

Agenda Item 22.C.



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



BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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February 9, 2018

Assembly Member Evan Low, Chair
Assembly Business and Professions Committee
Capitol Office, Room 4126
Sacramento, CA 95814

Senator Jerry Hill, Chair
Senate Business, Professions and Economic Development Committee
State Capitol, Room 2053
Sacramento, CA 95814

Director Dean R. Grafilo
Department of Consumer Affairs
1625 North Market Boulevard, Suite S-308
Sacramento, CA 95834

Subject: Response to the Administrative and Enforcement Monitor Final Report

Dear Honorable Members of the Legislature:

Pursuant to Business and Professions Code Section 2847.6, the Board of Vocational Nursing and Psychiatric Technicians (Board) is presenting its update to the findings included in the Administrative and Enforcement Monitor Final Report. That report was presented to the Board by Benjamin Frank, Monitor, on December 18, 2017.

The Executive Officer is readily available for discussion regarding these responses. Should additional information or clarification be desired, please contact Elaine Yamaguchi at (916) 263-7800 or elaine.yamaguchi@dca.ca.gov.

Sincerely,

TAMMY ENDOZO, L.V.N.
Board President

Cc: Board Members

Recommendation #	Current Status	Mid-February Update
<p>Rec 1: Critically review and overhaul Item No. 9 of the current Record of Convictions form to make it more readable and understandable and reduce the frequency that license applicants misreport or over-report prior convictions (see also Rec. 5)</p>	<p>Not implemented</p>	<p>The Chief of Enforcement has discussed amending verbiage in the current Record of Convictions Form with Legal. Due to the bodies of law contained within the form, it can cause confusion, causing applicants to overreport, causing unnecessary workload for Licensing and Enforcement. The Chief of Enforcement will meet with the EO and Licensing Division to discuss as the specific form is a Licensing Form.</p>
<p>Rec 2: Develop and implement procedures to enable case intake staff to exercise judgment in determining whether to request records from law enforcement agencies and the courts for license applicant cases based on minor criminal offenses that occurred in the distant past and screen the cases to identify and close cases that do not require desk investigations.</p>	<p>Partially implemented</p>	<p>The assigned applicant technician exercises judgement in determining whether to request records from law enforcement agencies and courts for license applicants. The assigned technician makes a recommendation on a short form, then reviewed by a lead analyst. With the intake function pulled into a new business unit, the Enforcement Chief and DOI are working on formalizing a quality control process.</p>
<p>Rec 3: Restructure and expand the CE Compliance Audit Program. Issue an initial standard form 30-day audit letter to a sample of at least 5 percent of renewing licensees in conjunction with issuing their license renewal notifications. If the licensee is non-responsive to the initial request, promptly issue a second/final request. If the licensee is non-responsive to the final request or confirms that they did not complete any (or completed very little) of the required CE, refer the case to Enforcement for issuance of a citation. Streamline the Certificate of Completion review process by limiting reviews of the documents in cases that appear to show full compliance with BVNPT's CE requirements</p>	<p>Not implemented</p>	<p>The EO and Board staff are reviewing audit process to identify improvements. The EO will provide an update at the February 2018 Board meeting.</p>
<p>Rec 4: Assess the feasibility of imaging CE-related document submissions or enabling submission of the documents electronically.</p>	<p>Not implemented</p>	<p>The EO and Board staff are reviewing audit process to identify improvements. The EO will provide an update at the May 2018 Board meeting. The recommendation requires Board staff meeting with BreEZe subject matter experts.</p>
<p>Rec 5: Critically review and overhaul Item No. 9 of the current Record of Convictions form to make it more readable and understandable and reduce the frequency that licensees misreport or over-report prior convictions when renewing their license (see also Recommendation IV-1). Develop additional programming for on-line renewals that requires confirmation when the "Yes" box is checked or to prevent further processing of the renewal application until other required fields providing additional information about the self-reported conviction are completed</p>	<p>Not implemented</p>	<p>The first part of the recommendation ties to Recommendation #1. The Chief of Enforcement has had preliminary talks with its BreEZe subject matter expert. However, the Chief of Enforcement and Board staff will reach out to OIS in the near future to discuss feasibility of this recommendation.</p>
<p>Rec 6: Work collaboratively with the AG to identify ways to increase BVNPT's utilization of the current FT Pilot Program for licensee arrest/conviction report cases and other qualifying cases</p>	<p>Implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 7: Work collaboratively with the AG to identify ways to expand the Fast Track Pilot Program for licensee arrest/conviction cases and other qualifying cases to other geographic regions of the state</p>	<p>Implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>

