



FIRST AMENDED
BOARD MEETING AGENDA

PUBLIC TELECONFERENCE MEETING

April 15-16, 2020

NOTE: Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, dated March 17, 2020, a physical meeting location is not being provided.

Important Notices to the Public: The Board of Registered Nursing will hold a public meeting via a teleconference platform. ~~The information to access the meeting will be provided on an amended posted agenda.~~

INSTRUCTIONS FOR PARTICIPATION: Please see the instructions attached hereto to observe and participate in the meeting using WebEx from a Microsoft Windows-based PC.

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

For all those who wish to participate or observe the meeting on Wednesday, April 15, 2020, please log on to this website: <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=ef54bcd973bc7b48bdfadb7800adda95>

For all those who wish to participate or observe the meeting on Thursday, April 16, 2020, please log on to this website: <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=e17acbac768eba037e5edd4d26783c84d>

As an alternative, members of the public who wish to observe the meeting on April 16th without making public comment can do so (provided no unforeseen technical difficulties) at: <https://thedcapage.wordpress.com/webcasts/>

Public comments will be limited to two minutes unless, in the discretion of the Board, circumstances require a shorter period; members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

Wednesday, April 15, 2020– 9:00 am – 5:00 pm Board Meeting

1.0 9:00 am Call to Order, Roll Call, and Establishment of a Quorum

Members: Michael Jackson, RN, MSN, President
Donna Gerber, Vice President
Elizabeth A. Woods, MSN, FNP, RN
Trande Phillips, RN
Imelda Ceja-Butkiewicz, Public Member
Kenneth Malbrough, Public Member
Dolores Trujillo, RN
Karen Skelton, Public Member

Acting Executive Officer: Loretta Melby, RN, MSN

2.0 General Instructions for the Format of a Teleconference Call

3.0 Closed Session

3.1 Disciplinary Matters

The Board will convene in closed session pursuant to Government Code section 11126(c)(3) to deliberate on disciplinary matters, including stipulations and proposed decisions.

3.2 Pending Litigation

3.2a The Board will convene in closed session pursuant to Government Code section 11126(e)(1), (2)(A) to confer with and receive advice from legal counsel regarding the following matters:

- *American Career College v. The California Board of Registered Nursing*, Los Angeles Superior Court Case No. 19STCP01383; and
- *The People of the State of California v. Purdue Pharma, L.P.*, Orange County Superior Court Case No. 2014-00725287.

3.2b The Board will convene in closed session pursuant to Government Code section 11126, subdivision (e)(1), (2)(B), to confer with and receive advice from legal counsel.

4.0 Reconvene in Open Session – Recess until April 16, 2020 at 9:00 a.m.

Thursday, April 16, 2020– 9:00 am

1.0 Call to Order/ Roll Call and Establishment of a Quorum

Members: Michael D. Jackson, MSN, RN, President
Donna Gerber, Vice President
Elizabeth A. Woods, MSN, FNP, RN
Trande Phillips, RN
Imelda Ceja-Butkiewicz, Public Member
Kenneth Malbrough, Public Member

Dolores Trujillo, RN
Karen Skelton, Public Member

Acting Executive

Officer: Loretta Melby, RN, MSN

2.0 General Instructions for the Format of a Teleconference Call

3.0 Review and Vote on Whether to Approve Minutes of Board meetings held on:

3.1 October 17, 2019

3.2 November 13-14, 2019

3.3 December 5, 2019

3.4 December 20, 2019

3.5 January 9, 2020

3.6 January 17, 2020

3.7 February 19-20, 2020

4.0 Executive Officer Report

5.0 Discussion Regarding Executive Order N-39-20 and Waivers by the Director of the California Department of Consumer Affairs

6.0 Report of the Administrative Committee

Michael Jackson, RN, MSN, President, Chairperson

6.1 Discussion **and possible action** regarding regulatory modifications to California Code of Regulations, title 16, section 1426 to permit increased clinical practice hours not in direct patient care during a declared state of emergency.

6.2 Discussion and possible action regarding revisions to the May and June 2020 meetings as to dates and locations or cancellation during a declared state of emergency.

