



## EXECUTIVE COMMITTEE MEETING MINUTES

**January 14, 2025**

**2535 Capitol Oaks Drive, Ste. 205  
 Sacramento, CA 95833  
 via Webex**

**Board Members Present:**

Dr. Mountain, Board President, Chair  
 Mr. Dierking, Board Vice President

**Staff Present:**

Ms. Yamaguchi, Executive Officer  
 Mr. Mark Ito, Assistant Executive Officer  
 Dr. McLeod, Supervising Nursing Education Consultant  
 Ms. Higashi, Supervising Special Investigator  
 Ms. Brown, Licensing Manager  
 Mr. Hall, Licensing Supervisor  
 Ms. Arreola, Licensing Supervisor  
 Ms. Wood, Chief, Enforcement Division  
 Mr. Prouty, Discipline Manager  
 Ms. Hudson, Intake & Enhanced Screening Manager  
 Ms. Vierra, Probation Manager  
 Mr. Weiler, Admin Manager  
 Ms. Shelley, HR Liaison  
 Ms. Brady, Board Admin Analyst (moderator)

**DCA Staff Present:**

Mr. Pane, Assistant Chief Counsel, Legal Affairs Division, DCA  
 Ms. Schiedge, Board Regulations Counsel

1. Call to Order & Committee Roll Call – Dr. Mountain, Chair.

Dr. Mountain called the meeting to order at 3:01 p.m.

Committee members introduced themselves.

2. Introduction of Staff and Counsel – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi introduced herself and board staff. Anthony Pane introduced himself advising he was filling in for Ms. Butu, Board General Counsel. Ms. Schiedge, Board Regulations Counsel, introduced herself.

3. Operations Update – Mark Ito, Assistant Executive Officer.

Mr. Ito reported that the board has been absorbing the credit card transaction fee costs when licensees use their credit cards to pay for online fees such as renewals. Effective February 2025, the board will cease this practice and return the credit card transaction fee costs to licensees due to budgetary constraints. Many other DCA Boards are making this change. Redirecting the transaction fee costs to licensees will result in an estimated \$300,000 annual cost savings to the board's budget. Mr. Ito stated he will provide future updates on this matter.

**Committee Discussion:** None.

4. Enforcement Division Update – Antoinette Wood, Chief, Enforcement Division.

Ms. Wood reported Operation Nightingale had 202 cases, closed 192 cases, and 10 cases were still open and are with the Investigation Division.

Ms. Higashi shared an update on the Operation Nightingale cases being investigated by her division. She advised the case documentation has been received and her team is working toward finalizing their investigations to be completed by February.

**Committee Discussion:** Mr. Dierking wanted to know how many of these cases would end with formal discipline. Ms. Wood mentioned most of the case investigations concluded no violation had occurred.

5. Education Division Update – Judith McLeod, Supervising Nursing Education Consultant.

Dr. McLeod provided a staffing update including the recruitment status of a new Nursing Education Consultant (NEC) anticipated to start soon.

Dr. McLeod provided an update on the new Letter of Intent process as part of the prior Sunset Bill. New schools will have to submit their Letter of Intent to the division where an NEC will perform a preliminary review and submit corrections back to the schools. If schools cannot succeed with the corrections, they can resubmit a Letter of Intent again in six months.

Dr. McLeod shared an update about her division's statistics. She advised she will be tracking the daily functions of the NECs and office staff positions more in depth.

Dr. McLeod stated her division continues to work with DCA's Office of Professional Examination Services on the psychiatric technician occupational analysis.

Dr. McLeod shared they she is in the process of setting up a meeting on the Naloxone issue next month and no additional complaints were received.

**Committee Discussion:** None.

6. Licensing Division Update – Shelley Brown, Licensing Manager.

Ms. Brown provided a staffing update reporting she filled the vacant AGPA position by hiring an in-house SSA as a promotional opportunity. Ms. Brown stated the AGPA position will take on expanded duties.

Ms. Brown advised she was excited to share that OIS granted access to the new Microsoft Teams call center software program. This will allow the Licensing's leadership to gain better statistical data and will provide live access to monitoring the BVNPT's main phone line queue.

**Committee Discussion:** None

7. Legislation and Regulations – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi reported that the new legislation process has started and currently there are no items that look like it should impact BVNPT. We are currently in the early days still before the February 20, 2025, deadline.

Ms. Yamaguchi provided an update on the school approval regulations that the Education Division is working on with Ms. Schieldge to make sure the language for Article 5 is ready for Board consideration at a future meeting this year.

Ms. Yamaguchi advised she is working with licensing staff and Ms. Schieldge to draft the language of the new retired license program regulations as approved in the Sunset Bill with the goal of having a proposal for consideration at the February 7, 2025, board meeting.

Ms. Schieldge updated that board staff filed the final rulemaking package related to the Executive Officer's duties in the "Delegation of Certain Functions" proposal. The public comment period closed on December 30, 2024, and the Board received no comments. The rulemaking package was filed on December 31, 2024, with the Office of Administrative Law (OAL). A response is expected from OAL on or before February 13, 2025.

Ms. Yamaguchi reported she continues to monitor the Respiratory Care Board (RCB)'s proposed rulemaking for basic respiratory tasks and functions with the next action scheduled for their March 2025 board meeting in Temecula, CA. Ms. Yamaguchi mentioned that at the RCB's upcoming board meeting they will publish their rulemaking calendar which will lay out their next several stages. Ms. Yamaguchi also mentioned that stakeholders may be interested to attend the next RCB board meeting.

**Committee Discussion:** None

8. Regulation Package – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi advised the updates for this item were already covered in the prior agenda item.

**Committee Discussion:** None.

9. Independent Contractor Status for Licensees – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi provided an overview of the controversy of LVNs working as independent contractors without proper oversight. She advised prior counsel, Ken Swenson, suggested contacting the Department of Industrial Relations (DIR) for an interpretation. Ms. Yamaguchi deferred to Ms. Wood for more information. Ms. Wood advised she has a meeting scheduled with DIR on January 15, 2025, and hopes to have an update for a future meeting.

**Committee Discussion:** None

10. Board Schedule – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi advised no survey response were received after the last board meeting concerning board member training topics. She advised she will follow up with members. She also suggested having a few members come to the office to meet with personnel to see daily operations.

**Committee Discussion:** Mr. Dierking stated he would like to know what interest the board members have. Ms. Yamaguchi reiterated no survey responses were received and that she will follow up.

11. Board Member Accountability – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi shared a current version of the member votes log. She expressed no concerns and staff is pleased with participation and attentiveness of members.

Ms. Yamaguchi also shared information about the board members' appointment and expiration dates with many members' terms expiring in June 2025. She advised she is in contact with the Governor's Office, and some members are eligible for reappointment.

**Committee Discussion:** None.

12. Next Executive Committee Meeting.

The next Executive Committee Meeting is scheduled for March 6, 2025, from 2:00 – 4:00 p.m. or until the completion of business.

13. Suggestions for Future Agenda Items.

Ms. Yamaguchi advised the next Executive Committee will need to make committee assignments. She also suggested continuing the conversation about board training days.

14. Adjournment.

Dr. Mountain adjourned the meeting at 3:34 p.m.

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

**Elaine Yamaguchi**

Executive Officer

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

**Dr. Carel Mountain, Education Member**

Board President