<p>Rec 8: Develop and implemented a structured business process for screening licensee complaints to identify cases that do not require field investigations</p>	<p>Not implemented</p>	<p>The Enforcement Division has created a new business unit called the Intake & Enhanced Screening Unit. 2 AGPAs have been redirected from the Complaint Unit to perform Enhanced Screening functions. Staff has been noticed of redirection and currently phasing out of previous unit workload.</p> <p>Chief of Enforcement and DOI are working to fully implement a structured business process. DOI is assisting Board staff in further breaking CPEI Category 3/4 and licensee complaints to solidify Intake Analyst training with regards to triaging cases suitable for enhanced screening. Procedures are currently being reviewed and amended. Furthermore, the Enhanced Screening functionality is not yet up and running. Support of the Enhanced Screening function will be done by DOI, as well as the Supervising Special Investigator I.</p>
<p>Rec 9: Restore processes for opening and investigating cases involving discipline by another state/agency. Develop and implement procedures to enable case intake or screening staff (or both) to review and not open new discipline by another state/agency cases or, alternatively, screen and close discipline by another state/agency cases that do not require completion of a desk investigation. Additionally, notify agencies providing "courtesy notices" to stop doing so if the information is available to BVNPT through BreEZe, from standard BreEZe reports, or the agency routinely posts the information to another professional licensing database that is otherwise queried by BVNPT.</p>	<p>Partially implemented</p>	<p>The Intake Analyst currently queries NURSYs as required and addressed any cases involving discipline by another state. The Intake Analyst desk handles this portion, then when a case is identified, it is moved to the Complaint Unit.</p> <p>Cross-Discipline Reports are currently not being run and will be addressed immediately. BreEZe has automated reports that remove the need for courtesy notices from any BreEZe based boards. Furthermore, the previous regime requested that courtesy notices not be sent, as automation has provided most up to date discipline information.</p>
<p>Rec 10: Continue to refine licensee complaint case coding procedures and practices and provide training to staff to further improve the consistency and completeness of complaint records and the tracking and reporting of Enforcement Program workload, backlog and performance information.</p>	<p>Partially Implemented</p>	<p>Chief of Enforcement along with DOI and Enforcement mgmt. team are revising procedures to validate best practices as it pertains to coding. Proper application will be reinforced in unit meetings. Chief of Enforcement and Enforcement management team encourages staff to take BreEZe training as refresher as well as provide feedback if SOLID can provide Enforcement specific training.</p> <p>Chief of Enforcement will be attending all BreEZe Enforcement meetings with pertinent staff to ensure all proposed changes are done in a matter most efficient to the Board.</p>
<p>Rec 11: Develop and implement processes for enhanced screening of licensee complaint cases that do not require field investigations.</p>	<p>Not Implemented</p>	<p>A new business unit has been created in response to this recommendation to handle enhanced screening cases that do not require field investigations. While the structure of the unit has been formed, processes have not yet been fully developed. The Chief of Enforcement along with DOI continue to lay out business processes in procedures. With staff being redirected, the Enhanced Screening desk has not been initiated.</p>
<p>Rec 12: With limited exceptions, stop closing licensee complaint cases during intake without investigation and ensure supervisory reviews are completed of all licensee complaint cases closed during intake without investigation.</p>	<p>Implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 13: Reopen licensee complaint cases previously closed during intake from February through May 2017 as determined appropriate by the Division of Investigation and assign the re-opened cases to BVNPT's Investigation Section or the Division of Investigation as determined appropriate by the Division of Investigation.</p>	<p>implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>

