



## BOARD MEETING MINUTES

MAY 15, 2015

LOS ANGELES, CALIFORNIA

### BOARD MEMBERS

#### PRESENT:

Todd D'Braunstein, P.T. Member, President  
Samantha James-Perez, P.T. Member, Vice-President  
Vivien Avella, Public Member  
Tammy Endozo, L.V.N. Member  
Eric Mah, Public Member  
Andrew Moreno, Public Member  
Susan Rubin, Public Member  
John Vertido, L.V.N. Educator Member

#### BOARD MEMBERS

#### ABSENT:

Bernice Bass de Martinez, Public Member  
Donna Norton, L.V.N. Member

#### STAFF PRESENT:

John Brooks, Acting Executive Officer  
Cheryl Anderson, Supervising Nursing Education Consultant  
Jessica Gomez, Nursing Education Consultant  
Pam Hinckley, Nursing Education Consultant  
Donna Johnson, Nursing Education Consultant  
Rocio Llamas, Enforcement Division Manager  
Carol Northrup, Licensing & Admin. Division Manager  
Jennifer Almanza, Administrative Analyst  
Jay Prouty, Enforcement Division Analyst  
Korrina Smith, Staff Services Analyst  
Rebecca Bon, Legal Counsel, Department of Consumer Affairs  
Laura Freedman, Legal Counsel, Department of Consumer Affairs

### 1. CALL TO ORDER.

The meeting was called to order by Todd D'Braunstein, Board President, at 9:08 a.m., May 15, 2015, at the Department of Consumer Affairs (DCA) Hearing Room – South, Room 102, 1625 North Market Boulevard, Sacramento, California 95834.

### 2. PLEDGE OF ALLEGIANCE.

John Vertido led those assembled in the Pledge of Allegiance.

### 3. INTRODUCTION OF BOARD MEMBERS AND STAFF.

The Board Members introduced themselves. John Brooks, Acting Executive Officer (EO), introduced Christine Lally, DCA Deputy Director, Bureau and Board Relations; Rebecca Bon, the Board's legal counsel; and Laura Freedman, Legal Counsel, Department of Consumer Affairs.

Mr. Brooks also introduced board staff present and Stephanie Whitley from the DCA Division of Investigation (DOI), temporarily working as the Board's Enforcement Division Chief.

**4. INTRODUCTION OF APPROVED SCHOOLS REPRESENTED AT MEETING BASED UPON VOLUNTARY SIGN-IN LIST.**

The following programs voluntarily signed in and were recognized by the Board President:

- |                                                                                      |                                               |
|--------------------------------------------------------------------------------------|-----------------------------------------------|
| American College of Nursing (VN)                                                     | Curam College                                 |
| American College of Nursing (PT)                                                     | Gurnick Academy of Medical Arts, Concord (VN) |
| Annenberg School of Nursing                                                          | Gurnick Academy of Medical Arts, Concord (PT) |
| Bethesda Christian University of California                                          | Gurnick Academy of Medical Arts, Fresno       |
| Carrington College, Sacramento                                                       | Gurnick Academy of Medical Arts, Modesto      |
| Carrington College, San Jose                                                         | Gurnick Academy of Medical Arts, San Mateo    |
| Casa Loma College, School of Nursing & Allied Health Van Nuys                        | Info Tech Career College                      |
| Casa Loma College, School of Nursing & Allied Health, Anaheim (Previously Hawthorne) | North-West College, Riverside                 |
| Concorde Career College, Garden Grove                                                | Premiere Career College                       |
| Concorde Career College, North Hollywood                                             | Sri Sai Krish Institute                       |
| Concorde Career College, San Bernardino                                              | Unitek College, Fremont                       |
| Concorde Career College, San Diego                                                   | Unitek College, Sacramento                    |

**5. MEETING AND PUBLIC COMMENT PROCEDURES.**

Mr. D'Braunstein read a special notice addressing the Board's legal mandate and the procedure to have an issue placed on the Board Meeting agenda. He announced that public comment is welcome on any open agenda item prior to the Board's discussion; no action may be taken at this time; and the Board may limit the length of time allowed for comment.

**6. BUDGET REPORT.**

DCA Budget Officer Taylor Schick presented a report relative to the Vocational Nursing (VN) and Psychiatric Technician (PT) budgets. Mr. Schick prefaced that at the February 2015 Board meeting, it was determined, the Board was spending in excess of their authorized appropriation for the current year. Primarily, the over expenditures were in Enforcement, specifically, Attorney General (AG) and Office of Administrative Hearing (OAH). Since then, the Board has taken steps to mitigate spending. Mr. Schick reported since February 2015, the Board ceased all paid overtime, limited all temporary help, limited equipment purchases to only those purchases critical to achievement of the Board's mission, as well as other temporary cost cutting measures.

The Board recently requested a current year budget augmentation for \$332,000 for AG costs and \$35,000 for OAH costs. The requested augmentation was recently authorized by the Department of Finance.

However, due to unanticipated Board retirements in late April 2015, lump sum payouts for leave cash outs impacts the Board's appropriation during the current fiscal year. Mr. Schick reported that the Budget Office received the Board's quarterly billing from OAH and that billed costs are well in excess of the preliminary projections for the year. Further, he stated that the preliminary projections for the current year fall short of the Board's actual expenditures. The Budget Office

recommended additional measures to address the projected deficit consistent with the authorized appropriations through the current fiscal year.

Mr. Schick reported the PT fund should finish the fiscal year in good standing, and shows a 1% reversion of approximately \$19,000. Based on that analysis, he reported there are no concerns that the budget will exceed its appropriation for the current fiscal year.

#### **Board Discussion:**

- Samantha James-Perez commented that we can't stop processing enforcement cases and protecting the public, and asked why the Board has to wait until 2016/17 for additional Enforcement allocation. Mr. Schick responded, based on the budget building process, an ongoing allocation cannot happen until 2016/17. The budget for 2015/16 has already been "built" and was released January 2015. The budget building process does however, allow for current year augmentations for AG and OAH line items, which comes from the Board's fund. Mr. Schick stated the Board's VN fund condition is in good standing.
- Vivien Avella asked Mr. Brooks, given the Board's budget challenges, if he is comfortable the Board has the funding it needs to execute the Enforcement programs and pursue initiatives passed to improve enforcement timelines. Mr. Brooks responded yes, Enforcement processes will not be impacted this year. The Board will be funded to continue reducing caseload aging.

