CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR

Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
P (916) 263-7800 | F (916) 263-7855 | www.bvnpt.ca.gov

EXECUTIVE COMMITTEE MEETING MINUTES

March 26, 2026

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

Board Members Present:	Dr. Mountain, Board President, Chair Ms. Carpenter, Board Vice President
Staff Present:	Ms. Yamaguchi, Executive Officer Mr. Ito, Assistant Executive Officer Dr. McLeod, Supervising Nursing Education Consultant Ms. Brown, Licensing Manager Mr. Hall, Licensing Supervisor Mr. Trimble, Licensing Supervisor Mr. Prouty, Discipline Manager Ms. Hudson, Intake & Enhanced Manager Mr. Garcia, LACRU Supervisor Mr. Weiler, Administration Manager Ms. Brady, Board Admin Analyst (moderator)
DCA Staff Present:	Ms. Butu, Board General Counsel

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

   Dr. Mountain called the meeting to order at 10:00 a.m.

   Committee members introduced themselves.

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

   Ms. Yamaguchi introduced herself and board staff. Ms. Butu, Board General Counsel, introduced herself.

3. Operations Update – Jeffrey Weiler, Administration Manager.

   Mr. Weiler informed the Committee that iPads will be issued to all members during the upcoming meeting in May. He announced the May Board Meeting will take place on May 15, 2026, and it will be a one-day event. Additionally, Mr. Weiler reported that our HR Liaison is actively working to fill all vacancies within the board and ensure that all necessary documents are submitted to the Office of Human Resources (OHR).

Committee Discussion: None

4. Enforcement Division Update – Jay Prouty, Discipline Manager.

   Mr. Prouty announced a new discipline analyst will begin on April 1, 2026. The division is actively recruiting for open positions including Probation Monitor, Enforcement Operations Analyst, and Probation Manager.

   Committee Discussion: None

5. Investigations Division Update – Jay Prouty, Discipline Manager.

   Mr. Prouty reported that although Ms. Higashi was absent, she had informed him that there was nothing new to report since the last meeting.

6. Education Division Update – Dr. McLeod, Supervising Nursing Education Consultant.

   Dr. McLeod provided an update that Lanette Sipes, the new NEC, started on Monday. She also reported the Director Forum is scheduled for May with excellent speakers lined up, and attendees will receive an update on the topics to be discussed.

   Committee Discussion: None

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

   Ms. Brown stated her division reclassified a Program Technician II to an Analyst I position and promoted, in a separate recruitment, an existing Program Technician II to a vacant Analyst I position. Ms. Brown reported that licensing technician positions have a high turnover so being able to upgrade positions will help retain staff longer. She advised that the transition of the Board’s main phone line to DCA’s Consumer Information Center has been successful, and that caller-assist rates have increased while wait times have decreased. Ms. Brown stated that she has created email templates for her staff to enhance the quality and consistency of licensee communication. She also advised that she is working on staff cross-training opportunities.

   Committee Discussion: None

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

Ms. Yamaguchi noted that 2026 is expected to be a significant year for legislation. She was pleased to announce that Assembly Member Patrick Ahrens will support the technical clarification bill the Board approved last year, which will help to move forward with the Retired License regulations. Ms. Yamaguchi highlighted important background information regarding the bill and will send the necessary updates to finalize it. She also reported that the board is monitoring several legislative bills, as well as analyzing a few others.

Committee Discussion:

Dr. Mountain inquired whether Ms. Yamaguchi could provide a brief history behind AB 2096. Ms. Yamaguchi explained that AB 2096 was sponsored by the health care facilities, seeking to ensure that LVNs could go back to the level of care provided prior to the October 1, 2025 enactment of CCR 1399.365. RCB has indicated the intent to approve additional regs to exempt home and community-based facilities from 1399.365, but does not plan to include coverage for facilities like long-term care, or hospice.