<p>Rec 14: Complete Division of Investigation reviews of all licensee complaint cases closed during intake from September 2016 through January 2017, re-open any cases previously closed during intake as determined appropriate by the Division of Investigation, and transfer the re-opened cases to the Investigation Section or DOI as determined appropriate by the Division of Investigation.</p>	<p>implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 15: Assign currently pending licensee complaint intake cases to BVNPT’s Investigation Section or DOI as determined appropriate by the Division of Investigation.</p>	<p>implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 16: Stop Pilot Project 2.0 involving the collection of releases and administrative/personnel records for newly received licensee complaint cases by Intake Unit staff and redirect Intake Unit staff to focus exclusively on completing case reviews, research and triage of newly received license complaint cases.</p>	<p>implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 17: Revise BVNPT’s licensee complaint intake policies and procedures consistent with the above recommendations, provide training to Complaint Section staff to support implementation of the recommendations, and monitor implementation to assure that all of the recommendations are fully and consistently implemented.</p>	<p>implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 18: Locate or account for all cases shown in Breeze as Closed Pending Conviction and assign them for ongoing monitoring.</p>	<p>Implemented</p>	<p>All CLPX cases have been re-opened and are currently being monitored.</p>
<p>Rec 19: Develop and implement positive internal controls to ensure that cases Closed Pending Conviction are monitored and tracked by staff on a continuing basis.</p>	<p>Not Implemented</p>	<p>All CLPX cases have been re-opened. The CLPX code has been retired. A new follow-up code has been created called CCCA (Crim Case Follow-Up).</p>
<p>Rec 20: Reopen and further investigate Investigation Section cases closed with a NOW during early-2017 as determined appropriate by the Division of Investigation.</p>	<p>Implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 21: Complete Division of Investigation reviews of all Investigation Section cases closed since mid-May 2017.</p>	<p>Implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 22: Transfer all Citation Program responsibilities to the Discipline Section.</p>	<p>Implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>

<p>Rec 23: Temporarily redirect one experienced (1) Special Investigator to complete reviews of pending AS05 cases, triage the cases for discipline, prepare case summaries, and refer the cases for issuance of a NOW, citation or to the AGO, as appropriate. Provide a 2nd level supervisory level reviewer for all closed cases. Utilize Discipline Section staff, as needed, to assist in preparing and submitting discipline packages to the AGO. Improve internal controls and reporting for monitoring the status of these cases and develop procedures for expediting reviews in cases where the responsible investigator believes there is an imminent risk of consumer harm</p>	<p>Partially implemented w/modifications</p>	<p>This recommendation was completed to address the initial AS05 holdover. Due to lack of resources, redirection of a SI was not feasible. DOI staff assisted the Board to complete review of AS05 cases, triage the cases for issuance of a NOW, citation, or transmittal to the AG.</p> <p>Discipline Unit dedicated resources during this time period to expedite transmittals to the AG. With the redirection of Complaint AGPAs, the Enforcement management team along with DOI are handling AS05 secondary case reviews.</p> <p>The Board will work with DOI and the SI Unit to develop procedures to flag completed investigations of high profile and/or confirmed egregious violations to ensure an expedited review by Board analysts and timely referral to the AG for disciplinary action.</p>
<p>Rec 24: Modify the Quarterly Enforcement Workload and Performance Report format to more consistently distinguish between license applicant cases, licensee subsequent arrest/conviction report cases, licensee complaint cases, and CE audit failure cases. Additionally, align the Quarterly Report Data with data provided in the Division's Monthly Statistical Reports. Provide both Quarterly and Monthly Reports to the Enforcement Committee within 10 days following each reporting period.</p>	<p>implemented w/modifications</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 25: On an annual basis, develop goals for each of the workload and performance measures listed on the Quarterly Enforcement Workload and Performance Report and include the goals in all quarterly reports</p>	<p>Not Implemented</p>	<p>The Board has not developed goals for each of the workload and performance measures listed on the Quarterly Enforcement Workload and Performance Report. With the development of a more robust reporting system, the Board can now work to implement this recommendation.</p>
<p>Rec 26: Continue to redirect and consolidate available resources as needed to enable additional screening and completion of on-line public complaints and licensee complaints that do not require field investigation</p>	<p>Partially implemented</p>	<p>The Board has reclassified a vacant SI to a SSMI to oversee the Intake & Enhanced screening unit. The Board has also redirected staff to handle the Enhanced Screening desk. The Chief of Enforcement will evaluate whether redirection and consolidation of resources is further needed in the future as workload dictates.</p>
<p>Rec 27: Continue to utilize available blanket expenditure authorization funding to maintain the availability of a full-time AGPA position to serve as a Lead Analyst for the Intake Unit and provide complaint screening and second level intake and complaint screening review services.</p>	<p>Implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 28: Modify classification of Intake unit's authorized perm SSA</p>	<p>Partially implemented w/modifications</p>	<p>After further evaluation, Acting EO modified this implementation. 2 AGPAs were redirected out of Complaints instead.</p> <p>The Chief of Enforcement is working with OHR to approve the modified AGPA duty statements.</p>

