

Agenda Item #13.B.



STATE AND CONSUMER SERVICES AGENCY • ARNOLD SCHWARZENEGGER, GOVERNOR

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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DATE: September 1, 2010

TO: Board Members

FROM: 
Angelina Martin
Enforcement Division Chief

SUBJECT: Status of Uniform Standards for Substance Abusing Licensees
and Revision of the Disciplinary Guidelines

On November 16, 2009, the Substance Abuse Coordination Committee (SACC) adopted sixteen uniform standards for substance-abusing healing arts licensees as required by Senate Bill 1441 (Chapter 548, Statutes of 2008). The SACC was tasked with developing these standards by January 1, 2010.

The DCA Director encouraged the boards to promptly implement those standards that do not require legislation or regulatory changes. He also requested that the boards develop proposed statutory and/or regulatory changes, as needed, to fully implement the standards. Draft regulatory language to implement those standards was developed by the board and presented at its May 20, 2010, Board Meeting.

A subcommittee was formed and met on August 4, 2010, to review and discuss possible revisions to uniform standard #4 relative to required drug testing. Public comment was received during the meeting. The subcommittee adopted a new testing frequency schedule to present to the SACC as follows:

- Year 1 – 48 random tests
- Year 2 – 24 random tests
- Year 3+ – 12 random tests

The subcommittee plans to meet again in September 2010 to consider additional issues, such as testing schedules for licensees who are working versus those who are not working, different types of probation tolling, and required drug testing prior to resuming practice. Once the SACC determines what revisions to make to the standards, proposed regulatory language will be submitted to the Board for consideration.