2105 Rodriguez: Workforce development: allied health professions

No public comment.

Motion: Watch, by Donna Gerber			
Second: Raymond Mallel			
Votes: DG: Yes	RM: Yes	BY: Yes	

AB 2272 Thurmond: Occupational safety and health standards: plume

Ms. Gerber left the room during this presentation and vote.

Motion: Support, by Raymond Mallel			
Second: Barbara Yaroslavsky			
Votes: DG: absent	RM: Yes	BY: Yes	

8.2.2 The Committee continues support of the Board's previous position for these bills:

AB 1306 Burke: Healing arts: certified nurse-midwives: scope of practice (Support)

AB 1386 Low: Emergency medical care: epinephrine autoinjectors (Watch)
Public comment: Kathryn Hughes, SEIU Nurse Alliance

AB 1748 Mayes: Pupils: pupil health: opioid antagonist (Watch)

AB 2079 Calderon: Skilled nursing facilities: staffing (Watch)

AB 2744 Gordon: Healing arts: referrals (Watch)

AB 2859 Low: Professions and vocations: retired category: licenses (Watch)

SB 482 Lara: Controlled substances: CURES database (Support)

SB 1039 Hill: Professions and vocations (Support/Watch)

SB 1076 Hernandez: General acute care hospitals: observation services (Watch)
Ms. Gerber left the room during discussion and consideration of this bill.
Public comment: Jane Schroeder, CNA

SB 1139 Lara: Health professions: medical residency programs: undocumented immigrants: scholarships, loans, and loan repayments (Watch)

SB 1155 Morrell: Professions and vocations: licenses: military service (Watch)

SB 1195 Hill: Professions and vocations: board actions (Oppose)
Public comment: Jane Schroeder, CNA

SB 1348 Cannella: Licensure applications: military experience (Watch)

8.3 Public Comment for Items Not on the Agenda

There were no public comments.

The meeting adjourned at 2:14 p.m.

Submitted by: _____
Kay Weinkam, Nursing Education Consultant and Legislative Liaison

Approved by: _____
Donna Gerber, Chair

DRAFT



BOARD OF REGISTERED NURSING

LEGISLATIVE COMMITTEE MEETING MINUTES

DATE: October 5, 2016

TIME: 12:27 p.m.-12:30 p.m.

LOCATION: DoubleTree by Hilton
2233 Ventura Street
Fresno, California 93721

MEMBERS PRESENT: Michael Jackson, acting Chair
Trande Phillips, RN
Elizabeth Woods, RN

MEMBERS ABSENT: Donna Gerber
Imelda Ceja-Butkiewicz

STAFF PRESENT: Dr. Joseph Morris, Executive Officer
Stacie Berumen, Assistant Executive Officer

8.0 President Michael Jackson called the meeting to order at 12:27 p.m. following the adjournment of the Nursing Practice Committee. President Jackson appointed himself and Ms. Woods to the Committee for today's meeting in order that a quorum be present.

8.0.01 Review and Approve Minutes

- May 12, 2016
- August 5, 2016

Approval deferred until the January 2017 meeting.

8.1 Discuss Bills of Interest to the Board and Provide an Update on Status of the Bills Introduced during the 2015-2016 Legislative Session

This meeting occurred after the deadline for the Governor to Approve or Veto legislation. Status of the following bills was reported without members taking any action:

AB 840 (Ridley-Thomas)	Nurses and Nursing Assistants: overtime	Chapter 217
AB 1386 (Low)	Emergency medical care: epinephrine autoinjectors	Chapter 374
AB 1748 (Mayes)	Pupils: pupil health: opiod antagonist	Chapter 557
AB 2105 (Rodriguez)	Workforce development: allied health professions	Chapter 410

AB 2272 (Thurmond)
AB 2744 (Gordon)
AB 2859 (Low)

Occupational safety and health standards: plume Vetoed
Healing arts: referrals Chapter 360
Professions and vocations: retired category: licenses
Chapter 473

SB 482 (Lara)
SB 1039 (Hill)
SB 1076 (Hernandez)

Controlled substances: CURES database Chapter 708
Professions and vocations Chapter 799
General acute care hospitals: observation services
Chapter 723

SB 1139 (Lara) Health Professions: medical school programs: healing arts
residency training programs: undocumented immigrants: nonimmigrant aliens: scholarships, loans,
and loan repayments Chapter 786

The Committee directed staff to send a letter to Senator Hill in appreciation of his sponsorship of SB 1039.