<p>Rec 29: Reclassify a currently vacant Special Investigator position to SSM I and redirect the position to serve as a Manager for the new Intake, Screening, Discipline Review and Enforcement Support Section (see Final Recommendation 36).</p>	<p>Partially implemented</p>	<p>The vacant SI position has been reclassified to a SSM I per approval by OHR. A candidate pool has been identified and interviews will commence middle of February.</p>
<p>Rec 30: As Investigation Section case backlog and new case assignments decrease, redirect vacant positions to address current Enforcement and BVNPT needs</p>	<p>Partially implemented</p>	<p>A vacant SI position was moved to the Intake & Enhanced Screening unit to meet business needs. The EO and Chief of Enforcement continue to evaluate workload needs.</p>
<p>Rec 31: Transfer the Reinstatement Analyst position and related Petition for Reinstatement responsibilities to the Probation Section and assign the Reinstatement Analyst a limited probation monitoring caseload as a supplement to their Petition for Reinstatement cases (e.g., monitoring of some of the Probation Section's Year 3 probationers) or continue utilizing other Discipline Section staff to monitor some probationers until monitoring caseloads decrease to lower levels.</p>	<p>Partially implemented</p>	<p>The Chief of Enforcement modified the initial recommendation and have not transferred the Reinstatement Analyst. Chief of Enforcement and Discipline Unit Manager have one Discipline Analyst working a 50/50 time split, supporting in other areas of Probation until visible decrease in workload. Refer to Rec. 35.</p>
<p>Rec 32: Upgrade the Enforcement Division's Data Quality Control and Statistical Reporting Analyst position to the AGPA level and redirect the position and associated data quality control and reporting responsibilities to the Intake, Screening, Discipline Review and Enforcement Support Section (see Final Recommendation 36).</p>	<p>Not implemented</p>	<p>Chief of Enforcement working with DCA OHR to approve modified duty statement.</p>
<p>Rec 33: Redirect and consolidate available resources as needed to support expansion of the CE Audit Program. Consider transferring responsibility for auditing compliance with BVNPT's CE requirements and the CE Compliance Audit Specialist position to the Discipline Section and utilizing Discipline Section staff to provide assistance with completing additional compliance reviews.</p>	<p>Partially implemented</p>	<p>The EO and Board staff are reviewing audit process to identify improvements. The EO will provide an update at the February 2018 Board meeting. Refer to Rec. 3</p>
<p>Rec 34: Assign some probation monitoring cases to the Section Manager until monitoring caseloads decrease to lower levels.</p>	<p>Implemented</p>	<p>The Probation Unit Manager has taken a reduced caseload to assist staff.</p>