7.0 Report of the Education/Licensing Committee

Michael D. Jackson, MSN, RN, Chairperson

7.1 Discussion and Possible Action Regarding Education/Licensing Committee Recommendation to Ratify Minor Curriculum Revisions and Acknowledge Receipt of Program Progress Reports (16 CCR 1426) (Consent)

- California State University San Bernardino Baccalaureate Degree Nursing Program
- Carrington College Advanced Placement LVN-RN Associate Degree Nursing Program
- Mendocino College Associate Degree Nursing Program
- Monterey Peninsula College Associate Degree Nursing Program

- Los Angeles Trade Tech College Associate Degree Nursing Program
- The Marsha Fuerst School of Nursing at GCC and GCC-SD Associate Degree Nursing Program
- University of California Davis, Betty Irene Moore School of Nursing Family Nurse Practitioner FNP-MS Nursing

Acknowledge Receipt of Program Progress Reports:

- Simpson University Baccalaureate Degree Nursing Program
- American University of Health Sciences Baccalaureate Degree Nursing Program
- Reedley College at Madera Community College Center Associate Degree Nursing Program
- The Marsha Fuerst School of Nursing Associate Degree Nursing Program (GCC-SD)

7.2 Discussion and Possible Action Regarding Education/Licensing Committee Recommendations

7.2.1 Recommend Ratification of Applications for Prelicensure Program Continuing Approval (BPC 2788; 16 CCR 1421, 1423) (Consent)

- Mount San Jacinto Associate Degree Nursing Program
- Weimar Institute Associate Degree Nursing Program

7.2.2 Recommend Approval or Other Action Regarding Prelicensure Program Unit Adjustment or Other Changes for Prelicensure Nursing Programs (16 CCR 1426, 1432) (Major Curriculum – no enrollment increase) (Consent)

- The Valley Foundation School of Nursing at San Jose State University Baccalaureate Degree Nursing Program
- Stanbridge University Associate Degree Nursing Program

7.2.3 Recommend Continuing Approval or Other Action for Approved Nursing Programs (Prelicensure), Mendocino College Associate Degree Nursing Program, with a Progress Report to NEC in One (1) year, March 2021. (BPC 2788; 16 CCR 1421, 1423) (Consent)

7.3 Discussion and Possible Action Regarding Whether to Accept Recommendation to Approve or Take Other Action Regarding Prelicensure Program Unit Adjustment or Other Changes, California State University San Bernardino Baccalaureate Degree Nursing Program (16 CCR 1426, 1432) (Major Curriculum Revision – WITH Enrollment Increase AND Change from Quarters to Semesters) (Present)

7.4 Discussion and Possible Action Regarding Whether to Accept Recommendation to Accept Program Progress Report, Discussion and Possible Action to Address Any Performance Gaps Including Actions Described in 16 CCR § 1423.2(a). East Los Angeles College Associate Degree Nursing Program (Present)

7.5 Discussion and Possible Action Regarding Whether to Accept Recommendation to Change Warning Status with Intent to Close to Deferred Approval Status of Prelicensure Nursing Program, Career Care Institute Associate Degree Nursing Program with Quarterly Progress Report to NEC in

One (1) Year and Return to ELC Meeting March 2021. (BPC 2788; 16 CCR 1421, 1423) (Present)

7.6 NCLEX Updates

7.7 Licensing Program Update

8.0 Report of the Legislative Committee

Donna Gerber, Chairperson

8.1 Discussion of Bills of Interest to the Board of Registered Nursing (Board) and Possible Action Regarding Adoption or Modification of Positions on Bills Introduced During the 2019-2020 Legislative Session:

