

Agenda Item #22.A.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.

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ENFORCEMENT COMMITTEE MEETING

Thursday, February 9, 2018

Sacramento, CA

Board Members Present: Samantha James-Perez

Via Teleconference: Ken Maxey

Staff Present: Elaine Yamaguchi, Brian Clifford, Brian Vu, Jay Prouty, Rocio Llamas, Matt McLean

1. Call to Order.

Committee Chair Ms. James-Perez called the meeting to order at 2:07 P.M.

2. Staffing Update.

There is currently an 8% vacancy rate within the Enforcement Division. There are 37 total positions, with three vacancies. The three vacancies are as follows:

- Intake & Enhanced Screening Unit: one Staff Services Manager I, one Staff Services Analyst/Associate Governmental Program Analyst
- Probations: one Staff Services Analyst/Associate Governmental Program Analyst

Probation has interviews scheduled for next week. The Intake & Enhanced Screening Unit interviews for the SSMI will commence shortly. Furthermore, Board staff is working with Department Consumer Affairs Office of Human Resources on duty statement approval for the Intake & Enhanced Screening SSA/AGPA.

The Enforcement Division has also welcomed four new staff:

- Stacie Higashi - Supervising Special Investigator
- Jeff Hicks - Complaint Unit Analyst
- Rosemary Chavez - Complaint Unit Analyst
- Hon Wong - Complaint Unit Analyst (internal promotion from Support Services)

3. Intake & Enhanced Screening Update

The Intake & Enhanced Screening unit has been formed. Currently, redirected staff are undergoing a transition plan, phasing out of their previous workload.

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While the Intake desk functions the same, the new duty to this unit will be enhanced screening, or investigations that should not be going to the Investigations Unit. The Intake Unit has been recently trained to triage these cases already. Furthermore, Division of Investigation has assisted in triaging the SI backlog. Nearly 186 cases have been redirected to this unit.

With the redirection of staff, DOI & Enforcement management have taken all secondary review case assignments and are working them collectively. This reflects in the significant number of closed second level review in the weekly statistics. Per the weekly statistics up until February 5, 2018, 39 AS05 cases (completed field investigations by DOI or Special Investigations) have been completed.

4. **Special Investigations Workload Update**

Mr. Vu wanted to commend Ms. Higashi's efforts since joining the Enforcement Division.. She has made an emphasis to move through backlog. The weekly statistics show 34 cases closed from the SI, with the last three months showing single digits.

The Enforcement Management team along with DOI has worked collaboratively to review approved investigations coming from the Investigations Unit. While this quality control review is an Enhanced Screening analyst function, redirected staff are currently closing out previous workload. Rather than pend these AS05 cases until staff are in place, the Enforcement management team and DOI have worked together to complete AS05 review.

5. **Board Enforcement Statistics**

Board staff provided quarterly statistics, noting individual unit trends:

- Complaint Desk Investigations currently remain high due to the recent re-opening of CLPX (subsequent arrest cases closed pending adjudication) cases).
- The interface of the report has been amended to reflect the new business unit, Enhanced Screening. Their workload (174 cases) show a triage of the original Special Investigations queue.
- Citation numbers are on the lower end. This reflects the halting of the Continuing Education Audit Program.
- In line with the weekly statistics as of 2/5/18, there has been an increase in the number of SI cases closed.
- There has been an increase in the number of closed second level review (AS05 cases).
- The total cases pending have decreased in the last 3 weeks.

Board staff also provided a report showing the Attorney General's report for BVNPT. The report, required under B&P Code Section 312.2 shows a baseline concerning Accusation referrals received/adjudicated for each agency. While the numbers will not be exact with BVNPT's numbers, they are similar.

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6. **Final Responses to the Legislature Update 30/90 Day Plan**
Board staff presented a spreadsheet providing updates as mandated by AB 1229. Please see attached.
7. **AB 1229 Compliance**
AB 1229 requires the Board to:
 - Submit a report no later than April 1, 2018, demonstrating progress in implementing recommendations
 - Board staff has prepared a spreadsheet updating responses from the December's submission to the Legislature with regards to the Enforcement Monitor's recommendations.
 - Meet with DOI prior to March 1, 2018, and submit a report identifying allegations, summary of complaint, current status, and whether the case is with DOI or Board staff
 - The Committee reviewed a draft report for submission to DCA. Due to the confidential nature of this report, this will only be reviewed by the Enforcement Committee.
8. **Strategic Plan: Enforcement Goals, Performance Measures**
The Executive Committee mandated each respective committee to have enforcement performance goals and measures as a standing agenda item. The Strategic Plan outlined general parameters for the Enforcement Division, however, Board staff will provide recommendations to the Enforcement Committee.
9. **Suggestion for Future Agenda Items**
The Enforcement Committee will tentatively meet on April 12, 2018, at 9:00 A.M.
10. **Adjournment.**
The meeting adjourned at 3:37 P.M.

The mission of the California Board of Vocational Nursing and Psychiatric Technicians (Board) is to protect the public. Public protection is paramount to the Board and its highest priority in exercising its licensing, regulatory, and disciplinary functions. Towards this end, the Board ensures that only qualified persons are licensed vocational nurses and psychiatric technicians by enforcing education requirements, standards of practice, and by educating consumers of their rights.