#### **Public Comment:**

- Brian Chilstrom suggested the appointment of a sub-committee, to include Mr. Mah, to review Attorney General's Office billing matters. Mr. Chilstrom also commented that the salary paid for Nursing Education Consultants (NECs) is substantially less than paid for those with comparable education and experience and that inequity has resulted in the loss of critical staff. He commented that unless the salary inequity is resolved, NECs will continue to leave the position for employment at salaries that are more commensurate with their education and experience.

## **7. EDUCATION DIVISION REPORTS REGARDING VN & PT PROGRAMS.**

### **A.1. Bethesda University of California Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.**

Pam Hinckley, Nursing Education Consultant (NEC), presented a report relative to reconsideration of provisional approval of the Bethesda University of California Vocational Nursing Program and consideration of a request to admit students. The report included the following information for the Board's consideration. The program had been placed on provisional approval from May 11, 2012 through May 30, 2014, due to non-compliance with regulatory requirements regarding program pass rates.

On May 16, 2014, the program's provisional approval was extended for the one-year period from May 16, 2014 through May 30, 2015. On September 12, 2014, the program's provisional status was reconsidered based on a report of an unannounced onsite inspection. The Board deferred the program's provisional status to the November 2014 agenda. On November 21, 2014, the Board deferred action on the program's provisional status to the February 2015 agenda. On February 13, 2015, the program's provisional approval was extended for the four-month period from February 28, 2015 through May 31, 2015.

The report also stated the program previously admitted seven (7) unauthorized classes. Published examination statistics reflect the program's noncompliance with regulatory requirements from April 2010 through March 2015, 20 of the 23 quarters for which licensure data is available for the program. When placed on provisional approval in May 2012, the program's average annual pass rate was 29%. Since that time, the program's average annual pass rates have remained greater than ten (10) percentage points below state average annual pass rates for twelve (12) consecutive quarters. As such, the program's average annual pass rates have been noncompliant with regulatory requirements for thirteen (13) consecutive quarters [Quarter 1 – 2012 through Quarter 1 – 2015] just since placement on provisional approval.

Based on examination data from Quarter 1 - 2015, the program's pass rate is **33%**, 38 percentage points **below** the state average annual pass rate.

The report concluded with recommendations to extend provisional approval with conditions as specified in the NEC's report.

**Program Representative:** Delores Terriquez, Director of Nursing; Lucy Kim, Chief Academic Officer.

- Ms. Terriquez stated she agrees with the consultant's recommendations.

**Public Comment:** None.

**Board Discussion:**

- Mr. Vertido asked Ms. Hinckley what inconsistencies she referenced. Ms. Hinckley referred to page 7 of the report for a graph, which reflected enrollment information submitted by the previous director and current director. Ms. Hinckley reported that there had been inconsistencies regarding graduation dates of students, including a September 2012 class actually graduating in October 2012, and a January 2013 class that the director said actually graduated in December 2012. This made it difficult to find people and keep track of students, and showed inaccuracies with enrollment dates.
- Mr. Vertido observed in the last 23 quarters, only three were within ten (10) percentage points of the state average annual pass rates, and the last 20 were noncompliant. Ms. Hinckley verified the observation.
- Ms. James-Perez asked if unauthorized classes were admitted. As noted in the report, the program previously admitted seven (7) unauthorized classes. Ms. Hinckley reported that while analyzing pass rates for classes completing the program from March 2011 through November 2013, discrepancies were identified between the numbers of students reported by the program as graduates, dates of reported graduation, and the number of applications submitted to the Board by the program; the number of program graduates approved for testing by the Board, and the number of program graduates tested and passed, as reported by Pearson Vue, and NCSBN. It is unclear if further unauthorized classes were admitted or if the program changed graduation dates without notifying the Board.
- Mr. Moreno asked if the program provided any justification or explanation for the inconsistencies. Ms. Hinckley replied that the new director submitted a list of names and graduation data and that discrepancies were identified.
- Mr. D'Braunstein reiterated the importance of accuracy when he commented that recommendation #2, requiring the completion of a revised curriculum that is compliant with statutory and regulatory requirements and established professional standards, must be "right on."

- Ms. James-Perez asked when Ms. Terriquez became director. Ms. Terriquez replied she has been director since July 2014, approximately one year, and has had no students since becoming director.
- Mr. Moreno asked why there had been discrepancies or inconsistencies. Ms. Terriquez replied she sent all the documents she had showing forms and dates. The January 2013 cohort problem was found, but nothing was resolved and not quite sure where they were going to proceed.
- Ms. Hinckley added that issues were found from the list of names submitted.
- Ms. Avella stated that these discrepancies have appeared before. She stated the program has appeared for six consecutive meetings with discrepancies; it appeared two meetings ago regarding pass rates, and it appeared at the last meeting regarding clinical sites. She stated this issue has been present for a year. She reported she is comfortable with the recommendations, and she commented on the frustrations to have to bring back the issues. Ms. Terriquez stated she found discrepancies in the enrollment dates reported for two (2) cohorts, and stated she had reported those to Ms. Hinckley via email. The first discrepancy was identified in the reported September 2012 graduating class. The class graduated October 8, 2012. Out of ten (10) graduates that tested, seven (7) passed. The second discrepancy was a reported January 2013 class that actually graduated in December 2012. In that class, three tested and two passed.

**MOTION: To adopt the recommendation(s):**

**Moved:** Vivien Avella

**Seconded:** John Vertido

- Board Counsel clarified that the motion would approve the entire report including the rationale.
- Mr. Mah stated his concerns with analyzing individual class data, and the analysis is overly burdensome and changes the data historically used to determine decisions for programs and increases the risk of contradictory information. He stated he would not want to see the program at every Board meeting. He stated based upon pass rates alone, the Board is not doing a service to the students.
- Clarification was made to amend the motion to alter a typo in the report to change the date from July 30, 2015 to July 31, 2015. Mr. Mah questioned if the program will be required to come back before the Board to request students. Ms. Hinckley and Mr. D’Braunstein clarified, the program would be required to obtain Board approval prior to the admission of every new class.

