



## Executive Officer's Report November 20, 2015

### I. Administration Division Update

- A. **Board Members** – The Board currently has one public member position vacant. Anyone interested in serving on the Board should contact the Senate Rules Committee Appointment Secretary at (916) 651-4151, or email at [Sharon.Olsen@sen.ca.gov](mailto:Sharon.Olsen@sen.ca.gov).
- B. **BreEZe** – The Board continues to assist in the development, configuration, design and testing of the BreEZe system which is scheduled to launch January 19, 2016.

Board staff are currently running User Acceptance Testing (UAT) scripts to test the design and functionality of the application. UAT began on September 23, 2015, and will continue into early December 2015. While the goal is to ensure all of the Board's licensing and enforcement processes can be conducted appropriately, this is also an opportunity to try and 'break' the system by attempting to perform functions that should not be allowed. There are currently six board staff assigned full-time to UAT.

The Board also has staff assigned to the Data Validation (DV) testing component of BreEZe. This is where a subset of licensing and enforcement data is transferred into a test BreEZe database, and the staff conducting the DV ensure whether or not the information was extracted from the legacy databases and then loaded into BreEZe correctly.

BreEZe training for Board staff will be conducted during the November/December timeframe. This training will teach staff how to use the new system. After completion of BreEZe training, and before launch, meetings will be held to explain changes to workflow post-launch. The goal is to utilize these trainings along with hands-on practice in the test database to allow a relatively smooth transition with minimal productivity loss.

- C. **Budget** – The Board is currently operating within its fiscal appropriation thus far, within the fiscal year (FY). We will continue to meet regularly with the Department of Consumer Affairs (DCA) Budget Office to ensure the Board's expense projections correspond with our actual and projected expenditures.

The signing of Assembly Bill (AB) 179 requires the DCA Director to appoint an Administrative and Enforcement Monitor to the Board by March 1, 2016. The Monitor will be reporting their findings on Board operations periodically to the DCA Director, as well as the Legislature. The salary and benefits for this position will be paid for in full by the Board. We are working with the DCA Budget Office on how this position will be

paid for, and a Budget Change Proposal (BCP) has been submitted to augment the Board's budget for the next two fiscal years in anticipation of this expense.

**Fund Condition:**

Another change associated with the signing of AB 179, is the Vocational Nursing Fund and the Psychiatric Technician Fund will be combined effective July 1, 2016. With the merging of funds, the Board is presently projected to have a 13.3 month reserve through FY 2017-18, which includes projected costs associated with the BreEZe project and the Administrative and Enforcement Program Monitor.

**II. Personnel Update**

Since May 1, 2015, the Board filled 15 total authorized positions and conditional offers of employment have been made to candidates for three vacant positions. Firm offers of employment will be made to the three candidates pending background clearance.

**A. Board Vacancies (Authorized Positions)** – Since the August Board Meeting, the Board filled 7 authorized positions. The Board currently has 8.5 vacant positions, for a 12.5% vacancy rate (i.e., 8.5 vacant positions out of 67.9 total authorized positions). The vacant positions are currently in the following Divisions:

- 4 Licensing/Administration Division (Assistant Executive Officer, Program Technician (PT) II, Office Technician (OT), and Office Assistant (OA))
- 2.5 Enforcement Division (Staff Services Analyst (SSA) and Special Investigator (SI))
- 2 Education Division (NEC)

<b><u>New Hires</u></b>	<b><u>Date</u></b>	<b><u>Classification</u></b>
Natalie Frost	September 1, 2015	SI
Samantha Calma	September 14, 2015	Sup. Program Tech. (PT) III
Michael Saenz	September 17, 2015	OT
Kitty Harper	October 1, 2015	OT
Nicole Walker	October 1, 2015	SI
Sarah Benedict	October 5, 2015	SSA
Lydia Zeigler	December 7, 2015	NEC

<b><u>Retirements</u></b>	<b><u>Date</u></b>	<b><u>Classification</u></b>
Carli Gonzales	September 30, 2015	SSA
Shirley Chavez	October 5, 2015	OA

<b><u>Separations</u></b>	<b><u>Date</u></b>	<b><u>Classification</u></b>
Chris Jensen	October 31, 2015	SI
Kelly Martin	December 4, 2015	SI

**B. Board Vacancies: BL 12-03** – In July 2012, Budget Letter (BL) 12-03 directed the Board to eliminate budgeted salary savings and allocate that amount to accurately reflect how state operation funds are being expended. That directive resulted in the elimination of 3.8 of the Board's authorized positions. However, the Board was notified it could fill those positions because the funding for those positions is still available. The Board has four BL 12-03 positions:

- 2 PT II positions (full-time) and;
- 2 OT positions (full-time)

Both PT II positions are filled, and conditional offers of employment have been made to candidates for the two vacant OT positions. Firm offers of employment will be made to the two candidates pending background clearance.

