



## Agenda Item 7.0

### **Report of the Nursing Practice Committee**

BRN Board Meeting Meeting | February 16-17, 2022

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## Agenda Item 7.1

### **Nurse Practitioner Advisory Committee (NPAC) Updates – Informational Only**

BRN Board Meeting | February 16-17, 2022

**BOARD OF REGISTERED NURSING**  
**Nursing Practice Committee**  
**Agenda Item Summary**

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**AGENDA ITEM: 7.1**  
**DATE:** February 16-17, 2022

**ACTION REQUESTED:** Nurse Practitioner Advisory Committee (NPAC) Updates – Informational Only

**REQUESTED BY:** Elizabeth (Betty) Woods, RN, FNP, MSN  
Nursing Practice Committee Chair

**BACKGROUND:**

The NPAC Chair, Samantha Gambles Farr, will provide updates on the activities of the NPAC.

**RESOURCES:**

**NEXT STEPS:**

**FISCAL IMPACT, IF ANY:** None

**PERSON(S) TO CONTACT:** McCaulie Feusahrens  
Chief of the Licensing Division  
California Board of Registered Nursing  
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## Agenda Item 7.2

### **Nurse-Midwifery Advisory Committee (NMAC) Updates – Informational Only**

BRN Board Meeting | February 16-17, 2022

**BOARD OF REGISTERED NURSING**  
**Nursing Practice Committee**  
**Agenda Item Summary**

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**AGENDA ITEM: 7.2**  
**DATE:** February 16-17, 2022

**ACTION REQUESTED:** Nurse-Midwifery Advisory Committee (NMAC) Updates – Informational Only

**REQUESTED BY:** Elizabeth (Betty) Woods, RN, FNP, MSN  
Nursing Practice Committee Chair

**BACKGROUND:**

The NMAC Chair, Mary Kay Phillips, will provide updates on the activities of the NMAC.

**RESOURCES:**

**NEXT STEPS:**

**FISCAL IMPACT, IF ANY:** None

**PERSON(S) TO CONTACT:** McCaulie Feusahrens  
Chief of the Licensing Division  
California Board of Registered Nursing  
[McCaulie.feusahrens@dca.ca.gov](mailto:McCaulie.feusahrens@dca.ca.gov)



## Agenda Item 7.3

**Discussion and Possible Action: Regarding naming conventions for Nurse Practitioners (NP) practicing pursuant to standardized procedures and pursuant to Business and Professions Code (BPC) sections 2837.103 and 2837.104**

BRN Board Meeting | February 16-17, 2022

**BOARD OF REGISTERED NURSING**  
**Nursing Practice Committee**  
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**AGENDA ITEM: 7.3**  
**DATE:** February 16-17, 2022

**ACTION REQUESTED:**      **Discussion and Possible Action:** Regarding naming conventions for Nurse Practitioners (NP) practicing pursuant to standardized procedures and pursuant to Business and Professions Code (BPC) sections 2837.103 and 2837.104.

**REQUESTED BY:**            Elizabeth (Betty) Woods, RN, FNP, MSN  
Nursing Practice Committee Chair

**BACKGROUND:**

To ensure the public understands the different levels of practicing NPs, the NPAC members discussed naming conventions for NPs practicing pursuant to standardized procedures and pursuant to BPC sections 2837.103 and 2837.104. A summary of the NPAC meeting will be provided to the Board members for further discussion on naming conventions.

**RESOURCES:**

**NEXT STEPS:**

**FISCAL IMPACT, IF ANY:**            None

**PERSON(S) TO CONTACT:**            McCaulie Feusahrens  
Chief of the Licensing Division  
California Board of Registered Nursing  
[Mccaulie.feusahrens@dca.ca.gov](mailto:Mccaulie.feusahrens@dca.ca.gov)



## Agenda Item 7.4

**Discussion and Possible Action: Regarding fee analysis to determine value of initial application fee pursuant to BPC section 2837.104, subdivision (b)(2), and possible amendment of California Code of Regulations (CCR), title 16, section 1417, and amendment of proposed draft regulatory language of CCR, title 16, section 1482.4**

BRN Board Meeting | February 16-17, 2022

**BOARD OF REGISTERED NURSING**  
**Nursing Practice Committee**  
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**AGENDA ITEM: 7.4**  
**DATE: February 16-17, 2022**

**ACTION REQUESTED:**           **Discussion and Possible Action:** Regarding fee analysis to determine value of initial application fee pursuant to BPC section 2837.104, subdivision (b)(2), and possible amendment of California Code of Regulations (CCR), title 16, section 1417, and amendment of proposed draft regulatory language of CCR, title 16, section 1482.4.

**REQUESTED BY:**               Elizabeth (Betty) Woods, RN, FNP, MSN  
Nursing Practice Committee Chair

**BACKGROUND:**

AB 890 required the Board to issue a certificate to a Nurse Practitioner (NP) who meets additional specified education and experience requirements and authorized the Board to charge a fee for the cost of issuing the certificate. BPC 2837.104(b)(2) authorizes the Board to charge a fee in an amount sufficient to cover the reasonable regulatory cost of issuing the certificate to a 104 NP; however, this authorization was not provided in the text in AB 890 to charge a fee for the 103 NP. The Board will need to establish in regulation a fee under BPC 2837.104(b)(2) and request statutory authority to establish the same fee for the issuance of a certificate for the 103 NP certificate.