<p>Rec 35: To address elevated Probation Program workload demands for the next 12 to 18 months, continue to utilize Temporary Help to augment Probation Section staffing. Subsequently, as probation monitoring caseloads decrease as a result of either a decrease in the probationer population or redistribution of probation monitoring cases among other Probation Section staff, begin reducing the Section's utilization of Temporary Help services.</p>	<p>Partially implemented</p>	<p>The Probation unit is currently training its retired annuitants to handle limited caseload, cost recovery, as well as assist Probation staff at a administrative level.</p> <p>If Probation workload decreases, as the Enforcement Monitor predicts, the Chief of Enforcement and EO will discuss reduction of Temporary Help services.</p>
<p>Rec 36: Establish a new Intake, Screening, Discipline Review and Enforcement Support Section. Transfer all Complaint Section Intake Unit staff and associated responsibilities to the new Section. Transfer one (1) of the Complaint Section's other Lead Analysts and the Section's discipline review responsibilities to the new Section. Transfer the Division's Data Quality Control and Statistical Reporting Analyst position and associated responsibilities to the new Section</p>	<p>Partially Implemented w/Modifications</p>	<p>The Intake & Enhanced Screening Unit has been formed. Upon approval from the Acting EO, this recommendation has been modified; two lead analysts have been redirected instead of the one as originally recommended.</p> <p>A vacant SI was reclassified to a SSMI to oversee the new unit. Furthermore, the Division's Data Quality Control reporting desk's duty statement is still under review with DCA OHR.</p>
<p>Rec 37: Repeal Section 2847.8(b) requiring that the Board submit a specified report to DCA in advance of each meeting specified in Section 2847.8(a).</p>	<p>Not implemented</p>	<p>Board staff will reach out to the Department to assist in making legislative changes.</p>
<p>Rec 38: DCA and the Division of Investigation should continue to provide enforcement-related management, supervisory, technical support and training services for at least the next 3 to 6 months and until BVNPT's Leadership and Enforcement Program Management Teams are fully rebuilt and sufficiently trained to enable more autonomous management of the Enforcement Program. During this transition period, the Enforcement Division's Management Team should seek out and accept direction from the Division of Investigation's more knowledgeable and experienced staff with respect to identifying needs for and implementing changes needed to enable improved Enforcement Program performance.</p>	<p>Partially implemented</p>	<p>With the chaptering of AB 1229, DOI has an emphasized presence with the Board, providing support to BVNPT's Enforcement Division. With a new SSI, DOI has committed itself to assisting transition. Furthermore, DOI is assisting in the development of the new Intake & Enhanced Screening Unit.</p> <p>DCA Executive Office has provided staff to serve as a transition to the new EO. DCA staff continue to provide leadership and executive management pending the appointment of the AEO.</p>
<p>Rec 39: BVNPT should request additional support from the Department of Consumer Affairs or through recruitment of a Retired Annuitant with prior executive management experience to bolster BVNPT's Leadership Team capabilities until a permanent Executive Officer and a permanent Assistant Executive Officer are appointed.</p>	<p>Partially Implemented</p>	<p>The Governor has appointed BVNPT's EO as of January 22, 2018. An Acting EO serviced from January 2-January 19 to assist in the transition of Elaine Yamaguchi. DCA Executive Office continues to lend staff to support in an executive management role.</p>
<p>Rec 40: Appoint a seasoned Executive Officer to the Board that has prior executive-level management experience, preferably with other California State Government regulatory programs, and including demonstrated success turning around other troubled programs or organizations. Additionally, when making this appointment, consider the candidate's management style and willingness and ability to work collaboratively with DCA.</p>	<p>Implemented</p>	<p>The Governor has appointed Elaine Yamaguchi as EO.</p>

<p>Rec 41: When appointed, BVNPT's Executive Officer and Assistant Executive Officer should review the Board's needs for all of the different AGPA positions currently allocated to BVNPT's Education, Licensing and Administration Business Units</p>	<p>Partially Implemented</p>	<p>The EO with support from DCA's Executive Office has reviewed BVNPT's organizational structure and is making changes to fit best business practices with regards to the different AGPA positions in Education, Licensing and Administration Business Units.</p>
<p>Rec 42: BVNPT's Chief of Enforcement should become more actively and directly engaged in addressing issues contributing to poor workforce morale and discontent within the Complaint Section, including needs for additional training and support for the Section Manager targeted to developing (1) more effective working relationships with subordinate staff and (2) a better understanding of the nature of the Section's enforcement cases, how the cases are investigated, the Section's case handling and review processes, and how BreEZe works (e.g., by working some of the licensee arrest/conviction report cases assigned to the Section).</p>	<p>Partially Implemented</p>	<p>The Chief of Enforcement meets regularly with the Complaint Unit Manager to discuss workload as well as address issues regarding discontent and morale.</p> <p>With the redirection of lead staff to the Intake & Enhanced Screening Unit, Complaint Unit Manager has taken over lead duties.</p> <p>Complaint Unit Manager has assigned herself caseload to assist staff.</p>
<p>Rec 43: The Division of Investigation should continue to conduct individual case reviews on at least a semi-monthly basis with each of the Investigation Section's investigators. For training and development purposes, the Chief of Enforcement and the Investigation Section Manager, when appointed, should participate in most (or all) of these reviews for at least the next 6 to 12 months and, over time, Enforcement Division management should assume responsibility for completing these reviews. The frequency and duration of the reviews should be regularly adjusted as appropriate to each investigator's development needs.</p>	<p>Not implemented</p>	<p>This recommendation has not been implemented. DOI will work with the SSI and Chief of Enforcement to assist with regular case review.</p>
<p>Rec 44: Continue to provide Enforcement Division staff with formal classroom type training as needed to bolster their knowledge, skill, and abilities</p>	<p>Implemented</p>	<p>Per the Enforcement Monitor, the Board has implemented this recommendation.</p>
<p>Rec 45: Utilize DOI to support initial training of newer investigators</p>	<p>Partially implemented</p>	<p>DOI has committed itself to assisting the SI unit, providing guidance and direction to the Chief of Enforcement as well as the newly appointed SSI.</p>
<p>Rec 46: Utilize AG Liaison services at a higher level for a limited period of time to provide additional on-site applied technical assistance and training to BVNPT's investigators.</p>	<p>Not implemented</p>	<p>The Chief of Enforcement will explore enhancing communication with the AG Liaison. Bulk of communication with the AG Liaison comes from the Discipline Unit. The Chief of Enforcement will reach out to the AG Liaison to explore classroom training as well as on-site technical assistance.</p>