8.2 Public Comment for Items Not on the Agenda

There were no public comments.

8.3 The meeting adjourned at 12:30 p.m.

Submitted by: _____
Stacie Berumen, Assistant Executive Officer

Approved by: _____
Michael D. Jackson, President

BOARD OF REGISTERED NURSING
Legislative Committee
Agenda Item Summary

AGENDA ITEM: 8.1
DATE: January 11, 2017

ACTION REQUESTED: 2015-2016 Goals and Objectives: Summary of Accomplishments

REQUESTED BY: Kay Weinkam, NEC and Legislative Liaison

BACKGROUND:

The Board approved the 2015-2016 Legislative Committee Goals and Objectives at its February 5, 2015, meeting. A Summary of Accomplishments has been compiled for review.

NEXT STEP: Place on Board Agenda

**FINANCIAL
IMPLICATIONS,
IF ANY:**

None

PERSON TO CONTACT: Kay Weinkam, M.S., RN, CNS
Phone: (916) 574-7600

**BOARD OF REGISTERED NURSING
LEGISLATIVE COMMITTEE**

**Goals and Objectives
2015-2016 Summary of Accomplishments**

GOAL 1: **Keep the Board of Registered Nursing informed about pertinent legislation and regulations that may affect nursing practice, education, and nurses' roles in the delivery of health care and administrative functions of the Board.**

OBJECTIVE: 1.1 Analyze legislative proposals and make position recommendations to the Board at each Board meeting.

The committee provided information and analyses of each bill followed, and made recommendations to the Board at each Board meeting.

During the 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. The Board followed 45 bills of which 18 became law, 5 were vetoed by the Governor, and 22 either failed in committees or respective houses, or were no longer applicable to the Board.

GOAL 2: **Monitor current legislation on behalf of the Board.**

OBJECTIVE: 2.1 Advocate for or against legislation as directed by the Board.

The committee monitored legislative bills relative to the Board. Committee staff advocated for bills supported by the Board and voiced the concerns of the Board for those bills to which it expressed its opposition.

- Committee staff continued to respond to public inquires concerning bills followed by the Board.
- Staff attended numerous legislative committee hearings concerning bills followed by the Board.

OBJECTIVE: 2.2 Review and suggest appropriate amendments as necessary.

The committee staff participated in recommending and writing amendments to specific bills relative to Board action.

- Committee staff attended legislative meetings and communicated with legislators' staff to articulate the Board's position on specific bills.

- Committee staff sent six letters to various senators and assembly members expressing the Board's position of support or opposition to their respective bills.
- The Board sent one letter to the Governor stating its position of opposition to two bills.

OBJECTIVE 2.3 Provide testimony to the Legislature, on behalf of the Board, as requested.

Board members and BRN administrators provided testimony related to legislation as well as contacted legislators or their staff related to the concerns expressed during the Sunset Review process related to the Board initiating legislation.

GOAL 3: Serve as a resource to other Board Committees on legislative and regulatory matters.

OBJECTIVE: 3.1 Assist other Board Committees in reviewing legislative regulatory proposals.

The committee staff served as a resource to other Board Committee members and committee liaisons concerning legislative issues that impacted their respective committees.

GOAL 4: Enhance the Board's process to proactively identify legislation that potentially impacts nursing and the Board.

OBJECTIVE: 4.1 Evaluate additional resources, e.g. Internet, new legislative publications, etc., as sources of pertinent legislative information.

Staff utilized the California Legislative Information maintained by the Legislative Council on the Internet, as well as StateNet. Legislative publications from various associations, and state publications, were also used as resources for legislative activities.

OBJECTIVE: 4.2 Maintain consistent dialogues with Department of Consumer Affairs (DCA) Legislative Unit, Legislators and their staff.

The committee was proactive in identifying and monitoring legislation relative to the Board.

- Committee staff communicated with DCA legislative staff to identify proposed legislation and its potential impact on the BRN.
- Committee staff met and communicated with organizations and sponsors of legislation to articulate and clarify issues relative to the BRN.
- Committee communicated with other state departments, relative to legislation impacting the BRN.