Tammy Endozo, Mr. Vertido, and Vivien Avella voted in favor of the motion. Mr. D’Braunstein, Samantha James-Perez, Eric Mah, Andrew Moreno, and Susan Rubin were opposed. Bernice Bass de Martinez and Donna Norton were absent. **The motion did not pass.**

**MOTION: To accept the report, modify and adopt the recommendation(s) as follows.**

**Moved:** Eric Mah

**Seconded:** Susan Rubin

1. Revoke Bethesda University of California Vocational Nursing Program’s provisional approval effective May 15, 2015.
2. Remove the program from the Board’s *List of Approved Programs*.

## Board Discussion:

- Mr. Mah commented there are no current students. Some past graduates may take the licensure examination, but no harm will be incurred by existing students if the Board revokes program approval. He added the program has a long history of dismal pass rates on the licensure exam, and staff has gone above and beyond our expectations to sift through the reported information from the school. There is a change in Directors at least every three years, and the Board has given the program sufficient notice to take action. He also stated the Board would be protecting the public by revoking the school's approval.
- Ms. Avella said the motion is inconsistent with the pathway the Board has worked on with this program. She stated that the Board has granted provisional approval, and classes for programs in the last year that have shown significant improvement. She commented that as per the statutes, the Board has every right to revoke its approval of the program. She also stated the Board normally works with the program if improvement is seen in recent cohorts. She stated that at the last meeting the board had different conclusions, and the program complied with clinical site requirements. She stated she preferred to require appropriate conditions rather than revoke the approval of the program. Ms. Terriquez agreed with Ms. Avella and stated she had attempted to view pass rates and then discussed various students. She reported that one student had passed, one was remaining, and one has no intent to take the exam. She stated that her understanding from the previous meeting was to bring pass rates up. She disagreed with Mr. Mah, and stated this was not standard with other programs.
- Mr. Vertido stated he sees good faith efforts and prefers the NEC's recommendation.
- Ms. James-Perez asked Ms. Hinckley if she stood by the original recommendation. Ms. Hinckley responded that she made the original recommendations because she had exhausted all available resources to show the Board what the program had done over the years. She stated she was not opposed to revocation.
- Mr. Mah stated he expected to see more program graduates testing. He stated there were more program graduates eligible to test, however, they failed to test. Ms. Terriquez reiterated the program's testing status, and explained she attempted to contact the remaining four students to test. Mr. Mah stated that the program statistics were not compliant with regulatory requirements. He said he was not pleased with revocation or allowing the program to continue, and that there was a long history of the program's non-compliance versus one quarter's information. He stated the program appears to be on the verge of dropping or exceeding the average, but he sees no new examination data. Ms. Terriquez stated the program has tried various methods to encourage graduates to take and pass the licensure exam. The program was unsuccessful, but continues its efforts. Mr. Mah stated he was not thrilled with his own motion, but if one more from the class of 12 with the best of the curriculum fails, then the average would drop to a 58% pass rate. He also pointed out that the longer it takes program graduates to test, the less likely the graduate is to pass the licensure exam.
- Ms. Kim responded she understood the Board's concerns, and that this has been ongoing the last few Board meetings. She stated another program was similarly situated and that program was given another chance. Bethesda has done its best in encouraging its graduates to test.
- Ms. Avella stated there is a legal basis to revoke program approval. She also stated her concern for consistency in making decisions regarding program issues.
- Mr. Mah stated that when programs admit a class as requested, he would like to see exam results for that class. He also stated each school or case is different, and for this program, there are few students by which to judge.

- Ms. James-Perez stated that once a class is admitted, it becomes a one-year commitment to see results. She stated consistency is good, however the Board considers each school based on its merits including other critical information.

Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin, Mr. Vertido voted in favor of the motion. Ms. Avella was opposed. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

## **A.2. Medical Career College Vocational Nursing Program. Reconsideration of Provisional Approval.**

Donna Johnson, NEC, presented a report relative to reconsideration of provisional approval of the Medical Career College Vocational Nursing Program. The program was placed on provisional approval for the two-year period from February 18, 2010 through February 17, 2012, due to non-compliance with regulatory requirements relative to program pass rates. On February 24, 2012, the program's provisional approval was extended through February 28, 2013. On February 6, 2013, the program's provisional approval was again extended through February 28, 2014. On February 28, 2014, the program's provisional approval was extended through February 28, 2015.

On February 13, 2015, the Board reconsidered the program's status, request to admit students, and a report of findings from an unannounced program inspection. The Board denied the program's request to admit additional students, and extended the program's provisional approval for the three-month period through May 31, 2015.

Based on examination data from Quarter 1 - 2015, the program's average annual pass rate is 50%, 21 percentage points **below** the state average annual pass rate.

**Program Representative:** Marilyn Castillo, Director.

- Ms. Castillo stated that the program is making efforts to correct the violations, and that student financial hardships have affected the pass rates. She asked the Board to allow current students to graduate.

### **Public Comment:**

- Veronica Fuentes, Instructor – OB/Pediatrics, stated she is willing to help revise the instructional plan and stated the school is committed to do what is necessary to correct the violations. Ms. Fuentes asked the Board to allow the current class to graduate.
- Glenda-student in a.m. class-stated that Medical Career College is a good school that gives the students an opportunity to improve their life.
- (Student - Name inaudible) – stated that she did not get loan approval, and is paying for school on her own. She stated that is in the p.m. class and there is no other program that offers the p.m. class and she wants to be allowed to finish the program and graduate.

### **Board Discussion:**

- Ms. James-Perez stated the program submitted inadequate reports to the NEC, and the low pass rates are the program's responsibility.
- Mr. Mah stated he would like to see higher pass rates from the Quarter 1 2015 data, and have the program on the September 2015 agenda.
- Mr. Vertido stated the NEC was doing her job when the violations were found.