9. Executive Officer Succession Plan – Elaine Yamaguchi, Executive Officer.

   Ms. Yamaguchi explained that the draft is still in progress.

   Committee Discussion: None

10. Consumer Protection Committee – Elaine Yamaguchi, Executive Officer.

    Ms. Yamaguchi updated that the Enforcement and the Licensing committee jurisdictions will be merging, creating a two-person committee called the Consumer Protection Committee. She reported that there are topics that intersect both divisions, and it makes sense to combine both committees.

    Committee Discussion:

    Dr. Mountain, Ms. Yamaguchi, and Ms. Butu discussed potential candidates for committee membership. They also considered when the committee might begin meeting, concluding that it could start after the May Board Meeting.

    The Committee directed Ms. Yamaguchi to inform Ms. Gloria Guzman that she has been selected as Chair, and Ms. Rashima Sonson as Member.

11. Fee Study Update – Elaine Yamaguchi, Executive Officer.

    Ms. Yamaguchi provided an update, indicating that the fee study could potentially be managed in-house. However, since the meeting, Mr. Ito has consulted with the Budget Office and concluded that it would be more effective to have a third-party company conduct the fee study because. Ms. Yamaguchi mentioned that although

Mr. Ito is capable of completing the fee study, there would not be sufficient time to finish it before the board's sunset deadline. She also noted that the board has drafted a budget change proposal (BCP) and submitted it to the budget office.

Committee Discussion:

Dr. Mountain inquired about the timeline for completing the fee study. Mr. Ito responded that if the BCP is approved and the board receives the funding on July 1, 2027, they can begin the process at that time. The report could take up to a year to complete. Ms. Yamaguchi added that there might be other options to consider, but they need to investigate whether those options are feasible.

12. RCB Update – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi provided an update on the Respiratory Care Board's (RCB) Sunset hearing that took place on Tuesday March 24. She gave a high-level overview of the proceedings. Additionally, she mentioned that the RCB will hold a meeting tomorrow to discuss the hearing and the background paper provided by the committee. They will also address any questions. Furthermore, the RCB will be discussing AB 2096 and possibly taking a position during this meeting.

Committee Discussion: None

Dr. Mountain stated it would be beneficial to resolve all the items discussed last year. Ms. Yamaguchi noted that many topics in AB 2096 will affect the Board of Registered Nursing (BRN), specifically concerning staffing and patient ratios. The bill also mandates that licensed mental health professionals be present in mental health facilities, which will increase the demand for Psychiatric Technicians. Ms. Yamaguchi provided an update that the Education Division is collaborating with OPES to revise the Psychiatric Technician exam, focusing on updating the scoring criteria and defining a passing grade. OPES discovered that the passing score was set too high and should be lowered, which would have allowed approximately 80 candidates who should have passed to do so. For this reason, the passing score for the PT exam was lowered; the BVNPT staff is in the process of notifying the successful candidates.

Ms. Butu inquired whether this was related to the latest exam or the number of past exams it impacted on. Ms. Yamaguchi replied that it was the most recent exam.

13. Board Member Voting Accountability – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi provided the voting statistics related to the disciplinary mail vote packages for board members. She noted that Ms. Moore has left the Board, and Dr. Olaby will be departing at the end of May. Mr. Prouty assisted Ms. Nieblas in signing in to cast her vote. Additionally, Ms. Yamaguchi announced that a new Board member, Mr. Riddle, will begin his term once he completes the oath. Furthermore, she reported that the Governor's Office has received applications from at least two psychiatric technician applicants.

Committee Discussion: None

14. Next Board Meeting: May 14-15, 2026 – Ms. Yamaguchi, Executive Officer.

    Ms. Yamaguchi summarized the details of the upcoming Board Meeting, which will be longer than usual. Ms. Yamaguchi asked whether the board members would have access to NCSBN. Mr. Weiler confirmed that the iPads will have internet access and cellular capability. Ms. Butu cautioned that board member use of the iPads during board meetings was limited to viewing meeting materials only.