- [AB 329](#) (Rodriguez) Hospitals: assaults and batteries
- [AB 362](#) (Eggman) Controlled substances: overdose prevention program
- [AB 613](#) (Low) Professions and vocations: regulatory fees
- [AB 732](#) (Bonta) County jails: pregnant inmates
- [AB 890](#) (Wood) Nurse practitioners
- [AB 1145](#) (Cristina Garcia) Child abuse: reportable conduct
- [AB 1544](#) (Gipson) Community Paramedicine or Triage to Alternate Destination Act
- [AB 1616](#) (Low) Department of Consumer Affairs: boards: expunged convictions
- [AB 1759](#) (Salas) Health care workers: rural and underserved areas
- [AB 1909](#) (Gonzalez) Healing arts licensees: virginity examinations or tests
- [AB 1917](#) (Ting) Budget Act of 2020
- [AB 1928](#) (Kiley/Melendez) Employment standards: independent contractors and employees
- [AB 1998](#) (Low) Dental Practice Act: unprofessional conduct: patient of record
- [AB 2028](#) (Aguiar-Curry) State agencies: meetings
- [AB 2185](#) (Patterson/Gallagher) Professions and vocations: applicants licensed in other states: reciprocity
- [AB 2549](#) (Salas) Department of Consumer Affairs: temporary licenses
- [AB 2704](#) (Ting) Healing Arts: licenses: data collection
- [AB 3016](#) (Dahle) Board of Registered Nursing: Online License Verification
- [SB 3](#) (Allen/Glazer) Office of Higher Education Coordination, Accountability, and performance
- [SB 808](#) (Mitchell) Budget Act of 2020
- [SB 878](#) (Jones) Department of Consumer Affairs Licensing: applications: wait times
- [SB 1053](#) (Moorlach) Licensed registered nurses and licensed vocational nurses: Nurse Licensure Compact
- [SB 1237](#) (Dodd) Nurse-Midwives: scope of practice

9.0 Report of the Intervention/Discipline Committee

Imelda Ceja-Butkiewicz, Chairperson

9.1 Information Only: Complaint Intake and Intervention/Cite & Fine/Legal Support Update

9.2 Information Only: Investigations Update

9.3 Information Only: Discipline and Probation Program Update

9.4 Information Only: Enforcement and Intervention Statistics

10.0 Public Comment for Items Not on the Agenda; Items for Future Agenda

Note: The Board may not discuss or take action on any matter raised during the Public Comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting. (Government Code sections 11125 and 11125.7(a).)

11.0 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 Office at 1747 North Market Blvd., Suite 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.

HOW TO – Join – DCA WebEx Event

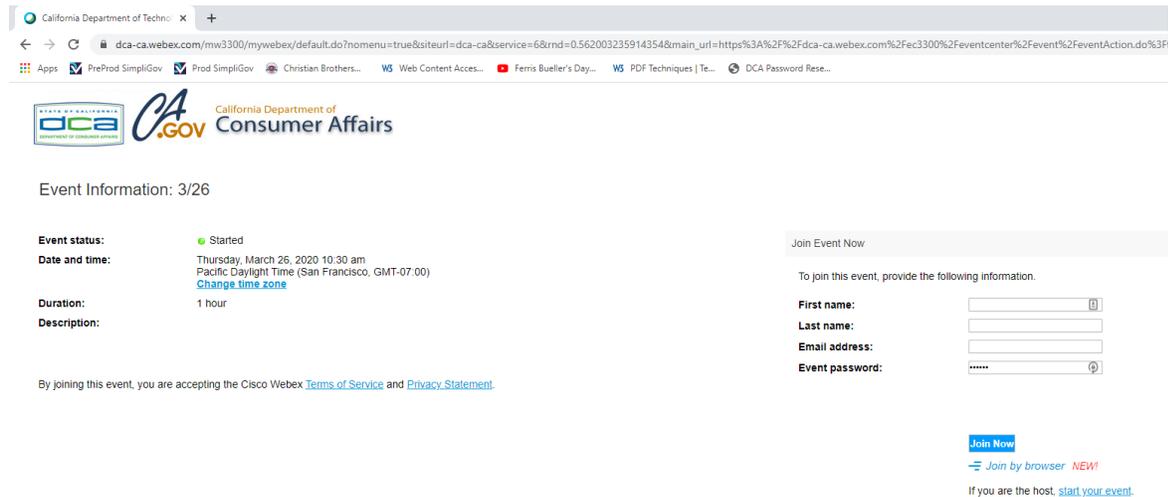
The following contains instructions to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

NOTE: The preferred audio connection to our event is via telephone conference and not the microphone and speakers on your computer. Further guidance relevant to the audio connection will be outlined below.

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

Example link:

<https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5>



2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.
NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.

HOW TO – Join – DCA WebEx Event

Event Information: 3/26

Event status: Started
Date and time: Thursday, March 26, 2020 10:30 am
Pacific Daylight Time (San Francisco, GMT-07:00)
[Change time zone](#)
Duration: 1 hour
Description:

By joining this event, you are accepting the Cisco Webex [Terms of Service](#) and [Privacy Statement](#).

Join Event Now

To join this event, provide the following information.