- Ms. Rubin stated it was not in the students' best interest to transfer them now, and she does not object to allowing the current class to graduate in three (3) months.
- Ms. James-Perez asked one of the students if she had the opportunity to graduate from a school that had a 99% pass rate or to graduate from a school that had a 50% pass rate, what school would she graduate from. The student responded the latter.
- Ms. Avella asked due to the number of students coming up to the podium, would they be given a time limit to speak.
- Ms. Freedman clarified that because this was an open meeting, all students must be allowed to speak during public comment. [Bagley Keene Open Meeting Act (Article 9 commencing with Section 11120), Chapter 1, Part 1, Division 3, Title 2 of the Government Code]

**MOTION: To accept the report and modify and adopt the recommendations as follows:**

1. Require the Medical Career College Vocational Nursing program director to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation.
2. Revoke Medical Career College Vocational Nursing Program's provisional approval effective December 1, 2015.
3. Remove the Medical Career College Vocational Nursing program from the Board's *List of Approved Programs*.

**Moved:** Todd D'Braunstein

**Seconded:** Vivien Avella

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, and Ms. Rubin voted in favor of the motion. Mr. Vertido was opposed. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

**A.3. Sierra Pacific College Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.**

Jessica Gomez, NEC, presented a report relative to reconsideration of provisional approval of the Sierra Pacific College Vocational Nursing Program and consideration of request to admit students. The program was placed on provisional approval for the two-year period from May 11, 2012, through May 31, 2014, due to non-compliance with regulatory requirements relative to program pass rates. On May 16, 2014, the program's provisional approval was extended through May 31, 2015.

Based on examination data from Quarter 1 - 2015, the programs average annual pass rate is **0%, 71** percentage points **below** the average annual pass rate. The state's average annual pass rate is 71%.

It is noted that the program's last class of eight (8) students graduated February 2012. The program has had **no graduates tested since September 2013.**

**Program Representative:** None.

**Public Comment:** None.

**Board Discussion:**

- Ms. Rubin expressed concern regarding approval of the program's request to admit more students when the pass rates are so low. She also commented she was disappointed that a program representative was not present at the meeting.
- Laura Freedman responded that the attendance of a program representative is not required for the Board to render a decision.
- Mr. Vertido commented that the program has not had a class for three (3) years, and yet there was no representation at the Board Meeting. He questioned the program's commitment.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Extend provisional approval of the Sierra Pacific College Vocational Nursing Program for the two (2) year period from May 30, 2015, through May 29, 2017, and issue a notice to the program to identify specific area of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
3. Approve the program's request to admit a class of 15 students commencing June 15, 2015 and graduating on July 1, 2016, only.
4. Require the program to maintain and instructor to student ratio that does not exceed ten (10) students for each instructor in during clinical experience.
5. Require the program director to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation by July 1, 2015.
6. Continue the program's requirement to obtain approval by the full Board prior to the admission of future classes.
7. Require the program to submit follow-up reports in nine months, but no later than February 1, 2016, and 22 months, but no later than February 1, 2017. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis:
  - a. Admission Criteria
  - b. Screening and Selection Criteria
  - c. Terminal Objectives.
  - d. Curriculum Objectives.
  - e. Instructional Plan.
  - f. Theory and Clinical Objectives for Each Course.
  - g. Lesson Plans for Each Course
  - h. Textbooks
  - i. Attendance Policy
  - j. Remediation Policy.
  - k. Evaluation of Theory and Clinical Faculty.
  - l. Evaluation of Theory Presentations.
  - m. Evaluation of Clinical Rotations and Their Correlation to Theory Presentations.
  - n. Evaluation of Student Achievement.
  - o. Current Enrollment; **and**,
8. Require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professional Code Section 2880, and

Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.

9. Require the program to demonstrate incremental progress in correcting the violation. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
10. Failure of the program to take any of these corrective actions may cause the full Board to revoke the program's approval.
11. Place the program on the Board's May 2016 agenda for reconsideration of provisional approval.

**Moved:** Vivien Avella

**Seconded:** Andrew Moreno

Ms. Avella, Mr. D'Braunstein, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Endozo and Ms. James-Perez were opposed. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

### **B.1. American College of Nursing Psychiatric Technician Program. Consideration of Placement on Provisional Approval.**

Ms. Gomez, NEC, presented a report relative to consideration of placement of the American College of Nursing Psychiatric Technician Program on provisional approval. On September 24, 2014, the Board received electronic correspondence from the program's Interim Administrator reporting the termination of the Director. Subsequently, the Board received several complaints regarding the program. On October 14-15, 2014, Board representatives conducted an unannounced onsite inspection of the program; 11 violations were identified. On November 19, 2014, the Board forwarded correspondence to the administrator, via certified mail, regarding the program's lack of a Board-approved director. On February 25, 2015, the Executive Officer denied the program's request to admit additional students, and required the Director to correct previously identified violations, and submit confirmation of the corrections no later than March 15, 2015.

On March 2, 2015, the director submitted to the Board, a response to the violations for consideration of correction. Eight (8) of the violations remain uncorrected.

Based on examination data from Quarter 1 – 2015, the program's average annual pass rate is 100%. The California average annual pass rate for graduates from approved psychiatric technician (PT) programs who took the California PT Licensure Examination for the first time during the same period is 79%. The annual average pass rate for the program is 20 percentage **above** the state average annual pass rate. However, it is important to note that the program's average annual pass rate represents statistics for two (2) program graduates.

**Program Representative:** Sheryl Milton, Director; Reyna Bautista and Leticia Perez.

- Ms. Milton stated she is 100% committed to correcting the violations, and is implementing corrections to prevent future violations.

**Public Comment:** None.

### **Board Discussion:**

- Ms. Avella asked when the violations are corrected, will the program be removed from provisional status, and recommends removing the word "full" from recommendation #2.

- Mr. Vertido asked where the remaining students were and urged caution on changing Recommendation #2. He asked the program director if she had support from the owners. The director responded, "Yes."