<p>Rec 47: Establish an Interagency Work Group comprised of representatives of the Business, Consumer Services and Housing Agency, the Department of Consumer Affairs, the Senate Committee on Business, Professions and Economic Development, the Assembly Committee on Business and Professions, and BVNPT’s governing Board to assess needs for development of a 360 degree Executive Officer feedback process and, if needed, the best approach and timeframe for developing and implementing the process.</p>	<p>Not implemented</p>	<p>The EO will reach out to relevant entities to discuss feasibility of this recommendation.</p>
<p>Rec 48: Complete required Probation Reviews for all new or internally promoted staff within the timeframes specified by CalHR and, on an annual basis, complete Annual Performance Reviews and Individual Development Plans for all other BVNPT managers and staff.</p>	<p>Partially Implemented</p>	<p>BVNPT has not been compliant with completing IDPs, prob reports on all staff within the timeframes specified by CalHR. This issue will be addressed and prioritized.</p>
<p>Rec 49: The Chief of Enforcement should maintain open lines of communication and meet periodically with counterparts at the Division of Investigation and the Office of Attorney General to jointly develop and implement strategies to further reduce BVNPT case backlogs and the amount of time needed to complete investigations and impose discipline when supported by results of the investigations.</p>	<p>Partially Implemented</p>	<p>The Chief of Enforcement and the Enforcement management team communicate regularly with DOI regarding Enforcement related processes to discuss strategies on improving BVNPT's Enforcement program. Examples include discussion on issuances of NOWs, AG transmittal cases, investigative methodology, etc.</p> <p>The Chief of Enforcement communicated with the DAG liaison mostly regarding viable discipline cases on a case-by-case basis. However, communication can be enhanced.</p> <p>The Chief of Enforcement will be emphasizing communication with DOI/AG to evaluate strategies to assist in Enforcement Division's timelines and backlog.</p>
<p>Rec 50: BVNPT’s Chief of Enforcement should work collaboratively with DCA and other DCA-affiliated healing arts boards to develop and implement strategies for further improving awareness among OSLTCO's staff and volunteers, and the patients that they serve, regarding their respective Licensing and Enforcement Programs, including participating every few years in an OSLTCO conference.</p>	<p>Partially Implemented</p>	<p>The Chief of Enforcement has presented alongside DOI and the Medical Board at the OSLTCO conference, encouraging increased partnerships with the Board and the Ombudsman. This was the first occasion BVNPT had the opportunity to present.</p> <p>The Chief of Enforcement will reach out to similar DCA affiliated healing art boards to see if strategies can be shared to increase outreach and awareness.</p>