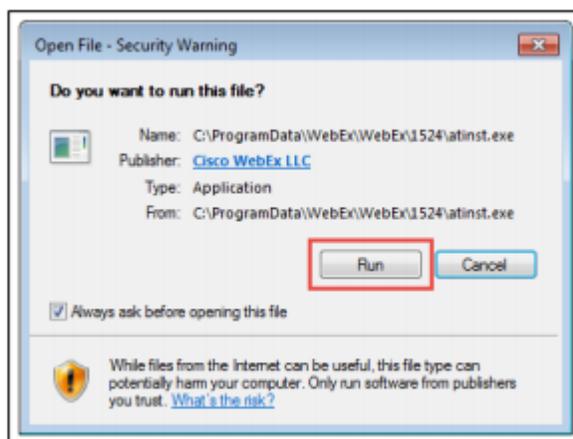
First name: Jason
Last name: Piccione
Email address: jason.piccione@dca.ca.gov
Event password:

Join Now
[Join by browser](#) **NEW!**
If you are the host, [start your event](#)

3. Click the 'Join Now' button.

NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



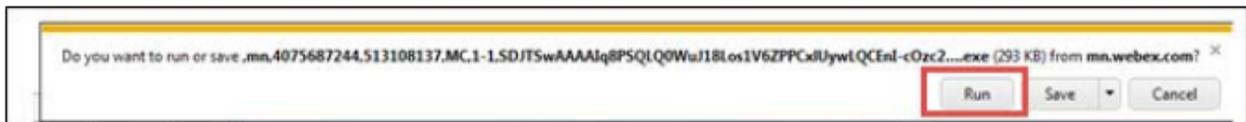
Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

Starting Webex...



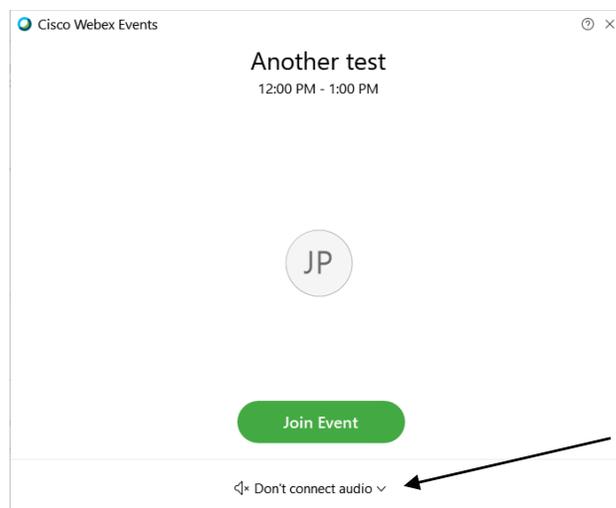
Still having trouble? [Run a temporary application](#) to join this meeting immediately.

5. To bypass step 4, click 'Run a temporary application'.
6. A dialog box will appear at the bottom of the page, click 'Run'.



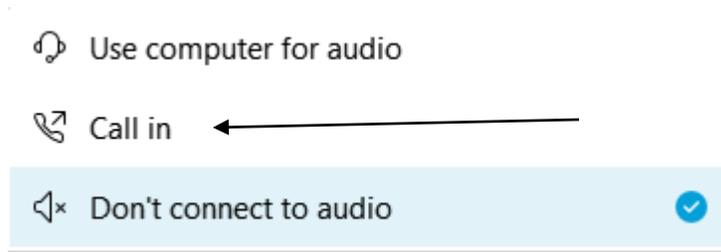
The temporary software will run, and the meeting window will open.

