



BOARD MEETING AGENDA

PUBLIC TELECONFERENCE MEETING

May 27 - 29, 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 Notice to the Public: The Board of Registered Nursing will hold a public meeting via a teleconference platform.

INSTRUCTIONS FOR PARTICIPATION:

For all those who wish to participate or observe the meeting on Wednesday, May 27, 2020, please log on to this website: <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=e264444aefe8f39067d2b035e5e87e912>

For all those who wish to participate or observe the meeting on Thursday, May 28, 2020, please log on to this website: <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=ef3e35f3414688b95004b09f672b139b1>

For all those who wish to participate or observe the meeting on Friday, May 29, 2020, please log on to this website: <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=e4e5f21c1efad277fadc43aa13d1c699e>

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.

As an alternative, members of the public who wish to observe the public portion of the Board meeting 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, May 27, 2020 – 8:00 am – 5:00 pm Board Meeting

Notice: This portion of the meeting will be Webcast, provided there are no unforeseen technical difficulties or limitations. To view the Webcast, please visit <https://thedcapage.wordpress.com/webcasts/>

1.0 8:00 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 Personnel

The Board will convene in closed session pursuant to Government Code section 11126, subdivision (a)(1) to consider the appointment of a permanent Executive Officer.

3.2 Disciplinary Matters

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

3.3 Pending Litigation

The Board will convene in closed session pursuant to Government Code section 11126, subdivisions (e)(1) and (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;
- *The People of the State of California v. Purdue Pharma, L.P.*, Orange County Superior Court Case No. 2014-00725287; and
- *Heather Gautier v. California Department of Consumer Affairs, California Board of Registered Nursing*, San Francisco County Superior Court (case no. unavailable).

3.4 Bureau of State Audits

The Board will convene in closed session pursuant to Government Code section 11126.2, subdivision (a) to discuss its response to the confidential final draft audit report from the Bureau of State Audits in audit 2019-120 (Oversight of Pre-Licensure Nursing School Programs).

4.0 Reconvene in Open Session

5.0 Regulation – AB 2138

Consideration of adopting amendments to California Code of Regulations (CCR), title 16, sections 1444 and 1445 - Substantial Relationship Criteria and Criteria for Rehabilitation; and review, consideration, and approval of responses to comments received regarding rulemaking package to amend CCR, title 16, sections 1441, 1444, 1444.5, and 1445.

6.0 Report of the Legislative Committee

Donna Gerber, Chairperson

6.1 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 2635](#) (Gallagher) Nursing programs: clinical hours
- [SB 3](#) (Allen/Glazer) Office of Higher Education Coordination, Accountability, and performance
- [AB 2704](#) (Ting) Healing Arts: licenses: data collection
- [AB 3016](#) (Dahle) Board of Registered Nursing: Online License Verification
- [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

7.0 Report of the Intervention/Discipline Committee

Imelda Ceja-Butkiewicz, Chairperson

- 7.1 **Information Only:** Complaint Intake and Intervention/Cite & Fine/Legal Support Update
- 7.2 **Information Only:** Investigations Update
- 7.3 **Information Only:** Discipline and Probation Program Update
- 7.4 **Information Only:** Enforcement and Intervention Statistics

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

Public comments will be limited to two minutes or less per comment.

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. (Gov. Code, §§ 11125 & 11125.7, subd. (a).)

9.0 Recess to May 28, 2020 at 8:00 am

Thursday, May 28, 2020 – 8:00 am – 5:00 pm Board Meeting

1.0 8:00 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, if necessary

4.0 Reconvene in Open Session

5.0 Continue with unfinished agenda items from May 27, 2020, if necessary

6.0 Committee Meetings

7.0 The Education and Licensing Committee is scheduled to meet on May 28, 2020, pursuant to separately posted agenda.

- 8.0 The Legislative Committee is scheduled to meet on May 28, 2020, pursuant to separately posted agenda.**
- 9.0 Enforcement Intervention Committee is scheduled to meet on May 28, 2020, pursuant to separately posted agenda.**
- 10.0 Recess to May 29, 2020 at 8:00 am**

Friday, May 29, 2020 – 8:00 am – 12:00 pm Board Meeting, if necessary

1.0 8:00 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, if necessary**
- 4.0 Continue with unfinished agenda items from May 27th and/or 28th, if necessary**
- 5.0 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.