**MOTION: To accept the report and modify and adopt the recommendations as follows:**

1. Place the American College of Nursing Psychiatric Technician Program on provisional approval for the two (2) year period from May 15, 2015 through May 31, 2017.
2. Require the program to admit no additional students without prior approval by the Board.
3. Require the program director to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation by **June 1, 2015**.
4. Require the program to correct existing violations identified during the onsite inspection, and submit a report identifying implemented interventions no later than **June 30, 2015**. The report shall include the following:
  - a. Implementation of the approved methodology, including timeline for initial and ongoing evaluation of the curriculum.
  - b. Implementation of the approved methodology for evaluation of the clinical facilities.
  - c. Plan to ensure maintenance of accurate faculty data and Board notification of faculty terminations as prescribed by Section 2582 (b) of the Psychiatric Technician Rules and Regulations.
  - d. Evaluation of student performance to determine the need for remediation or removal from the program.
  - e. Implementation of the approved attendance policy to include identification of students for whom absences are identified and assigned follow-up.
  - f. Implementation of the program's approved methodology including timeline for initial and ongoing evaluation of clinical facilities utilized for student clinical experiences.
  - g. Implementation of program's remediation policy to include identification of students who are at risk of failure from either academic or code of conduct issues, identification of deficiencies, remediation plan, **and** follow-up.
  - h. Active administration by a Board-approved director.
5. Require the program to submit a follow-up report regarding the effectiveness of all implemented interventions no later than **August 30, 2015**.
6. Required the program to submit follow-up reports in ten (10) months, but no later than **March 1, 2016**, and 22 months, but no later than **March 1, 2017**. The reports shall include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
  - a. Admission Criteria.
  - b. Screening and Selection Criteria.
  - c. Terminal Objectives.
  - d. Curriculum Objectives.
  - e. Instructional Plan.
  - f. Theory and Clinical Objectives for Each Course.
  - g. Lesson Plans for Each Course.
  - h. Textbooks.
  - i. Attendance Policy.
  - j. Remediation Policy.
  - k. Evaluations of Theory and Clinical Faculty.
  - l. Evaluations of Theory Presentations.

- m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - n. Evaluation of Student Achievement.
  - o. Current Enrollment.
7. Require the program to comply with all approval standards in Article 4 of the Psychiatric Technician Law, commencing at Business and Professions Code Section 4530, and Article 5 of the Psychiatric Technician Rules and Regulations, commencing at California Code of Regulations, Title 16, section 2580.
  8. Require the program to demonstrate correction and sustain corrections in relation to the violations.
  9. Failure to make any of these corrective actions may cause the full Board to revoke the program's approval.
  10. Place the program on the **May 2017** Board agenda for reconsideration of provisional approval.

**Moved:** Susan Rubin

**Seconded:** Vivien Avella

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

**B.2. American College of Nursing Vocational Nursing Program. Consideration of Placement on Provisional Approval.**

Ms. Gomez, NEC, presented a report relative to consideration of placement of the American College of Nursing Vocational Nursing Program on provisional approval.

Based on examination data from Quarter 1 - 2015, the program's average annual pass rate is 72%, one (1) percentage point **above** the state average annual pass rate.

**Program Representative:** Sheryl Milton, Director

- Ms. Milton said she is vigorously working to correct the violations.

**Public Comment:** None.

**Board Discussion:**

- Mr. Vertido asked for clarification regarding pediatric rotations and if contracts were signed. Ms. Milton responded, "Yes."

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Place the American College of Nursing, Vocational Nursing Program on provisional approval for the two year period from May 15, 2015 through May 31, 2017.
2. Require the program to admit no additional students without prior approval by the full Board.
3. Require the program director to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation by **June 1, 2015**.
4. Require the program to correct existing violations identified during the onsite inspection, and submit a report providing evidence of implemented interventions, to include the following no later than **June 30, 2015**.

- a. Implementation of the approved methodology, including timeline for initial and ongoing evaluation of the curriculum.
- b. Implementation of the approved methodology for evaluation of the clinical facilities.
- c. Plan to ensure maintenance of accurate faculty data and Board notification of faculty terminations as prescribed by Section 2527 (b) of the Vocational Nursing Rules and Regulations.
- d. Implementation of the approved attendance policy to include identification of students for whom absences are identified and assigned follow-up.
- e. Instruction that demonstrates a correlation between theory and clinical experiences for enrolled students.
- f. Identification and Board approval of clinical facilities that provide clinical experiences that are consistent with the curriculum and adequate to provide
- g. clinical experiences of like character and quality for the enrolled student population.
- h. Implementation of the program's approved methodology including timeline for initial and ongoing evaluation of clinical facilities utilized for student clinical experiences.
- i. Active administration by a Board -approved director.
- j. Instructional calendar that specifies a schedule for the provision of theory and correlated clinical rotations consistent with the curriculum for enrolled students.
- k. Documentation of the following is required for students admitted January 2014 who lack clinical rotations in Maternity Nursing and Pediatric Nursing:
  - 1) Name and classification of clinical facility to which students are assigned.
  - 2) Name of facility contact.
  - 3) Facility telephone number.
  - 4) Dates of assigned clinical rotations.
  - 5) Objectives to be achieved.
5. Require the program to submit a follow-up report regarding the effectiveness of all implemented interventions no later than **August 30, 2015**.
6. Require the program to submit follow-up reports in ten (10) months, but no later than **March 1, 2016**, and 22 months, but no later than **March 1, 2017**. The reports shall include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
  - a. Admission Criteria.
  - b. Screening and Selection Criteria.
  - c. Terminal Objectives.
  - d. Curriculum Objectives.
  - e. Instructional Plan.
  - f. Theory and Clinical Objectives for Each Course.
  - g. Lesson Plans for Each Course.
  - h. Textbooks.
  - i. Attendance Policy.
  - j. Remediation Policy.
  - k. Evaluations of Theory and Clinical Faculty.
  - l. Evaluations of Theory Presentations.
  - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - n. Evaluation of Student Achievement.
  - o. Current Enrollment.
7. Require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and

Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2525.

8. Require the program to demonstrate correction and sustain corrections in relation to the violations.
9. Failure to make any of these corrective actions may cause the full Board to revoke the program's approval.
10. Place the program on the **May 2017** Board agenda for reconsideration of provisional approval.

**Moved:** Vivien Avella

**Seconded:** Susan Rubin

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Bass de Martinez and Ms. Norton were absent.

