



ENFORCEMENT INTERVENTION COMMITTEE

SUPPLEMENTAL MATERIALS TO COMMITTEE MEETING AGENDA

BRN Enforcement Intervention Committee Meeting | August 13, 2020

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Agenda Item 9.1

INFORMATION ONLY: ENFORCEMENT UPDATE

BRN Enforcement Intervention Committee Meeting | August 13, 2020

BOARD OF REGISTERED NURSING
Enforcement Intervention Committee
Agenda Item Summary

AGENDA ITEM: 9.1
DATE: August 13, 2020

ACTION REQUESTED: **Information Only:** Enforcement Intervention Update

REQUESTED BY: Imelda Ceja-Butkiewicz, Chairperson

ACCOMPLISHMENTS:

Complaint Intake

We have been working closely with the Public Information Unit (PIU) to ensure the standard for customer service is maintained while in the telework environment. The managers have assessed phone lines for information, including routes of access, call volume and voicemail capability. We have also worked with PIU staff to receive training on utilizing the Symposium reporting system as it relates to calls received to accurately monitor calls being referred from the PIU.

To maximize the ability for answering incoming calls from the public, the managers have drafted a proposal for a pilot program to begin August 17, 2020 and run to October 31, 2020. This pilot expansion includes all enforcement support staff. All BRN support staff would monitor the voicemail left from the general public on a daily basis. Data will be collected, to assess workload impact and public needs. If this Pilot proves to be effective, the Enforcement Unit will make this expansion permanent.

Investigations

The Investigations Unit has been working closely with the Complaint Intake unit to streamline and improve processes to further the “Go Green” efforts.

Special Investigators are scanning all completed investigations in the field and transferring them electronically to BRN Headquarters for processing. This reduces the time in which a case moves through the process, as well as the cost for printing and shipping.

Both Supervising Special Investigators and the Deputy Chief for Investigation regularly participate with Complaint Intake staff in case Triage meetings to assist with complaint evaluation. This is a vital team building environment which has fostered the ability for staff to be able to regularly and easily exchange ideas and pose questions regarding workload topics.

BRN and the Division of Investigation (DOI) continue to improve the process surrounding case referrals and the Complaint Resolution Pilot Project. DOI has agreed to independently retrieve complaint documents from BreEZe; this will reduce the workload for staff office technicians who can be redirected to help where needed. Additionally, BRN and DOI are evaluating BreEZe to expand its use between the two departments.

BreEZe Subject matter expert Kristie Powell will be conducting training for DOI staff virtually in the next 30-45 days related to assigned complaints, the download of documents and navigation through the various areas. This will further the “go green” efforts of electronic transmission of documents between agencies.

Discipline

The Discipline Unit is looking at the lowest case processing timeframes in years and getting closer to the Department’s goal of 540 days for formal discipline processing.

In response to COVID-19, and the expansion of teleworking opportunities, the Discipline Unit effectively transitioned to a paperless case review system; expanding their use of Breeze for all case items.

We are currently working with the Attorney General’s Office (AGO) on a pilot for the electronic transfer of case files. This pilot is currently with the Los Angeles AGO and will expand to the remaining offices if successful.

Probation

The Probation Unit has successfully testified in hearings using alternative methods such as Microsoft Teams and Conference Calls.

As of August 1, 2020, a new contract with FSSolution will go into effect, reducing the cost for probationary nurses required to drug test, if utilizing the new “in network” facilities.

Probation orientations have successfully been conducted via teleconference to allow for compliance with CDC guidelines.

Intervention

Maximus has been awarded the new contract for the administration of DCA’s alternative to discipline recovery programs, including the BRN Intervention Program. Maximus was the prior contractor for the BRN Intervention Program, and the transition has been seamless. The new contract includes the addition of an outreach specialist who has been recruited to provide up to 45 presentations per year. In an effort to ease participant costs for drug testing while maintaining the integrity of random drug testing, lab costs have been reduced. Maximus has successfully deployed worksite monitor and clinical assessor portals in its case management system, which allow reports to be submitted electronically. Both systems are working well.

With the COVID-19 pandemic, Intervention Evaluation Committee meetings have successfully been implemented through Zoom meetings. Participants, Committee members, and Program staff have all stated the virtual meetings have worked well to maintain face-to-face contact.

UPDATES:

AB 2138 was effective as of July 1, 2020. The BRN's frequently asked questions have been updated on the website to reflect the new changes in AB2138. Please go to <https://www.rn.ca.gov/applicants/lic-faqs.shtml#discipline>

COVID-19 pandemic has created a challenge with outreach presentations due to travel and meeting restrictions. However, staff are currently looking into opportunities to conduct presentations virtually.

STATISTICS:**FISCAL YEAR COMPARISON**

Public Complaints	3,830	4,374	4,429	4,049
Arrest/Conviction Complaints	1,429	1,456	1,349	1,200
Applicants	3,769	3,903	3,289	2,942
Intervention Referrals	1225	995	1047	906
Intervention Successful Completions	113	107	88	96
Investigation Referrals - DOI	621	519	480	434
Investigation Referrals - BRN	675	775	843	837
AG Referrals	1,198	1,282	1,583	1,076
Pleading Served	938	848	970	934
Decisions Adopted	1,282	1,141	1,333	1,287
Citations Issued	366	770	567	296
Citation Amount Ordered	\$266,428	\$519,133	\$392,864	\$207,075
Citation Amount Received	\$202,614	\$391,233	\$311,175	\$202,429
Total Probationers	1,576	1,397	1,239	1,280

In-State Probationers	1,196	1,003	843	847
Out of State (Tolled) Probationers	380	394	396	433
Chemically Dependent Probationers	787	580	443	436
Petitions to Revoke Probation	120	100	90	81

NEXT STEPS:

Continue to Monitor

PERSONS TO CONTACT:

Shannon Johnson, Deputy Chief
(916) 515-5268
Scarlett Treviso, Deputy Chief
(916) 508-9285



Agenda Item 9.1.1

INFORMATION ONLY: DOI/BRN PILOT UPDATE

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AGENDA ITEM: 9.1.1
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ACTION REQUESTED: **Information Only:** DOI/BRN Pilot Update

REQUESTED BY: Imelda Ceja-Butkiewicz, Chairperson

BRN DOI CASE PRIORITIZATION PILOT PROJECT

BRN and DOI continue to follow the one-year Pilot Program initiated in September 2019 that changed case referral guidelines for urgent priority Quality of Care complaints alleging significant patient harm and/or patient death.

As of July 27, 2020, there have been 82 cases submitted for BRN investigation that meet the new case referral guidelines. To date, 45 have been completed and 37 are pending.

The Pilot Program includes case tracking accountability measures so BRN and DCA can closely monitor this critical caseload. David Chriss, Division of Investigation Chief is scheduled to provide a presentation at the September 2020 Board Meeting.

NEXT STEP: Continue monitoring workload and investigative timeframes.

PERSON TO CONTACT: Scarlett Treviso
Enforcement Deputy Chief
(916) 508-9285