An update on the fee development will be provided and the Board members may discuss the information presented.

**RESOURCES:**

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=BPC&sectionNum=2837.104](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=BPC&sectionNum=2837.104).

BPC Section 2837.104 (emphasis added):

(a) Beginning January 1, 2023, notwithstanding any other law, the following apply to a nurse practitioner who holds an active certification issued by the board pursuant to subdivision (b):

(1) The nurse practitioner may perform the functions specified in subdivision (c) of Section 2837.103 pursuant to that subdivision outside of the settings or organizations specified under subparagraphs (A) to (F), inclusive, of paragraph (2) of subdivision (a) of Section 2837.103.

(2) Subject to subdivision (f) and any applicable conflict of interest policies of the bylaws, the nurse practitioner shall be eligible for membership of an organized medical staff.

(3) Subject to subdivision (f) and any applicable conflict of interest policies of the bylaws, a nurse practitioner member may vote at meetings of the department to which nurse practitioners are assigned.

(b) (1) The board shall issue a certificate to perform the functions specified in subdivision (c) of Section 2837.103 pursuant to that subdivision outside of the settings and organizations specified under subparagraphs (A) to (F), inclusive, of paragraph (2) of subdivision (a) of Section 2837.103, if the nurse practitioner satisfies all of the following requirements:

(A) The nurse practitioner meets all of the requirements specified in paragraph (1) of subdivision (a) of Section 2837.103.

(B) Holds a valid and active license as a registered nurse in California and a master's degree in nursing or in a clinical field related to nursing or a doctoral degree in nursing.

(C) Has practiced as a nurse practitioner in good standing for at least three years, not inclusive of the transition to practice required pursuant to subparagraph (D) of paragraph (1) of subdivision (a) of Section 2837.103. The board may, at its discretion, lower this requirement for a nurse practitioner holding a Doctorate of Nursing Practice degree (DNP) based on practice experience gained in the course of doctoral education experience.

**(2) The board may charge a fee in an amount sufficient to cover the reasonable regulatory cost of issuing the certificate.**

(c) A nurse practitioner authorized to practice pursuant to this section shall comply with all of the following:

(1) The nurse practitioner, consistent with applicable standards of care, shall not practice beyond the scope of their clinical and professional education and training, including specific areas of concentration and shall only practice within the limits of their knowledge and experience and national certification.

(2) The nurse practitioner shall consult and collaborate with other healing arts providers based on the clinical condition of the patient to whom health care is provided. Physician consultation shall be obtained as specified in the individual protocols and under the following circumstances:

(A) Emergent conditions requiring prompt medical intervention after initial stabilizing care has been started.

(B) Acute decompensation of patient situation.

(C) Problem which is not resolving as anticipated.

(D) History, physical, or lab findings inconsistent with the clinical perspective.

(E) Upon request of patient.

(3) The nurse practitioner shall establish a plan for referral of complex medical cases and emergencies to a physician and surgeon or other appropriate healing arts providers. The nurse practitioner shall have an identified referral plan specific to the practice area, that includes specific referral criteria. The referral plan shall address the following:

(A) Whenever situations arise which go beyond the competence, scope of practice, or experience of the nurse practitioner.

(B) Whenever patient conditions fail to respond to the management plan as anticipated.

(C) Any patient with acute decomposition or rare condition.

(D) Any patient conditions that do not fit the commonly accepted diagnostic pattern for a disease or disorder.

(E) All emergency situations after initial stabilizing care has been started.

(d) A nurse practitioner shall verbally inform all new patients in a language understandable to the patient that a nurse practitioner is not a physician and surgeon. For purposes of Spanish language speakers, the nurse practitioner shall use the standardized phrase "enfermera especializada."

(e) A nurse practitioner shall post a notice in a conspicuous location accessible to public view that the nurse practitioner is regulated by the Board of Registered Nursing. The notice shall include the board's telephone number and internet website where the nurse practitioner's license may be checked and complaints against the nurse practitioner may be made.

(f) A nurse practitioner practicing pursuant to this section shall maintain professional liability insurance appropriate for the practice setting.

(g) For purposes of this section, corporations and other artificial legal entities shall have no professional rights, privileges, or powers.

(h) Subdivision (g) shall not apply to a nurse practitioner if either of the following apply:

(1) The certificate issued pursuant to this section is inactive, surrendered, revoked, or otherwise restricted by the board.

(2) The nurse practitioner is employed pursuant to the exemptions under Section 2401.

**NEXT STEPS:**

**FISCAL IMPACT, IF ANY:**

TBD

**PERSON(S) TO CONTACT:**

McCaulie Feusahrens  
Chief of the Licensing Division  
California Board of Registered Nursing  
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