7. Click the audio menu below the green 'Join Event' button.



HOW TO – Join – DCA WebEx Event

8. When the audio menu appears click 'Call in'.

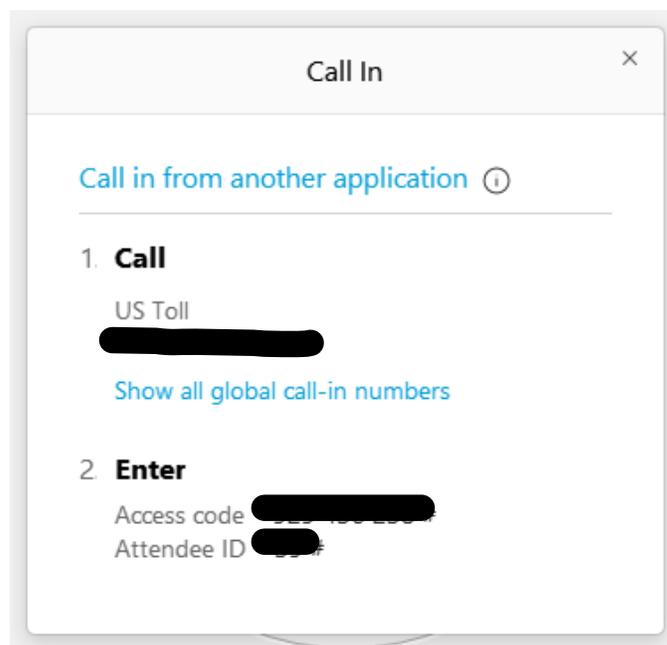


9. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



Call in ▾

10. Call into the audio conference with the details provided.

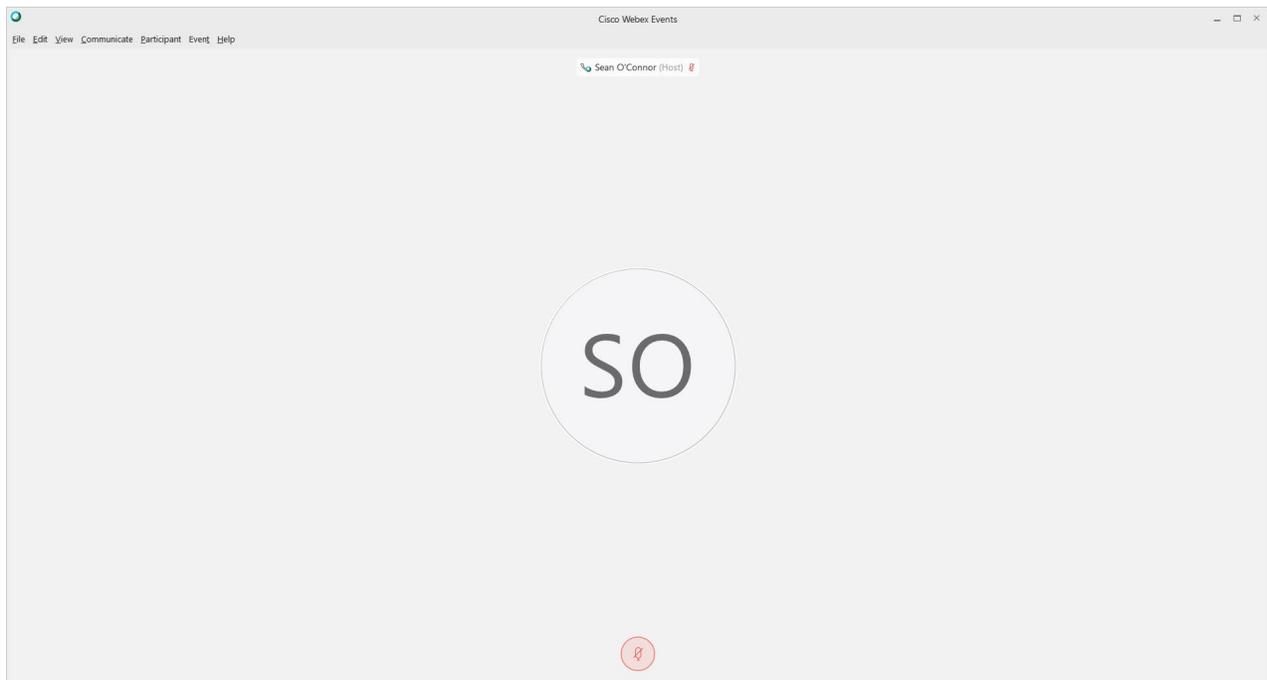


HOW TO – Join – DCA WebEx Event

NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.

Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

Congratulations!