    Committee Discussion: None

15. Education and Practice Board Member – Elaine Yamaguchi, Executive Officer.

    Ms. Yamaguchi reported that the Education and Practice Committee meeting will be postponed until June or July.

    Committee Discussion: The committee currently consists of four members and can have up to four members. With Dr. Olaby's departure, the committee will have three members. Ms. Yamaguchi stated that we can continue functioning with three members, and once a psychiatric technician is appointed, we can add the fourth member. Ms. Butu will ensure that operating with three members is acceptable and will provide an update to the Board later.

16. Next Executive Committee Meeting: TBD April – Elaine Yamaguchi, Executive Officer.

    The next Executive Committee Meeting was scheduled for April 16, 2026, starting at 11:00 a.m.

17. Suggestion for Future Agenda Items.

    Ms. Carpenter requested an update on RCB.

18. Adjournment.

    Dr. Mountain adjourned the meeting at 10:56 a.m.

Prepared by: ______________________ Date: __________________

Elaine Yamaguchi

Executive Officer

Approved by: ______________________Date: _________________

Dr. Carel Mountain, Education Member

Board President

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EXECUTIVE COMMITTEE MEETING MINUTES

April 16, 2026

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

Board Members Present:	Dr. Mountain, Board President, Chair Ms. Carpenter, Board Vice President
Staff Present:	Ms. Yamaguchi, Executive Officer Mr. Ito, Assistant Executive Officer Ms. Brown, Licensing Manager Ms. Wood, Enforcement Chief Mr. Hall, Licensing Supervisor Mr. Prouty, Discipline Manager Ms. Hudson, Intake & Enhanced Manager Mr. Garcia, LACRU Supervisor Ms. Higashi, Supervising Special Investigator Mr. Weiler, Administration Manager Ms. Brady, Board Admin Analyst (moderator)
DCA Staff Present:	Ms. Butu, Attorney III, Board General Counsel Ms. Schieldge, Attorney IV, Senior Regulations Attorney

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

   Dr. Mountain called the meeting to order at 11:00 a.m.

   Committee members introduced themselves.

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

   Ms. Yamaguchi introduced herself and board staff. Ms. Butu, Board General Counsel, and Ms. Schieldge, Senior Regulations Attorney, introduced themselves.

3. Operations Update – Jeffrey Weiler, Administration Manager.

Mr. Weiler stated the next Board Meeting will be on May 15, 2026, at DCA's HQ1 building in Sacramento. He cautioned there may be a quorum issue given Mr. Russell's inability to attend the meeting. Mr. Weiler reported that our HR Liaison is contacting our new board member, Mr. Riddle, for his onboarding and oath. Ms. Butu and Ms. Schieldge explained Mr. Riddle can have the oath administered to him by the Board President before the meeting in lieu of having the oath notarized.

Committee Discussion: None.

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

   Ms. Wood provided an update impacting BVNPT's licensees on probation from California Correctional Health Care Services (CCHCS). Ms. Wood advised a probationer recently applied for a position with CCHCS but was denied employment due to their probationary status with respect to their supervised practice condition of their disciplinary order. Further, CCHCS advised Ms. Wood they will no longer accommodate hiring any licensees on probation. Ms. Butu advised she was familiar with this matter and provided background information to the committee members about the supervised practice condition of probation and clarified that BVNPT's role is limited to reviewing and approving employment, and that BVNPT is not responsible for ensuring licensees are able to obtain jobs.

   Committee Discussion: Dr. Mountain expressed her surprise at CCHCS's prohibition on hiring licensees on probation.

5. Investigations Division Update – Ms. Higashi, Supervising Special Investigator.

   Ms. Higashi advised her division was fully staffed and had no further update.

6. Education Division Update – Elaine Yamaguchi, Executive Officer.

   In Dr. McLeod's absence, Ms. Yamaguchi advised 131 attendees are registered for the upcoming Director's Forum.