**C. Board Vacancies: Retired Annuitant (RA)** – The Board received approval to hire five RAs to support daily operations during the Breeze conversion and four RAs to assist the Education Division with its workload.

Of the nine approved RA positions, three vacancies exist; two in the Education Division and one in the Enforcement Division.

**D. Overtime** – During this fiscal year (7/1/15 through 10/30/15), Board staff worked approximately **900.5** hours of overtime as shown below:

Education Division: 34.25  
Enforcement Division: 321.25  
Licensing/Admin. Division: 545

The need for overtime continues to require justification, and each request is reviewed thoroughly before it is approved.

**E. Recruitment of Nursing Education Consultants (NEC)** – The Board currently has two vacant authorized NEC positions. Both vacancies are currently advertised as 'home-based' positions. The Board has coordinated with the DCA Office of Human Resources (OHR), Selection Services Unit, and a new certification list is available for this classification. Interviews are being conducted to fill the remaining two vacancies.

Meanwhile, the Board is also working with DCA-OHR on a classification study with the Board's goal of increasing the compensation for the Supervising NEC and NEC staff. DCA-OHR is being provided access to the Board's recruitment information, and they will also request similar information from the Board of Registered Nursing (BRN), which is the only other entity that utilizes the NEC classification.

### III. Accomplishments/Process Improvements

The last six months has seen much transition within the Board. Changes in leadership and management focus, new staff, a 'reboot' of enforcement processes and preparations for the new BreEZe database, have all contributed to excitement and a renewed optimism within the Board.

A huge thank you to staff and the managers for playing a big role in this successful transition. Below is a list of some of the accomplishments/process changes/improvements we are most proud of;

- Delegated subpoena authority which allows the Board the ability to obtain confidential documents in order to investigate complaints more thoroughly.
- Instituting changes to the Enforcement Division's Complaint Intake process and fully utilizing the Consumer Protection Enforcement Initiative (CPEI) matrix to assign complaints, which will reduce case processing time.
- Building relationships to allow the Board to manage the licensing process more effectively and process complaints within expected timeframes; Attorney General's Office, Office of Administrative Hearings, DCA Division of Investigation, DCA Executive Office, DCA-OHR, DCA Budget Office, and our sister Boards and Bureaus within DCA.
- Renewed recruitment for the Board's Expert Witness Program to better support our enforcement processes.
- Expanding the candidate pool for the vacant NEC positions to allow qualified candidates work in a 'home-based' capacity anywhere within California.
- Utilization of electronic access of Department of Motor Vehicle reports as opposed to paper requests, reducing the time to receive information from two weeks to one day.
- Implementing regulation changes; increased level of reportable infraction fine amounts from \$300 to \$1,000, as well as proposed changes to the regulations regarding provisional approval for schools.
- Introduction and usage of the EAR program by the Investigation Unit to allow for better case tracking and documentation for cost recovery purposes.

### IV. Division Priorities

**BreEZe Launch – January 19, 2016** - Preparation for this database change will be the primary focus for the Board over the next three months. Ensuring the new system meets our business needs, training staff on the new system and the revised workflow, and working to ensure minimal impact to applicants and licensees upon launch are our main goals.

Realizing that there will be a short-term impact to productivity, we have dedicated time and staff resources in excess on the front end of this project in order to minimize transition pain once the launch occurs.

**Case Aging** - The Enforcement Division will be prioritizing cases based on aging, and striving to reduce the Board's overall cases pending and the respective aging of those cases. Processes have been modified, standard reports are providing staff and managers the current information, and now managers will be holding staff accountable for processing cases.

**Application Evaluation** - The Licensing Division is exploring its current processes for properly evaluating applications from those applicants educated outside the United States, as well as applicants with a combination of education and work experience. We are partnering with National Council of State Boards of Nursing (NCSBN), as well as the BRN to identify best practices in these situations.

**School Applications** - Working through the backlog and processing school applications remains a priority for the Education Division. Recently, a firm offer of employment was made to fill one vacant NEC position, and the Board is currently recruiting to fill two vacant Associate Governmental Program Analyst/RA positions to support both new application review, as well as existing school review.