



**Board Meeting
NOTICE AND AGENDA**

Thursday-Friday, November 3-4, 2016

THURSDAY, November 3, 2016

**Department of Consumer Affairs
1625 North Market Boulevard, Hearing Room South #102
Sacramento, CA 95834
Telephone: (916) 263-7845**

**9:00 a.m. to 5:00 p.m.
OR UNTIL COMPLETION OF BUSINESS**

Links to agenda items with attachments are available at www.bvnpt.ca.gov, prior to the meeting date.

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

8:30 a.m. OPEN SESSION: Staff Presentation to Students (Board Members Not Present):

1. Overview of Board's Process Related to Applicants with Convictions and Post-Licensure Requirements.
2. Questions and Answers.

9:00 a.m. OPEN SESSION: Board Meeting Begins

3. Call to Order, Roll Call, and Establishment of Quorum.
4. Pledge of Allegiance.
5. Public Comment on Items Not on the Agenda. *The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a)).*

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.

6. Petition Hearings:
 - A. Petitions for Early Termination of Probation:
 1. Evelyn Lopez
 2. Eric Sisk
 - B. Petitions for Reinstatement:
 1. Luis Avalos
 2. Denise Holley
 3. Jessica Jobin
 4. Cedric Knox

LUNCH BREAK

7. **CLOSED SESSION**
 - A. The Board will meet in closed session pursuant to Government Code Section 11126(c)(3) to deliberate and vote on the above matters, and any other disciplinary matters.

Adjourn Closed Session.

8. **RECONVENE OPEN SESSION**
9. Recess until next day.

FRIDAY, November 4, 2016

State Capitol Building
Senate Room 4203
1315 10th Street
Sacramento, CA 95814

9:00 a.m. to 5:00 p.m.

OR UNTIL COMPLETION OF BUSINESS

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

9:00 a.m. OPEN SESSION

10. Call to Order, Roll Call, and Establishment of Quorum.
11. Pledge of Allegiance.
12. Discussion, Consideration and Possible Action on 2016-2017 Sunset Oversight Review Report. Dr. Kameka Brown, Executive Officer
13. Discussion and Possible Action on Sunset Review Report Proposed Legislation. Dr. Kameka Brown, Executive Officer
 - A. Seek Legislation to Create New Fees for Vocational Nurses and Institutions as Presented in Fee Audit Report (October 2016).
 - B. Seek Legislation Authorizing Executive Officer Default Delegation.
 - C. Seek Legislation to Repeal Work Equivalency for Licensure [Business and Professions Code § 2873 (VN) and § 4511(c)(3) (PT)].
 - D. Seek Legislation Authorizing the Board to Establish and Implement a Citation and Fine Program for Approved and Pre-Approved VN and PT Education Programs.
14. Human Resources Report. Discussion and Possible Action. Ricardo DeLaCruz, Personnel Officer, DCA Office of Human Resources
 - A. Nursing Education Consultant Recruitment and Retention
 - B. Discussion of EO Salary Band and Processes for Requesting an Increase
15. Executive Officer's Report
Dr. Kameka Brown, Executive Officer
 - A. Staffing Update
 - B. Education Division
 - C. Licensing Division
 - D. Enforcement Division

16. Review and Adopt Board Meeting Minutes.
 - A. May 12-13, 2016
 - B. June 20, 2016,
 - C. August 25-26, 2016
17. Review and Adopt Executive Officer's Report on Decisions for Vocational Nursing and Psychiatric Technician Programs.
18. Education Committee Report and Recommendations.
Dr. Bernice Bass de Martinez, Board Member and John Vertido, LVN Educator Member
 - A. Consideration and Possible Action on Recommendations Regarding Matters Related to the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX/PN).
 1. Education Committee Recommendation to Deny Request by Southern California Directors of Vocational Nursing Programs' for Candidates' Names Associated with a Program's NCLEX/PN® Pass/Fail Statistics.
 2. Education Committee Recommendation to Deny Request by Southern California Directors of Vocational Nursing Programs' for Proposed Revisions to Testing Criteria, including:
 - a. A Six Month Time Limit for a Candidate to Take the NCLEX/PN after Receiving the Authorization to Test, and
 - b. Required Authorization by Program Director Before Any Retake of the NCLEX/PN.
 - B. Consideration and Possible Action on Recommendations Regarding Placement of Programs on Provisional Approval.
 1. Career Care Institute, Ventura, Vocational Nursing Program. Consideration of Placement on Provisional Approval; Consideration of Request to Admit Students. Faye Silverman, Nursing Education Consultant.
 2. Pasadena City College Vocational Nursing Program. Consideration of Placement on Provisional Approval. Faye Silverman, Nursing Education Consultant.
 3. Shasta College Vocational Nursing Program. Consideration of Placement on Provisional Approval. Margarita Valdes, Nursing Education Consultant.

