



LEGISLATIVE AND REGULATIONS COMMITTEE MEETING MINUTES

June 20, 2025

**2535 Capitol Oaks Drive, Ste. 205
 Administrative Conference Room
 Sacramento, CA 95833
 and via Webex Webinar**

**Committee Members
 Present:**

Ms. Carpenter, Committee Member, Chair
 Ms. Sonson, Committee Member

Staff Present:

Ms. Yamaguchi, Executive Officer
 Mr. Ito, Assistant Executive Officer
 Dr. McLeod, Supervising Nursing Education Consultant
 Ms. Vierra, Probation Manager
 Dr. Thomson, Nursing Education Consultant
 Mr. Hall, Supervising Program Technician II
 Ms. Brown, Licensing Division Manager
 Mr. Trimble, Licensing Supervisor
 Ms. Brady, Board Administrative Analyst (moderator)
 Mr. Gonzales, Education Analyst

DCA Staff Present:

Ms. Schieldge, Attorney IV, Senior Regulations Attorney

1. Call to Order & Committee Roll Call – Ms. Carpenter, Chair.

Ms. Carpenter called the meeting to order at 10:06 a.m.

Committee members introduced themselves.

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

Ms. Yamaguchi introduced board staff. Ms. Schieldge introduced herself.

3. Status of 2025 Legislation – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi led a discussion on the following legislative bills:

AB 323 (Fong) – Work-Based Learning Opportunities. Ms. Yamaguchi stated that this is awaiting consideration in the Senate Education Committee and has not received any negative votes.

AB 395 (Gabriel) – Holidays. Ms. Yamaguchi provided an update on the addition of specific religious and cultural holidays to the calendar. Ms. Yamaguchi reported that this proposal has been approved in the Senate Education. The bill is now awaiting a vote in the Senate Education and has not received any negative feedback.

AB 667 (Solache) – License Examination Interpreters. Ms. Yamaguchi reported that the healing arts section has been removed from this bill. The bill is now moving to the Senate B&P and currently has a few negative votes.

AB 742 (Elhawary) – Licensing. Ms. Yamaguchi updated that AB 742 and its companion bill, SB 518, have both progressed through the legislative process. AB 742 is currently pending in the Senate Budget and Fiscal Review Committee (BNP). Ms. Yamaguchi reported that AB 742, which received 14 negative votes, and SB 518, which proposes the creation of the Bureau, have both passed. They are now awaiting a hearing in the judiciary committee, where SB 518 also received ten negative votes on the Senate floor.

Ms. Yamaguchi noted that both bills come with a significant financial impact, and it will be interesting to see whether they remain in the budget package, are included in one of the trailers, or potentially get voted down in the coming months. The board will continue to monitor these bills for any changes.

AB 766 (Sharpe-Collins) – DEI in Strategic Planning. Ms. Yamaguchi provided an update indicating that the Board is already in compliance with the portion of the bill that was removed. This section would have required the BVNPT and every governmental agency to submit an equity analysis to the governor's office annually. Additionally, AB 766 received 17 negative votes on the Senate floor.

Ms. Schieldge advised that, regarding AB 766, the concern was that the analysis required by the bill needed to be completed before the budget or regulations for any Board could be approved. Therefore, it was great news that this part of the bill was removed.

AB 1082 (Flora) – Out of State Nursing Programs. Ms. Yamaguchi reported that AB 1082 has been held and is not moving at this time.

SB 389 (Ochoa Bogh) – Pupil Health Care Services. Ms. Yamaguchi provided a summary of the bill designed to ensure that school nurses and licensed vocational nurses (LVNs) can continue to offer respiratory care to students. She reported that the bill has been forwarded to the Assembly Education Committee

and has not received any negative votes. Additionally, the board has submitted a letter of support for the bill.