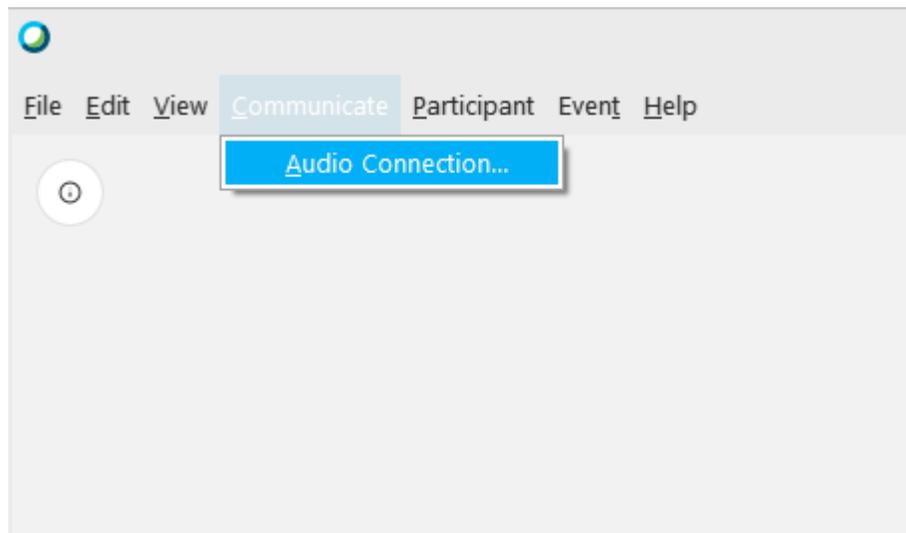


NOTE: Your audio line is muted and can only be unmuted by the event host.

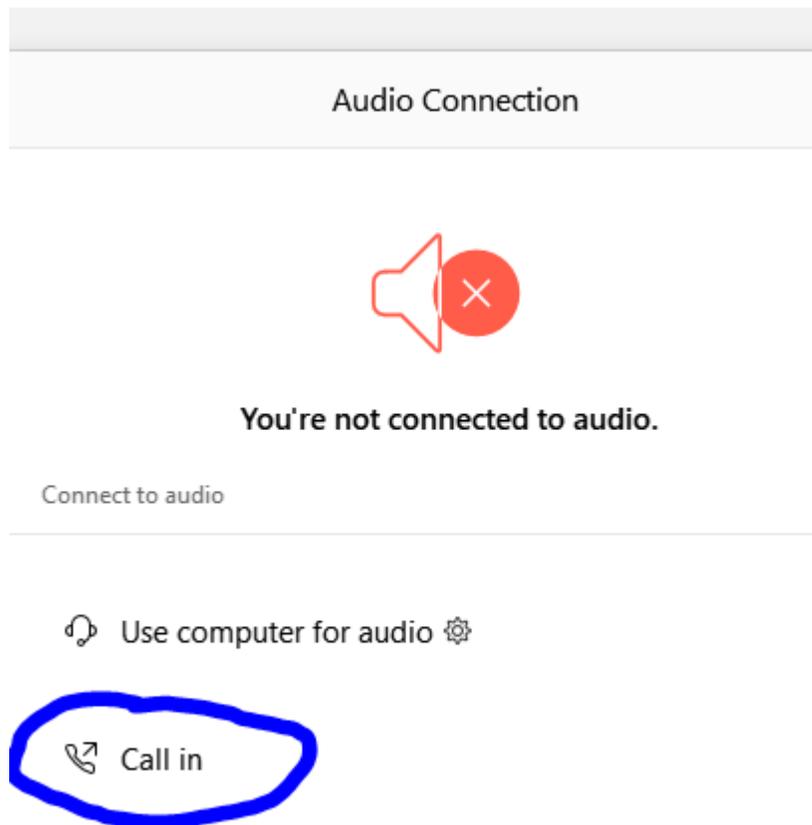
If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

Select 'Communicate' and 'Audio Connection' from top left of your screen.

HOW TO – Join – DCA WebEx Event



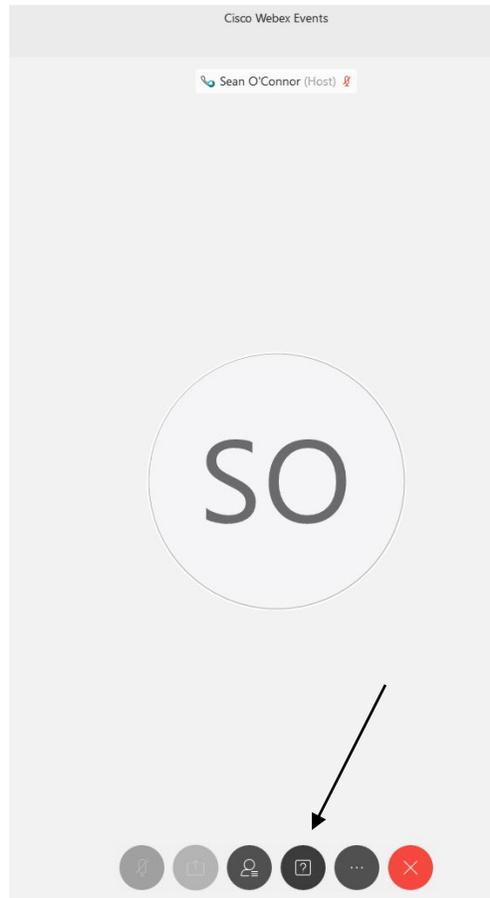
The 'Call In' information can be displayed by selecting 'Call in' then 'View'



