

**STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF REGISTERED NURSING
BOARD MEETING MINUTES**

DATE: May 27-28, 2020

LOCATION: The Board of Registered Nursing will hold a public meeting via a teleconference platform.

BOARD

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

BRN Staff: Loretta Melby, Acting Executive Officer, MSN, RN
Reza Pejuhesh, DCA Legal Counsel

Wednesday, May 27, 2020

1.0 8:00 am Call to Order, Roll Call, and Establishment of a Quorum

Michael D. Jackson, RN, President, called the meeting to order at 8:04 a.m. and established a quorum. All members present.

2.0 General Instructions for the Format of a Teleconference Call

3.0 Closed Session

3.1 Personnel

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

3.2 Disciplinary Actions

The Board convened 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 convened 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

(This item was not discussed in closed session as the audit had not been submitted to BRN in time)

4.0 Reconvene in Open Session – Board President Michael D. Jackson called the meeting into open session at 4:45 pm

**per the Board’s discretion, and due to time constraints, the Board President reordered the agenda, moving agenda items 6.0 – Report of the Legislative Committee and 7.0 – Report of the Enforcement Intervention Committee to Thursday, May 28.*

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.

Motion: Donna Gerber made a motion to adopt the amendments and that the board approve the responses to comments.

Second: Michael Jackson

| Votes | MJ | DG | EW | IC-B | TP | KM | DT | KS |
|-------|----|----|----|------|----|----|----|----|
| | Y | Y | Y | Y | Y | Y | Y | Y |

No Public Comment

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

Lashonda Shannon, BRN Staff Employee

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

Meeting recessed until May 28, 2020 at 5:05 pm

Thursday, May 28, 2020

1.0 8:00 am Call to Order, Roll Call, and Establishment of a Quorum

Michael D. Jackson, RN, President, called the meeting to order at 8:04 a.m. and established a quorum. All members were present. President Jackson started with Agenda item 6.0 Report of the Legislative Committee

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

BRN Representative: Loretta Melby, Acting Executive Officer, MSN, RN
Reza Pejuhesh, BRN Legal Counsel

2.0 General Instructions for the Format of a Teleconference Call

3.0 Closed Session, if necessary

*the Board did not need to go into closed session

4.0 Reconvene in Open Session

*unnecessary as the Board did not go into closed session

5.0 Continue with unfinished agenda items form May 27, 2020 (not necessary, no carry over)

6.0 Report of the Legislative Committee

Donna Gerber, Chairperson
Thelma Harris, BRN Chief of Legislation

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:

Motion: Donna Gerber made a motion to add AB 2288 for discussion and vote.

Second: Michael Jackson

| Votes | MJ | DG | EW | IC-B | TP | KM | DT | KS |
|-------|----|----|----|------|----|----|----|----|
| | Y | Y | Y | Y | Y | Y | Y | Y |

No Public Comment

[AB 890](#) (Wood) Nurse practitioners

Action: Oppose Unless Amended

Motion: Donna Gerber made a motion to continue to oppose unless amended.

Second: Michael Jackson

| Votes | MJ | DG | EW | IC-B | TP | KM | DT | KS |
|-------|----|----|----|------|----|----|----|----|
| | Y | Y | Y | Y | Y | Y | Y | Y |

No Public Comment

[AB 2028](#) (Aguiar-Curry) State agencies: meetings

Action: Oppose unless amended

Motion: Donna Gerber made a motion to oppose AB 2028 unless amended.

Second: Imelda Ceja-Butkiewicz

Public Comment:

Saskia Kim, California Nurses Association

| Votes | MJ | DG | EW | IC-B | TP | KM | DT | KS |
|-------|----|----|----|------|----|----|----|----|
| | Y | Y | Y | Y | Y | Y | Y | Y |

No Public Comment

[AB 2185](#) (Patterson/Gallagher) Professions and vocations: applicants licensed in other states: reciprocity

Action: Support as Amended

Motion: Donna Gerber made a motion to support AB 2185 as amended.

Second: Michael Jackson

| Votes | MJ | DG | EW | IC-B | TP | KM | DT | KS |
|-------|----|----|----|------|----|----|----|----|
| | Y | Y | Y | Y | Y | Y | Y | Y |

No Public Comment

[AB 2549](#) (Salas) Department of Consumer Affairs: temporary licenses

Action: Watch

Motion: Donna Gerber made a motion to watch AB 2549.

Second: Michael Jackson

| Votes | MJ | DG | EW | IC-B | TP | KM | DT | KS |
|-------|----|----|----|------|----|----|----|----|
| | Y | Y | Y | Y | Y | Y | Y | Y |

No Public Comment

[AB 2635](#) (Gallagher) Nursing programs: clinical hours

Action: Oppose

Motion: Donna Gerber made a motion to oppose AB 2635.

Second: Michael Jackson

| Votes | MJ | DG | EW | IC-B | TP | KM | DT | KS |
|-------|----|----|----|------|----|----|----|----|
| | Y | Y | Y | Y | Y | Y | Y | Y |

Public Comment:

Saskia Kim, California Nurses Association

Jody Corliss, Dean, West Coast Ultrasound University

Sharon Goldfarb, Dean, College of Marin

[AB 2288](#) (Low) Nursing Programs: State of Emergency

Action: Support with amendments

Motion: Donna Gerber made a motion to support AB 2288 with amendments.

Second: Michael Jackson

| Votes | MJ | DG | EW | IC-B | TP | KM | DT | KS |
|-------|----|----|----|---------|----|----|----|---------|
| | Y | Y | N | ABSTAIN | Y | Y | Y | ABSTAIN |

Public Comment:

Judy Corliss, Dean, West Coast Ultrasound University

Saskia Kim, California Nurses Association

[AB 3016](#) (Dahle) Board of Registered Nursing: Online License Verification

Action: Oppose

Motion: Donna Gerber made a motion to oppose AB 3016.

Second: Michael Jackson

| Votes | MJ | DG | EW | IC-B | TP | KM | DT | KS |
|-------|----|----|----|------|----|----|----|----|
| | Y | Y | Y | Y | Y | Y | Y | Y |

Public Comment:

Saskia Kim, California Nurses Association

[SB 1053](#) (Moorlach) Licensed registered nurses and licensed vocational nurses: Nurse Licensure Compact

Thelma Harris gave a status update on SB 1053.

[SB 1237](#) (Dodd) Nurse-Midwives scope of practice

Action: Support if amended

Motion: Donna Gerber made a motion to support SB 1237, if amended.

Second: Karen Skelton

| Votes | MJ | DG | EW | IC-B | TP | KM | DT | KS |
|-------|----|----|----|------|----|----|----|----|
| | Y | Y | Y | Y | Y | Y | Y | Y |

No Public Comment

7.0 Report of the Enforcement Intervention Committee

Imelda Ceja-Butkiewicz

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

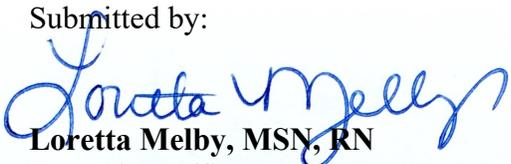
7.5 Public Comment for Enforcement Intervention Committee

Lashonda Shannon, BRN Staff Employee

8.0 Adjournment

Meeting adjourned at 11:24a by President Jackson.

Submitted by:



Loretta Melby, MSN, RN
Executive Officer
California Board of Registered Nursing

Accepted by:



Michael Jackson, MSN, RN
President
California Board of Registered Nursing