Ms. Schieldge provided an update regarding the SB 389 bill, which proposes amendments to the Respiratory Care Board Act. If passed, the bill would allow school nurses and vocational nurses to perform certain respiratory care procedures in schools. However, Ms. Schieldge noted that this change would conflict with recently approved regulations by the Office of Administrative Law for the Respiratory Care Board (RCB). Ms. Schieldge emphasized that if the bill were to become law, the Respiratory Care Board would probably need to revise its regulations. Additionally, the Board of Vocational Nursing and Psychiatric Technicians (BVNPT) should consider updating its scope of practice regulations, as the current regulations do not adequately address this matter or the Respiratory Care Board's recently adopted regulations. Although the bill is still under consideration and has not yet taken effect, it is essential to assess its potential impact moving forward. Ms. Schieldge pointed out that there are provisions in the legislation requiring coordination with BVNPT to develop further regulations defining the scope of practice for nurses in this area. This timeline has been pushed from 2026 to January 1, 2028. Ms. Schieldge noted that negotiations would be necessary regarding this part of the legislation. Ms. Schieldge also mentioned the Business and Professions Code section 3765 in the bill indicates that on or after January 1, 2028, licensed vocational nurses must complete patient-specific training provided by their employer, in accordance with guidelines set forth by the Respiratory Care Board. These guidelines must be established no later than January 1, 2028, in collaboration with the Board of Vocational Nursing and Psychiatric Technicians in the State of California.

Ms. Yamaguchi provided an update, stating that discussions have begun with RCB. We know that RCB has not yet reached an agreement with the organizers of the mechanical events—who are essentially the equipment manufacturers—regarding the provision of training. Ms. Yamaguchi reported exclusive training is something we object to quite strongly. However, Ms. Yamaguchi believes we have a timely opportunity to address this issue, as it will be part of their next regulations package, which aims to develop the training program. Ms. Yamaguchi agrees that BVNPT needs to align our own regulations with RCB. Ms. Schieldge advised that it appeared from the Board's last board meeting on this subject that the Board's VN licensees are unclear regarding the recent legislation and its implications for the scope of practice within the profession. Ms. Schieldge expressed that, based on the comments received at the last board meeting, BVNPT must ensure that licensees are informed about this issue. Ms. Schieldge mentioned one effective way to achieve this is through rulemaking, in addition to providing resources such as fact sheets. Ms. Schieldge expressed her concern that while the year 2028 may seem far off, the Board must ensure that everyone is aware of the RCB's approved regulation and the potential passage of this law. Ms. Yamaguchi responded to Ms. Schieldge and provided an update on the RCB rulemaking calendar. She stated that the first carve-out will focus on

home health, which will impact 80 percent of BVNPT licensees. She then addressed the sections regarding congregate living and other care facilities. The only aspect that the RCB remains firm on is the decision to prohibit LVNs from providing respiratory care services (as specified in their regulations) in nursing facilities and hospitals.

SB 470 (Laird) – Open Meeting Act. Ms. Yamaguchi provided an update that SB 470 has passed and is now waiting for a hearing in the Assembly Governmental Organizations Committee, where there were a few negative votes. Ms. Yamaguchi discussed that certain government watchdogs opposed the changes to the Bagley-Keene Act due to concerns that boards might conduct business behind closed doors, making them less accessible to the public, particularly journalists. Ms. Yamaguchi also mentioned that most, if not all, of the DCA boards—perhaps with one or two exceptions—see very little attendance at their meetings. However, during the COVID years, the transition to open meetings significantly improved our accessibility and enhanced public attendance, involvement and inclusion. Ms. Yamaguchi pointed out that this adjustment allows individuals living in remote areas of the state, as well as those facing challenges or who are elderly, to participate in board meetings without the need to travel to Sacramento, which can be quite daunting. Ms. Yamaguchi is confident that this bill will be approved and signed into law. Ms. Schieldge responded to Ms. Yamaguchi, noting that the primary objections from the media were related to accessibility at larger, more controversial boards, such as the California Public Utilities Commission. The media expressed a desire to have the ability to approach board members directly or record their comments during meetings. Ms. Schieldge mentioned they felt that this level of accessibility would not be the same if the model used during the pandemic—which allowed for remote meetings—was continued and in-person meetings were not required again.