   Committee Discussion: Dr. Mountain asked if the National Council for State Boards of Nursing (NCSBN) will be sending a representative to the Director's Forum. Ms. Yamaguchi confirmed an NCSBN representative will attend.

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

   Ms. Brown stated her division was fully staffed and had no further update.

   Committee Discussion: None.

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

Ms. Yamaguchi provided an update on the Respiratory Care Board's (RCB) Sunset Bill along with two similar bills affecting basic respiratory tasks and services. She reported that the Business and Professions committees from each house decided not to move the two bills forward and address the topics through RCB's Sunset Bill (SB 1304, Wahab) which will be heard on April 20, 2026.

Ms. Yamaguchi provided an update to AB 1649 in that Assemblymember Ahrens decided not to move forward with that bill and offered to repurpose it for another BVNPT concept. She advised she will work with the author's office on the bill's language.

Committee Discussion: Ms. Carpenter advised the Legislative and Regulations Committee meeting scheduled for earlier this week was cancelled and wanted to know if there were any updates. Ms. Carpenter also wanted to know if there was an update for AB 2301 relating to community colleges' baccalaureate degree in nursing.

Ms. Yamaguchi advised there was an update to SB 903 and asked Mr. Weiler, Admin Manager, to speak to that. Mr. Weiler advised that as a result of the collaboration with Coby Pizzotii, formerly at the California Association of Psychiatric Technicians, the author's office of SB 903 amended the bill's language resulting in the removal of BVNPT's Psychiatric Technician licensees from its scope.

Ms. Yamaguchi also provided a brief update on the board's pending rulemaking concept packages in that cite-and-fine will be deprioritized.

9. Executive Officer Succession Plan – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi explained that the draft is still in progress and will likely be ready for the August Board Meeting.

Committee Discussion: None.

10. Fee Study Update – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi deferred to Mr. Ito, Assistant Executive Officer, to provide an overview. Mr. Ito is currently working with DCA's Budget staff.

Committee Discussion: None.

11. RCB Update – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi advised this topic was covered in agenda item 8.

Committee Discussion: None.

12. Board Member Voting Accountability – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi provided the voting statistics related to the disciplinary mail vote packages for board members. Mr. Prouty expressed his appreciation for the board members' contributions.

Committee Discussion: None.

13. Next Board Meeting: May 15, 2026 – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi advised the May Board Meeting will be a full day meeting to include six or seven school reports. Ms. Yamaguchi provided updates to Nursing Division staffing in that Dr. Sipes recently started as a Nursing Education Consultant and Dr. Fairchild will be retiring.

Committee Discussion: None.

14. Next Executive Committee Meeting – Ms. Yamaguchi, Executive Officer.

The next Executive Committee meeting was scheduled for June 10, 2026, starting at 10:00 a.m.

Committee Discussion: None.

15. Suggestions for Future Agenda Items – Elaine Yamaguchi, Executive Officer.

There were no suggestions for future agenda items.

Committee Discussion: None.

16. Adjournment

Dr. Mountain adjourned the meeting at 11:51 a.m.

Prepared by: ______________________Date: _________________

Elaine Yamaguchi

Executive Officer

Approved by: ______________________Date: _________________

Dr. Carel Mountain, Education Member

Board President

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EXECUTIVE COMMITTEE MEETING MINUTES

June 10, 2026

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

Board Members Present:	Dr. Mountain, Board President, Chair Ms. Carpenter, Board Vice President
Staff Present:	Ms. Yamaguchi, Executive Officer Ms. Brown, Licensing Manager Ms. Wood, Enforcement Chief Mr. Hall, Licensing Supervisor Mr. Prouty, Discipline Manager Dr. McLeod, Supervising Nursing Education Consultant Ms. Hudson, Intake & Enhanced Manager Mr. Trimble, Licensing Division Supervisor Ms. Higashi, Supervising Special Investigator Mr. Henderson, Probation Manager Ms. Brady, Board Admin Analyst (moderator)
DCA Staff Present:	Ms. Butu, Attorney III, Board General Counsel Ms. Schieldge, Attorney IV, Senior Regulations Attorney

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

   Dr. Mountain called the meeting to order at 10:02 a.m.