LUNCH BREAK

19. Nursing Education Consultant Reports on Vocational Nursing and Psychiatric Technician Programs.
 - A. Acceptance of Voluntary Closure of Programs on Provisional Approval.

1. Carrington College, Pleasant Hill, Vocational Nursing.
 - B. Reconsideration of Provisional Approval.
 1. American College of Nursing Psychiatric Technician Program.
 2. American College of Nursing Vocational Nursing Program.
 3. Casa Loma College, Van Nuys, Vocational Nursing Program.
(Also Consideration of Request to Admit Students).
 4. Info Tech Career College Vocational Nursing Program.
(Also Consideration of Request to Admit Students).
 5. St. Joseph College of Nursing Vocational Nursing Program.
(Also Consideration of Request to Admit Students).
 - C. Consideration of Request to Admit Students by Programs on Provisional Approval.
 1. Carrington College, San Jose, Vocational Nursing Program.
 2. High Desert Medical College Vocational Nursing Program.
 3. Homestead Schools, Inc., Vocational Nursing Program.
 4. West Coast Ultrasound Institute, Beverly Hills, Vocational Nursing Program.
20. Enforcement Committee Report.
Andrew Moreno, Board Vice-President and John Dierking, Board Member
- A. Consideration and Possible Action on Role of the Enforcement Committee
 - B. Update of Enforcement Performance Metrics
21. Legislative and Regulations Committee Report and Recommendations.
Todd D'Braunstein, P.T. Board Member and John Dierking, Board Member

Consideration and Possible Action on Recommendations Regarding Bills of Interest:

- A. AB12 (Cooley) State Government: Administrative Regulations: Review
- B. AB26 (Jones-Sawyer) Medical Cannabis
- C. AB611 (Dahle) Controlled Substances: Prescriptions: Reporting
- D. AB840 (Ridley-Thomas) Nurses and Certified Nurse Assistants: Overtime
- E. AB1939 (Patterson) Licensing Requirements
- F. AB1992 (Jones) Pupil Health: Physical Examinations
- G. AB2209 (Bonilla) Healthcare Coverage: Clinical Pathways
- H. AB2399 (Nazarian) Pregnancy: Prenatal Blood Testing
- I. AB2507 (Gordon) Telehealth: Access
- J. AB2606 (Grove) Crimes Against Children, Elders, Dependent Adults, and Persons with Disabilities
- K. SB323 (Hernandez) Nurse Practitioners: Scope of Practice
- L. SB390 (Bates) Home Health Agencies: Skilled Nursing Services
- M. SB960 (Hernandez) Medi-Cal: Telehealth: Reproductive Healthcare
- N. SB1155 (Morrell) Professions and Vocations: Licenses: Military Service
- O. SB1194 (Hill) Professions and Vocations: Board Actions and Regulations
- P. SB1217 (Stone) Healing Arts: Reporting Requirements: Professional Liability Resulting Death or Personal Injury

- Q. SB1334 (Stone) Crime Reporting: Health Practitioners: Reports
22. Attorney General's Enforcement Update.
Brett Kingsbury, Deputy Attorney General
- A. Fast Track Pilot Program
B. Board of Vocational Nursing & Psychiatric Technicians' Special Investigator Policies
23. Report on and Discussion of Administrative and Enforcement Monitor Phase II Results, pursuant to Business and Professions Code § 2847.5, AB 179 (Bonilla).
Ben Frank, Administrative and Enforcement Monitor
- A. Discussion and Possible Action on Enforcement Monitor Phase II Report.
B. Discussion and Possible Action on Enforcement Monitor Phase II Report Recommendations.
24. Update on Discontinuation of Pocket Cards Licenses.
Dr. Kameka Brown, Executive Officer
25. Discussion and Possible Action on Augmenting Board Meeting Frequency.
Dr. Kameka Brown, Executive Officer
26. Public Comment on Items Not on the Agenda. **Note:** *The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a)).*
27. Suggestions for Future Agenda Items.
28. Adjournment.

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. The Board plans to webcast this meeting on its website at <https://thedcapage.wordpress.com/webcasts/>. Webcast availability cannot, however, be guaranteed due to limited resources. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion

Board Meeting
November 3 - 4, 2016

available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)). The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting: Jennifer Almanza at (916) 263-7848, email: jennifer.almanza@dca.ca.gov, or send a written request to the Board of Vocational Nursing and Psychiatric Technicians, 2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945. Providing your request is a least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.