4. Status of Rulemaking Packages – Elaine Yamaguchi, Executive Officer

a. Retired Licenses

Ms. Yamaguchi reported that she has been working on the language in the background. The Board of Vocational Nursing and Psychiatric Technicians (BVNPT) has been addressing questions from the Department of Consumer Affairs (DCA) regarding the financial aspects of the exams, and we are actively collaborating with them. Ms. Yamaguchi mentioned that the language is nearly complete and is ready to proceed to the next step once we have some background information that will enhance its effectiveness. Additionally, Ms. Yamaguchi updated the staff regarding a previous request for authorization from the board. At the last meeting, we requested some patch language from the California Senate Committee on Business, Professions and Economic Development for the annual “omnibus” technical clean-up bill. We have had discussions with the

Senate, and Ms. Yamaguchi explained the situation to the staff. They understand the issues; however, they indicated that the language we proposed is more substantial than what could be achieved in a technical bill as a committee bill. Consequently, we have been in discussions to explore the possibility of developing a workable solution together. Ms. Schieldge responded to Ms. Yamaguchi, there's probably going to be little bit more work than that on the proposed regulatory language for the retired license package because it touches on some of the renewal requirements that might need to be updated as well. Ms. Schieldge has been proactively collaborating with license supervisor Shelly Brown, and they are hopeful about presenting these changes at the August board meeting.

b. School Approval Standards (VN &PT)

Ms. Schieldge provided an update regarding our ongoing work. Ms. Schieldge reported that the package is currently quite large, so she is recommending that staff break it into smaller sections. Ms. Schieldge explained it might be more effective to approach the updates based on subject matter rather than trying to tackle the entire program at once. Nonetheless, the Board's staff will continue to meet with Legal Counsel, and this working group hopes to have something for Board Members to review this year.

5. State Budget Updates– Ms. Yamaguchi, Executive Officer

Ms. Yamaguchi reported that the Budget Act was passed on time, and the final budget package is expected to be approved by July 30, 2025. Ms. Yamaguchi also informed the staff about the salaries of all employees and discussed the issue of full-time staff returning to the office four days a week. This topic has been thoroughly discussed and debated. Ms. Yamaguchi mentioned that the proposal has now been sent to the public for collective bargaining. Additionally, Ms. Yamaguchi reported that the contracts have been finalized and explained that, in order to accommodate this salary increase, there will be a designated furlough day each month. All other bargaining units are watching this situation very closely. It's important to note that even if the employees receive a salary increase, the furlough day could result in a zero-sum outcome. Many developments are still possible.

6. Little Hoover Commission Report on 2025 Governors Reorganization Plan 1 – Ms. Yamaguchi, Executive Officer

Ms. Yamaguchi reported that the Governor has proposed a change to split the Business, Consumer Services and Housing Agency (BCSH) into two agencies, noting the current BCSH Agency where we report, has grown significantly over the past few years. As a result, our scope of work has expanded to

accommodate this growth. Ms. Yamaguchi also mentioned that one of the topics currently making headlines is the lack of a government agency overseeing all housing and homelessness efforts. The governor's proposal aims to separate and consolidate all housing and homelessness entities, establishing a single agency to oversee them, along with another "Business and Consumer Services Agency" dedicated to all consumer services. Ms. Yamaguchi expressed other than letterhead and a few small details DCA and especially the boards are not going to see much of a change from this Agency reorganization.

Ms. Sonson expressed her appreciation for the concept but raised concerns regarding the estimated costs of four to six million dollars, which she felt deserved further scrutiny based on everyone else's input. Ms. Sonson mentioned that after reading the recommendations, her first thought was about the flow chart: how will this be executed? One aspect Ms. Sonson highlighted was the need to assess current programs. Ms. Sonson questioned what factors or variables would be used in this assessment. Ms. Sonson reiterated her request for clarity on what the flow chart would look like in terms of execution and how the assessment would be structured. While Ms. Sonson acknowledged that the idea sounds promising, Ms. Sonson emphasized the importance of having clear plans and goals to ensure effectiveness rather than proceeding with vague intentions.

7. Suggestions for Future Agenda Items – Ms. Carpenter, Chair

- Ongoing discussion with the Respiratory Care Board
- Marketing a roadshow for education for BVNPT

8. Schedule Next Legislative and Regulation Committee Meeting

The next committee meeting was scheduled for September 12, 2025, at 9:00 a.m.

9. Adjourn Meeting

The meeting was adjourned at 10:47 a.m.