   Committee members introduced themselves.

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

   Ms. Yamaguchi introduced herself and board staff. Ms. Butu, Board General Counsel, and Ms. Schieldge, Senior Regulations Attorney, introduced themselves.

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

Ms. Yamaguchi reported that the Board is actively filling vacancies throughout the department. She also noted that the department is finalizing a new lease for the building.

Committee Discussion: None.

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

   Ms. Wood reported that the enforcement department is addressing its vacancies and has extended offers to prospective hires.

   Committee Discussion: None

5. Investigations Division Update – Ms. Higashi, Supervising Special Investigator.

   Ms. Higashi advised her division was fully staffed and had no further update.

   Committee Discussion: None

6. Education Division Update – Elaine Yamaguchi, Executive Officer.

   Dr. McLeod's reported that the education department has an opening due to Dr. Fairchild's announcement that she will be retiring at the end of May. She also noted that there were 136 attendees at the Directors Forum and that 115 evaluation forms were completed.

   Committee Discussion: Dr. Mountain asked if there are any new Psychiatric Technician programs proposed. Dr. McLeod reported that a couple of Psychiatric Technician programs are in development, with one planned for Southern California and another at College of the Redwoods.

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

   Ms. Brown stated her division was fully staffed and had no further update.

   Committee Discussion: None.

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

   Ms. Yamaguchi provided an update stating that most of the bills the board has been monitoring have moved forward to the Senate or the second house, while a few have been held. She also reported that the technical bill concerning retired licenses will not be moving forward at this time and gave an overview of the remaining bills the board continues to track.

   Ms. Yamaguchi provided an update on the Respiratory Care Board's (RCB) Sunset Bill, noting that some of the language remains unclear regarding how scope of practice differs across various settings. She explained that the current wording omits several environments, such as skilled nursing facilities and hospitals. She stated that until the Sunset Bill is finalized, the statutory language will remain vague and may need to be updated through the regulatory process.

Committee Discussion: Ms. Butu advised that if the Board has concerns about the Respiratory Care Board's (RCB) Sunset Bill, it should reach out to RCB to discuss those issues. Ms. Schieldge asked whether anyone from the relevant committee had contacted Ms. Yamaguchi for input on the Sunset Bill. Ms. Yamaguchi responded that no one had reached out to the Board at this time. She also stated that RCB has not posted its new regulations package. Ms. Schieldge noted that RCB's emergency regulations are expected to expire sometime in July, and as of now, no extension has been filed. She explained that without an extension, BVNPT would be placed in a difficult position, and both legal representatives believe the Board should initiate a conversation with RCB regarding the matter.

9. Executive Officer Succession Plan – Elaine Yamaguchi, Executive Officer.

   Ms. Yamaguchi stated that the draft is still in progress and is expected to be ready for the August Board Meeting. She added that if the Executive Committee meets in July, a rough draft should be available for review.

   Committee Discussion: None.

10. Fee Study Update – Elaine Yamaguchi, Executive Officer.

    Ms. Yamaguchi reported that BVNPT is working with DCA's budget office on this project.

    Committee Discussion: None.

11. Regulations Update – Elaine Yamaguchi, Executive Officer.

    Ms. Yamaguchi reported on the Article 5 regulations for the schools and hopes to set a meeting with the NEC's and Legal Counsel about the next steps. She explained she would like to have the package ready for approval for the November Board meeting. The Board may need to hold a special Board meeting just to walk through all the language for approval.

    Committee Discussion: Ms. Schieldge stated that the current regulations were adopted in February 2024, and that due to the numerous changes, it will be very difficult to file anything this year. She also noted that if there is a way to reduce or streamline the materials, the Board may be able to move them forward more quickly.