BOARD OF REGISTERED NURSING
Legislative Committee
Agenda Item Summary

AGENDA ITEM: 8.2
DATE: January 11, 2017

ACTION REQUESTED: 2015-2016 Legislative Session Summary

REQUESTED BY: Donna Gerber, Chair
Legislative Committee

BACKGROUND:

A summary of the bills chaptered in the 2015-2016 legislative session has been compiled for review. Those for 2015 were presented to the Board in February 2016. The bills chaptered in 2016 during the second year of the two-year legislative session are presented here.

NEXT STEP: Place on Board agenda

PERSON TO CONTACT: Kay Weinkam, M.S., RN, CNS
Phone: (916) 574-7600

**BOARD OF REGISTERED NURSING
LEGISLATIVE COMMITTEE**

2016 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 a number of subjects, each affects registered nursing in some way.

A Legislative Summary for 2015 was presented to the Board at its February 2016 meeting, and the legislative summaries for the bills that became law appear in those materials. Unless otherwise stated, those statutes took effect January 1, 2016.

In 2016, the Board continued to follow the two-year bills, the bills introduced in 2016, and bills that were amended so that they now applied to the Board. There were 32 bills followed of which 10 became law, 2 were vetoed, and 20 bills failed to move out of committee or concurrence as amended.

For the 2015-2016 Legislative Session, the Board followed a total of 45 bills of which 18 became law, 5 were vetoed, 2 were no longer applicable to the Board, and 20 remained in committee or their respective houses.

The following is a brief description of those bills that became law in 2016. Please refer to the bills themselves for more details because this summary reflects only the portions that pertain to nursing or the Board. Unless otherwise stated, the statutes of 2016 became effective January 1, 2017.

Because bills may also contain additional provisions or definitions not included here, it is recommended that the reader consult the full bill at: <http://leginfo.legislature.ca.gov>.

**AB 1386 (Low)
Chapter 374, Statutes of 2016
Emergency medical care: epinephrine auto-injectors**

This bill permits a health care provider to issue a prescription for, and a pharmacy to dispense, an epinephrine auto-injector to an authorized entity, which is defined as any entity or organization that employs at least one person who has completed an approved training course on the emergency use of epinephrine auto-injectors.

**AB 1748 (Mayes)
Chapter 557, Statutes of 2016
Pupils: pupil health: opioid antagonist**

The bill authorizes school nurses or, if the school does not have a school nurse, a person who has received training regarding naloxone hydrochloride or another opioid antagonist to immediately administer naloxone hydrochloride or another opioid antagonist under certain circumstances. The bill provides that volunteers may administer naloxone hydrochloride or another opioid antagonist only by nasal spray or by auto-injector, as specified. This bill authorizes a pharmacy to furnish naloxone hydrochloride or another opioid antagonist to a school district, county office of education, or charter school if certain conditions are met.

AB 2105 (Rodriguez)
Chapter 410, Statutes of 2016
Workforce development: allied health professions

This bill requires the Department of Consumer Affairs to engage in a stakeholder process to update policies and remove barriers to facilitate the development of “earn and learn” training programs in the allied health professions. The bill requires that the statutory barriers identified through this process to be provided to the relevant legislative policy committee by January 1, 2020.

AB 2744 (Gordon)
Chapter 360, Statutes of 2016
Healing arts: referrals

This bill clarifies that the payment or receipt of consideration for advertising where a healing arts licensee offers or sells services through a third-party online advertiser shall not constitute a referral of patients when the third-party advertiser does not recommend, endorse, or otherwise select a licensee. This bill provides that the purchaser of services is entitled to a full refund in the event that the licensee determines that the service is not appropriate for the purchaser or if the purchaser declines the service for any reason and requests a refund.

AB 2859 (Low)
Chapter 473, Statutes of 2016
Professions and vocations: retired category: licenses

This bill authorizes any of the boards, bureaus, commissions, or programs within the Department of Consumer Affairs to establish, by regulation and with some limitations, a system for a retired category of licensure for persons not actively engaged in the practice of their profession or vocations.

SB 482 (Lara)
Chapter 708, Statutes of 2016
Controlled substances: CURES database

This bill requires a health care provider authorized to prescribe, order, administer, or furnish a controlled substance to consult the Controlled Substances Utilization Review and Evaluation System (CURES) prior to prescribing a Schedule II, III, or IV drug to a patient for the first time and at least once every four months thereafter if the substance remains part of the treatment of the patient. The bill provides exemptions for health care practitioners from the duty to consult the CURES database in certain circumstances. The bill clarifies that regulatory boards under the Department of Consumer Affairs that oversee practitioners who do not prescribe, order, administer, furnish, or dispense controlled substances shall not have access to CURES. The bill provides that health care providers may share CURES data with the patient.