You will then be presented the dial in information for you to call in from any phone.

Participating During a Public Comment Period

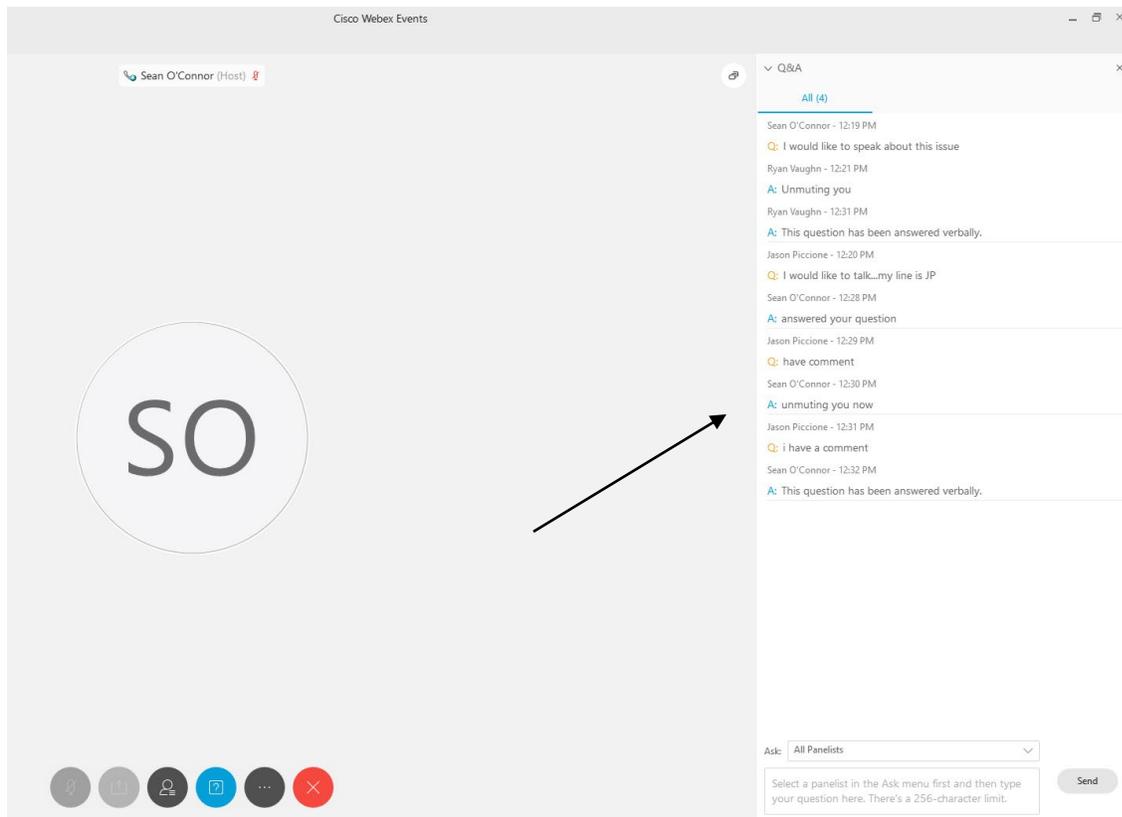
At certain times during the event, the facilitator may call for public comment. If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.



This will bring up the 'Q and A' chat box.

NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.

HOW TO – Join – DCA WebEx Event



To request time to speak during a public comment period, make sure the 'Ask' menu is set to 'All panelists' and type 'I would like to make a public comment'.

Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

NOTE: Your line will be muted at the end of the allotted public comment duration. You will be notified when you have 10 seconds remaining.