**The motion passed.**

### **C.1. Bay Area College of Nursing, Palo Alto, Vocational Nursing Program. Consideration of Request to Admit Students.**

Ms. Johnson, NEC, presented a report relative to consideration of a request to admit students to the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program. The program was placed on provisional approval for the two-year period from November 10, 2011 through November 30, 2013, due to non-compliance with regulatory requirements relative to program pass rates. The program was required to obtain approval by the full Board prior to the admission of additional students. On November 22, 2013, the program's provisional approval was extended through November 30, 2014. On November 21, 2014, the program's provisional approval was extended through November 30, 2015. Reconsideration of the program's status was scheduled for the November 2015 agenda.

Based on examination data from Quarter 1 - 2015, the program's average annual pass rate is **57%**, 14 percentage points **below** the state average annual pass rate.

**Program Representative:** Rachelle Cagampan, Director.

- Ms. Cagampan stated she agrees with the recommendations.

**Public Comment:** None.

**Board Discussion:**

- Mr. Mah asked Ms. Cagampan if she was surprised that no students passed the exam. Ms. Cagampan responded she was very surprised.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Approve the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request to admit one (1) evening class of 10 students commencing May 26, 2015 and graduating August 8, 2016, **only**.
2. Continue to require the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences.
3. Continue the program's requirement to obtain approval by the full Board prior to the admission of additional students.

**Moved:** John Vertido

**Seconded:** Andrew Moreno

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

**C.2. InfoTech Career College Vocational Nursing Program. Consideration of Request to Admit Students.**

Ms. Hinckley, NEC, presented a report relative to the consideration of a request to admit students to the InfoTech Career College Vocational Nursing Program. The program was placed on provisional approval for the two-year period from November 10, 2011 through November 30, 2013, due to non-compliance with regulatory requirements relative to program pass rates.

Based on examination data from Quarter 1 - 2015, the program's average annual pass rate is **80%**, nine (9) percentage points **above** the state average annual pass rate.

**Program Representative:** Elizabeth Estrada,

**Public Comment:**

- Ms. Estrada stated she agrees with the recommendations.
- Ms. Estrada commented the program has an 80% pass rate.

**Board Discussion:**

- Mr. D'Braunstein said the examination data evidences the program's hard work in improving its pass rates.
- Mr. Vertido commended the program on a job well done.
- Mr. Mah asked the NEC at what point, in general, is a program taken off provisional approval? Ms. Freedman clarified that the Board determines when a program is removed from provisional approval after considering a comprehensive report on the program's status.

**MOTION: To accept the report and adopt the recommendations as amended:**

1. Approve Info Tech Career College, Vocational Nursing Program's request to admit a class of 22 full-time students on June 29, 2015, only, graduating on September 23, 2016 to **replace** the class that graduated on May 21, 2015.
2. Continue the program's requirement to admit no additional students unless approved by the Board.

**Moved:** Susan Rubin

**Seconded:** Eric Mah

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

### **C.3. InterCoast College, Fairfield, Vocational Nursing Program. Consideration of request to Admit Students.**

Ms. Johnson presented a report relative to consideration of a request to admit students to the InterCoast College, Fairfield, Vocational Nursing Program. The Program was placed on provisional approval on September 12, 2014, due to non-compliance with regulatory requirements relative to program pass rates and also due to the number and type of violations identified on an unannounced program inspection conducted July 8 and 9, 2014. Twenty – one (21) violations were identified. On February 13, 2015, the Board approved the program's admission of 15 students, noting the program's progress in correcting identified violations.

Based on examination data Quarter 1 - 2015, the program's average annual pass rate is 24%, 47 percentage points **below** the state average annual pass rate.

**Program Representative:** Carla Carter, Director.

- Ms. Carter stated she agrees with the recommendations.

**Public Comment:** None.

#### **Board Discussion:**

- Ms. Avella asked why another class is recommended when class was approved on February 13, 2015, after the program was on provisional approval. Ms. Carter responded, the program has had no graduates since implementation of corrections put in place to correct the 21 identified violations. The current program graduates awaiting testing completed all or most of their education prior to correction of the violations.
- Mr. Vertido asked the status of the class approved February 13, 2015. Ms. Carter responded the class that was admitted in February is still in Term 1. Mr. Vertido voiced concern about approving a second class with no results after the changes, and that he would like to wait until he sees results.

#### **MOTION: To accept the report and adopt the recommendations as follows:**

1. Approve the program's request to admit **fifteen (15)** students to a full-time day class beginning on May 18, 2015 and graduating on August 29, 2016, only.
2. Continue to require the program to provide no less than one (1) clinical instructor for every ten (10) students in all clinical experiences.
3. Continue to require the program to admit no additional classes without prior approval by the full Board.

**Moved:** Samantha James-Perez      **Seconded:** Eric Mah

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno and Ms. Rubin voted in favor of the motion. Mr. Vertido was opposed. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

### **C.4. Premiere Career College Vocational Nursing Program. Consideration of Request to Admit Students.**

Ms. Hinckley presented a report relative to consideration of a request to admit students to the Premiere Career College Vocational Nursing Program. The program was placed on provisional

approval on February 28, 2014, for the two-year period from February 28, 2014 through February 2, 2016, due to non-compliance with regulatory requirements relative to program pass rates. Reconsideration of the program's status was scheduled for the February 2016 Board agenda.

The program requests approval to admit the following classes:

1. An evening class of 30 students commencing on August 24, 2015; graduating October 28, 2016. This class replaces students that will graduate on August 14, 2015.
2. A day class of 30 students commencing on November 16, 2015; graduating February 3, 2017. This class would replace students that will graduate on November 6, 2015.

Based on examination data from Quarter 1 - of 2015, the program's average annual pass rate is **74%**, three (3) percentage points **above** the state average annual pass rate.

**Program Representative:** Dr. Marcelino De Guzman, Director of Nursing; Antonio Torrez, Director of Surgical Technology Program.