SB 1039 (Hill)
Chapter 799, Statutes of 2016

Professions and Vocations

Related to the Nursing Practice Act:

This bill requires that the content of a continuing education course be based on generally accepted scientific principles. The bill also requires the board to audit continuing education providers, at least once every 5 years, to ensure adherence to regulatory requirements, and to withhold or rescind approval from any provider that is in violation of regulatory requirements.

The bill raises specified fees, and would provide for additional fees, to be paid by licensees and applicants for licensure or for approval, continuing approval, or substantive change to an approval of a nursing program.

Related to telephone medical advice:

This bill eliminates the Telephone Medical Advice Services Bureau. The bill instead makes the respective healing arts licensing boards responsible for enforcing the provisions related to telephone medical advice services and any other laws and regulations affecting California licensed health care professionals providing telephone medical advice services.

SB 1076 (Hernandez) Chapter 723, Statutes of 2016 General acute care hospitals: observation units

This bill establishes new requirements for observation services provided by acute care hospitals including that observation services provided in an outpatient observation unit comply with the same nurse-to-patient ratios as emergency services. This bill requires patients receive written notice when they are receiving observation services while housed in an inpatient unit of the hospital.

SB 1139 (Lara) Chapter 786, Statutes of 2016 Health professionals: medical school programs: healing arts residency training programs: undocumented immigrants: nonimmigrant aliens: scholarships, loans, and loan repayments

This bill prohibits specified grant, loan repayment and loan forgiveness, and scholarship programs administered the Office of Statewide Health Planning and Development from denying an application based on an applicant's citizenship or immigration status.

SB 1348 (Cannella) Chapter 174, Statutes of 2016 Licensure applications: military experience

This bill requires each board with a governing law authorizing veterans to apply military experience and training towards licensure requirements to post information on the board's Internet Web site about the ability of veteran applicants to apply their military experience and training towards licensure requirements.

BOARD OF REGISTERED NURSING
Legislative Committee
Agenda Item Summary

AGENDA ITEM: 8.3
DATE: January 11, 2017

ACTION REQUESTED: 2017-2018 Suggested Goals and Objectives for the Current
Legislative Session; Recommendation to the Full Board.

REQUESTED BY: Donna Gerber, Chair
Legislative Committee

BACKGROUND:

The 2017-2018 Goals and Objectives of the Legislative Committee are submitted for review and consideration.

NEXT STEPS: Place on Board Agenda

PERSON(S) TO CONTACT: Kay Weinkam, M.S., RN, CNS
Phone: (916) 574-7600

**BOARD OF REGISTERED NURSING
LEGISLATIVE COMMITTEE**

2017-2018 Goals and Objectives

GOAL 1: **Keep the Board of Registered Nursing informed about pertinent legislation that may affect nursing practice, education, nurses' roles in the delivery of health care, and administrative functions of the Board.**

OBJECTIVE: 1.1 Analyze legislative proposals and make position recommendations to the Board at each Board meeting.

GOAL 2: **Monitor current legislation on behalf of the Board.**

OBJECTIVE: 2.1 Advocate for or against legislation as directed by the Board.

OBJECTIVE: 2.2 Review and suggest appropriate amendments as necessary.

OBJECTIVE: 2.3 Provide testimony to the Legislature, on behalf of the Board, as requested.

OBJECTIVE: 2.4 Facilitate the Chair and Committee members advising the legislature regarding specific legislation.

GOAL 3: **Serve as a resource to other Board committees on legislative and regulatory matters.**

OBJECTIVE: 3.1 Assist other Board committees in reviewing legislative and regulatory proposals.

GOAL 4: **Enhance the Board's process to proactively identify legislation that potentially impacts nursing and the Board.**

OBJECTIVE: 4.1 Evaluate resources, e.g. Internet, new legislative publications, etc., as sources of pertinent legislative information.

OBJECTIVE: 4.2 Maintain consistent dialogue with the Department of Consumer Affairs' Legislative Unit, legislators, and their staff.

OBJECTIVE: 4.3 Advise legislators and staff during the Sunset Review in 2017.

GOAL 5:

Monitor legislation and regulations to ensure protection of the existing RN duty of patient advocacy.

DRAFT