<p>Rec 51: Consistently provide all new Board members with substantive New Board Member Orientations and related training and reference materials specific to BVNPT's Enforcement Program, and other BVNPT programs and services, that complements the Board Member Orientation Training (BMOT) provided by DCA and helps new members to better understand and fulfill their program oversight, strategic planning, policy development, Executive Officer performance evaluation and other responsibilities. Require that all new members attend two (2) days of orientation training and offer an optional follow-up day of training to new members within 3 to 6 months of completion of the initial training. Have a representative of DCA participate in the BVNPT-specific orientations to help integrate the training with DCA's BMOT training, particularly with respect to helping the member understand and fulfill their oversight responsibilities. Update the reference materials provided to Board members to include recently completed reviews, evaluations or audits of BVNPT's programs or operations that would be beneficial for purposes of better understanding the Board's historical development and problems currently facing the Board and provide the members with an overview of the information contained in each of these documents.</p>	<p>Partially Implemented</p>	<p>The Board has revamped up its training for Board members and will continue to do so with its newest Board members. A .ppt presentation has been developed for each respective unit, detailing business processes, workflow, etc. Furthermore, the EO will reach out to DCA's Office of Board and Bureau Services, inviting staff to observe and provide feedback.</p>
<p>Rec 52: In collaboration with DCA, develop and provide BVNPT Board members with a How to Oversee Board Licensing, Education and Enforcement Programs training session and videotape the session so that it can be provided to new Board members on a continuing basis.</p>	<p>Not Implemented</p>	<p>The EO will be reaching out to DCA to discuss implementation of this recommendation.</p>

<p>Rec 53: Better define the Enforcement Committee’s roles and responsibilities, including roles and responsibilities related to (1) overseeing the Board’s Enforcement Program and (2) communicating Enforcement Program-related information to the full Board to support fulfillment of the Board’s strategic planning, policy development, Executive Officer performance evaluation and other responsibilities. Consider better defining the roles and responsibilities of other Board committees, where necessary.</p>	<p>Partially Implemented</p>	<p>Partially Implemented per the Enforcement Monitor.</p>
<p>Rec 54: Provide briefings to Enforcement Committee members, initially on at least quarterly basis, to provide information regarding case intake, investigation and discipline workloads, backlogs, and performance, performance improvement initiatives underway and planned, policy matters and other matters as determined by the Committee. Assist members in understanding the information that is provided by highlighting trends, ongoing and emerging problems, and changes underway and planned to address these problems and improve Enforcement Program performance.</p>	<p>Partially implemented</p>	<p>The Chief of Enforcement sends quarterly enforcement statistics providing a narrative on key performance measures.</p> <p>The Chief of Enforcement provides the Enforcement Committee relevant materials in advance of meetings and further exploring strategies to assists the Committee understand trends, ongoing and emerging problems, and changes underway.</p> <p>The Chief of Enforcement and Board staff will be revamping its reporting documentation to align with sample Exhibits provided by the Enforcement Monitor.</p>
<p>Rec 55: legislation to provide EO authority to approve default decisions</p>	<p>Partially implemented</p>	<p>Board staff monitoring progress of AB 888 and will report directly to the EO. In addition, Board staff will discuss with pertinent Committee with regards to taking a position at the February Board meeting.</p>
<p>Rec 56: Update the public documents available from BVNPT’s website to include all of the Board’s reports to the Legislature related to its March 2017 Sunset Review, all of the Monitor’s reports, and other publications and information that should be readily available to all Board members and the public such as BVNPT Strategic Plans and Enforcement Program Quarterly Statistical Reports.</p>	<p>Partially Implemented</p>	<p>Board staff is continually updating the website to ensure all pertinent documents are available for public consumption. Sunset Review reports, Enforcement monitor reports are available on BVNPT’s website.</p>
<p>Rec 57: To enable prompt identification of emerging problems and potential needs for DCA to conduct more in-depth reviews and evaluations of BVNPT’s licensing processes, DCA should request and review monthly statistical reports from BVNPT regarding BVNPT’s cashiering and licensing workloads, backlogs and processing times. DCA should request that the monthly statistical reports be provided to DCA within five (5) business days of the end of each month.</p>	<p>Not Implemented</p>	<p>The EO will be communicating with the Department to implement this recommendation.</p>
<p>Rec 58: DCA’s Internal Audits Office or the Division of Investigation should conduct a follow-up review of BVNPT’s Temporary License issuance processes to verify that the measures taken during March to prevent improper issuances of Temporary Licenses remain in place.</p>	<p>Not Implemented</p>	<p>DCA Internal Audits Office has reviewed this process as part of the 360 day review. Board staff will communicate with DCA Internal Audits Office to review and address findings. An additional update will be provided at the May Board meeting.</p>