- Dr. De Guzman stated he recommends approval of Antonio Torrez as Director of Education.
- Dr. De Guzman stated he agrees with the recommendation and requests the Board remove the program from provisional status.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Approve Premiere Career College Vocational Nursing Program's request to admit an evening class of 30 students commencing on August 24, 2015, graduating October 28, 2016, to **replace** students that will graduate on August 14, 2015.
2. Approve the program's request to admit a day class of 30 students commencing on November 16, 2015, graduating February 3, 2017, to **replace** students that will graduate on November 6, 2015.
3. Continue to require the program to obtain Board approval prior to the admission of additional students.

**Moved:** Vivien Avella

**Seconded:** Eric Mah

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno and Ms. Rubin voted in favor of the motion. Mr. Vertido recused. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

### **C.5. St. Joseph School of Nursing Vocational Nursing Program. Consideration of Request to Admit Students.**

Ms. Gomez presented a report relative to the consideration of a request to admit students to the St. Joseph School of Nursing Vocational Nursing Program. The program was placed on provisional approval on February 13, 2014, for the two-year period from February 28, 2014 through February 28, 2016, due to non-compliance with regulatory requirements relative to program pass rates.

Based on examination data from Quarter 1 - 2015, the program's current average annual pass rate is 58%, 13 percentage points **below** the state annual average pass rate.

**Program Representative:** Adeniki Joseph-Coker.

- Ms. Joseph-Coker stated she agrees with the amended recommendations.
- Ms. Joseph-Coker thanked Ms. Gomez and the Board.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Approve the Saint Joseph's School of Nursing Vocational Nursing Program's request for approval to admit 20 students into a class commencing May 26, 2015, and graduating May 26, 2016, to replace students that graduated on March 31, 2014.
2. Continue to require the program to obtain approval by the full Board prior to the admission of each class.
3. Require the program to submit a comprehensive analysis including all elements specified in Corrective Action #4 of the *Notice of Change in Approval Status*, dated March 20, 2014, no later than July 1, 2015.

**Moved:** Eric Mah

**Seconded:** Vivien Avella

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, and Ms. Rubin voted in favor of the motion. Mr. Vertido was recused. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

## 8. CONSENT CALENDAR.

**A.** Adoption of February 13, 2015 Board Meeting Minutes.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION:** To adopt the February 13, 2015 Board Meeting Minutes

**Moved:** Eric Mah

**Seconded:** Andrew Moreno

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, and Mr. Vertido voted in favor of the motion. Ms. Rubin recused. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

**B.** Adoption of April 10, 2015 Board Meeting Minutes.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION:** To adopt the April 10, 2015 Board Meeting Minutes

**Moved:** Eric Mah

**Seconded:** Andrew Moreno

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Bass de Martinez and Ms. Norton were absent.

**The motion passed.**

C. Adoption of September 12, 2014 Disciplinary Meeting Minutes.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION:** To adopt the September 12, 2014 Disciplinary Meeting Minutes

**Moved:** Eric Mah

**Seconded:** Andrew Moreno

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Bass de Martinez and Ms. Norton were absent.

**The motion passed.**

D. Executive Officer's Report on Decisions for Vocational Nursing and Psychiatric Technician Programs.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION:** To accept and adopt the EO's Report on Decisions for VN and PT Programs.

**Moved:** Eric Mah

**Seconded:** Andrew Moreno

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Bass de Martinez and Ms. Norton were absent.

**The motion passed.**

## **9. EDUCATION AND PRACTICE TASK FORCE REPORT.**

Mr. Vertido provided a report on consideration of requests from TLC Institute of Nursing Education for approval and/or modification of educational program regulations.

**Public Comment:**

- Benard Thomas thanked the Board, and commented on Ms. James-Perez comments, that what they are trying to offer is to add to Method III and to make it safe for the public by adding a lot of other courses. He commented his intent was to put something together to make the public safer.

- Angel Garibaldo commented he wanted to make it clear his client is not an approved school. He said they are willing to work with the Board to figure out what they can and can't do. He asked what the Board is doing to protect the public.

**Board Discussion:**

- Ms. James-Perez stated the Board does not have jurisdiction to approve the Method III course. She said she also conducted research for all 50 states, and that no other state has equivalent education and experience as a pathway for licensure.
- Ms. James-Perez voiced concerns with applicants qualifying for licensure based on equivalent education and experience or equivalency/Method III, and voiced concerns as to the consumer safety.
- Mr. Vertido said the Board is not shutting this down. The Task Force is not approving TLC's proposal because the Board has no jurisdiction to approve it. Mr. Vertido told Mr. Garibaldo that TLC said no to sponsoring legislation to change the policy. We've stated you are not an approved VN Program that was TLC's decision.

**MOTION: To accept report and adopt the recommendations as follows:**

1. Recommend to deny request for Board approval of TLC pharmacology course, as the Board does not review, approve, or endorse pharmacology courses offered by businesses not Board-approved.
2. Recommend no amendment of 16 CCR § 2516, as the proposed amendment would place the safety of the public at risk for receiving substandard care;
3. Recommend no adoption of the "Proposed Equivalency Recommendations" presented by TLC, as the proposed presentation would place the safety of the public at risk for receiving substandard care.

**Moved:** Eric Mah

**Seconded:** Susan Rubin

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Bass de Martinez and Ms. Norton were absent.

**The motion passed.**

**10. LEGISLATIVE REPORT.**

Carol Northrup presented a report on key bills the Board is following.

- **Public Comment:** Ms. (no name given) commented AB 178 is on Suspense, and will be taken off suspense within the next two weeks. The bill then goes to the Assembly and then through the Senate process. She stated her opinion is that the Executive Officer should have the licensure requirement.
- **Board Discussion:** Ms. James-Perez asked Ms. Northrup for clarification regarding AB 178 that removes licensure requirement for the Executive Officer, and asked the status of the bill. Ms. Northrup responded as of May 5, 2015, the bill was re-referred to the Committee on Appropriations.

**MOTION:** To direct staff to draft a letter for the Board President's signature to the California State Assembly, indicating the Board's oppose position of Assembly Bill 85.

**Moved:** Susan Rubin

**Seconded:** Vivien Avella

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Bass de Martinez and Ms. Norton were absent. **The motion passed.**

## **11. REGULATORY REPORT.**

### **A. Proposed Regulatory Action to Amend California Code of Regulations Sections 2517.5 (VN) and 2575.5 (PT), Fingerprint and Disclosure Requirements for Renewal of License.**

Ms. Northrup reported the final rulemaking package for the proposed regulatory action was submitted to the DCA Division of Legislative and Regulatory Review on February 27, 2015, and then to the DCA Budget Office. On May 4, 2015, the file was submitted to the DCA Division of Legislative and Regulatory Review, and on May 5, 2015, the file was submitted to the OLS Deputy Director for signature.

**Public Comment:** None.

#### **Board Discussion:**

- Ms. Rubin said she would like to have a letter sent to Legislation stating the Board's oppose position on AB85 because it will impact the Board's workload.

**MOTION: NO MOTION REQUIRED.**

### **B. Update of Proposed Regulatory Action to Amend California Code of Regulations Sections 2526.1 (VN) and 2581.1 (PT), Provisional Approval, and Sections 2530 (VN) and 2585 (PT) General Requirements.**

Ms. Northrup reported the notice of proposed changes is scheduled for publication on May 29, 2015, and the required public hearing on the proposed regulations is scheduled for July 13, 2015.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: NO MOTION REQUIRED.**

## **12. ENFORCEMENT DIVISION REPORT.**

Rocio Llamas, Enforcement Division, Discipline and Probation Unit Manager, presented an update relative to the Enforcement Division.

**Public Comment:** None.

#### **Board Discussion:**

- Ms. Avella suggested that in order to gage the Enforcement Division's success, she would like to see more detailed tracking of recommendations. Ms. Avella suggested Enforcement staff address each area of the report; how many cases transferred-categorize; be more detailed rather than say that cases were productive; set a target date of case settlements, more case tracking is needed.

**MOTION: NO MOTION REQUIRED.**

**13. LICENSING DIVISION REPORT.**

Ms. Northrup provided a report relative to the Licensing Division and provided vocational nursing and psychiatric technician application processing times.

**Public Comment:** None.

**Board Discussion:**

- Mr. D’Braunstein told Ms. Northrop he would like to see a decline in the statistics in 2016.

**MOTION: NO MOTION REQUIRED.**

**14. EDUCATION DIVISION REPORT.**

Ms. Anderson, Supervising NEC presented a report relative to the Education Division and reported that interviews for the NEC vacancies is projected to be completed by June 1, 2015.

**Public Comment:** None.

**Board Discussion:**

- Ms. Avella asked Ms. Anderson, with the current workload and 3/5 NEC staffing, are site visits still being conducted? Ms. Anderson responded yes, she anticipates continued site visits after July 1, 2015.
- Mr. Vertido thanked the NECs for their thorough work and appreciates the inspection reports.

**MOTION: NO MOTION REQUIRED.**

**15. BOARD COMMITTEES – Review and Discussion of Roles, Organization, and Effects.**

Mr. D’Braunstein reported on the Board’s four committees and the Board Members assigned to each committee. There is currently no one assigned to the Legislative Committee.

**Public Comment:** None.

**Board Discussion:**

- Ms. James-Perez reported since she is a member of the Executive Committee, the Education and Practice Task Force, and the Enforcement Task Force, she is removing herself from the from the Education and Practice Task Force.
- Ms. Avella asked if the information regarding the Committees was provided is for information purposes only, or if a motion will be taken to assign members to the Legislative Committee.
- Mr. D’Braunstein responded if necessary, members would be assigned to the Legislative Committee.

**MOTION: NO MOTION REQUIRED.**

**16. REVIEW AND DISCUSSION OF REINSTATEMENT APPLICATION.**

**Public Comment:** None.

**Board Discussion:**

- Mr. Mah stated that this was an item he requested be added to the agenda for discussion, however he did not provide a copy of the reinstatement application to Board and staff. He “red-lined” the reinstatement application, making it more logical and focusing on the petitioner as much as possible; adding rehabilitation start/stop dates and chemical dependency questions. Mr. Mah will email the red-lined application to Acting EO Brooks.

**MOTION:** Place the item for consideration on the August 2015 Board Meeting Agenda.

**17. DISCUSSION AND POSSIBLE ACTION REGARDING DISCIPLINARY GUIDELINES AND UNIFORM STANDARDS.**

**Public Comment:** Trish (Board of Registered Nursing) - commented a number of reports have not adopted under the uniform standards.

**Board Discussion:**

- Mr. Mah talked about uniform standards and consistency across the Department.
- Mr. Mah and Mr. D’Braunstein agreed since there was not enough preparation for this meeting, this agenda item will not be addressed today and will be moved to the August 2015 Agenda.

**MOTION:** Place the item for consideration on the August 2015 Board Meeting Agenda.

**18. REVIEW AND APPROVAL OF EXECUTIVE OFFICER DUTY STATEMENT.**

**Public Comment:** None.

**Board Discussion:**

- Ms. Freedman reported that the Executive Officer duty statement that was presented and approved by the Board Members at the April 2015 Board Meeting did not include the Education Division component.
- **MOTION: Direct DCA Office of Human Resources Staff to revise the Executive Officer duty statement to include the Education Division section, and submit to the Executive Committee for review. Place the item for consideration on the August 21, 2015 Board Meeting agenda.**

**Moved:** Susan Rubin

**Seconded:** Eric Mah

Ms. Avella, Mr. D’Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Rubin and Mr. Vertido voted in favor of the motion. Ms. Bass de Martinez and Ms. Norton were absent.  
**The motion passed.**

**19. PUBLIC COMMENT PERIOD.**

**Public Comment:** None.

**Board Discussion:** None.

**20. AGENDA ITEMS FOR FUTURE MEETINGS.**

**Public Comment:** None.

**Board Discussion:** None.

**21. CLOSED SESSION: Appointment and Recruitment of an Executive Officer (not open to the public), Government Code Section 11126(a)(1).**

**OPEN SESSION**

**22. ADJOURNMENT.**

The meeting was adjourned at 4:52 p.m.

Prepared by: \_\_\_\_\_

**John Brooks**  
Acting Executive Officer

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_

**Todd D'Braunstein, P.T.**  
President

Date: \_\_\_\_\_