12. Board Member Voting Accountability – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi provided the voting statistics related to the disciplinary mail vote packages for board members.

Committee Discussion: None.

13. Next Board Meeting: August 13 & 14, 2026 – Elaine Yamaguchi, Executive Officer.

    Ms. Yamaguchi advised the August Board Meeting will be a two day meeting to include some Board member training on the new iPad and maybe team building.

    Committee Discussion: None.

14. Next Executive Committee Meeting – Ms. Yamaguchi, Executive Officer.

    The next Executive Committee meeting was scheduled for July 18, 2026, starting at 10:00 a.m.

    Committee Discussion: None.

15. Suggestions for Future Agenda Items – Elaine Yamaguchi, Executive Officer.

    There were no suggestions for future agenda items.

    Committee Discussion: None.

16. Adjournment

    Dr. Mountain adjourned the meeting at 10:54 a.m.

Prepared by: ______________________Date: _________________

Elaine Yamaguchi

Executive Officer

Approved by: ______________________Date: _________________

Dr. Carel Mountain, Education Member

Board President

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EXECUTIVE COMMITTEE MEETING MINUTES

July 8, 2026

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

Board Members Present:	Dr. Mountain, Board President, Chair Ms. Carpenter, Board Vice President
Staff Present:	Ms. Yamaguchi, Executive Officer Mr. Ito, Assistant Executive Officer Ms. Brown, Licensing Manager Ms. Wood, Enforcement Chief Mr. Hall, Licensing Supervisor Mr. Prouty, Discipline Manager Dr. McLeod, Supervising Nursing Education Consultant Mr. Kirkpatrick, Enforcement Operations Analyst Mr. Timble, Licensing Division Supervisor Ms. Higashi, Supervising Special Investigator Mr. Henderson, Probation Manager Ms. Brady, Board Admin Analyst (moderator)
DCA Staff Present:	Ms. Butu, Attorney III, Board General Counsel Ms. Schieldge, Attorney IV, Senior Regulations Attorney

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

   Dr. Mountain called the meeting to order at 10:02 a.m.

   Committee members introduced themselves.

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

   Ms. Yamaguchi introduced herself and board staff. Ms. Butu, Board General Counsel, and Ms. Schieldge, Senior Regulations Attorney, introduced themselves.

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

Mr. Ito reported that the Board is actively filling vacancies throughout the admin department. He also updated the Board on the return-to-office (RTO) directive issued by the Governor, which took effect on July 1, 2026.

Committee Discussion: None.

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

   Ms. Wood reported that the Enforcement Unit recently hired Matthew and Brodie, and that both are settling into their new roles. She also provided an update noting that the department has entered into a new drug and alcohol testing contract and will be transitioning to that contract. Additionally, Ms. Wood stated that Breeze will begin sending automatic letters, which is expected to save staff several hours of work.

   Committee Discussion: None

5. Investigations Division Update – Ms. Higashi, Supervising Special Investigator.

   Ms. Higashi advised her division was fully staffed and had no further update.

   Committee Discussion: None

6. Education Division Update – Dr. Mcleod, Supervising Education Consultant.

   Dr. McLeod reported that the Education team met with Kaiser Permanente Southern California nursing leadership to address multiple LVN scope questions. During the meeting, concerns were raised about certain practices occurring at Kaiser that fall outside the LVN scope of practice. The discussion focused on clarifying these issues and ensuring compliance with established standards. Dr. McLeod said that these meetings will occur quarterly to maintain ongoing communication and oversight.

   Dr. McLeod also reported that the May Directors' Forum was successful, with 135 attendees and 98 evaluation forms submitted. A follow-up forum, titled 'Practice Update,' is scheduled for September. This upcoming session will address practice-related issues and provide remediation on properly completing forms, which are frequently submitted with errors.

   Committee Discussion: None

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

   Ms. Brown stated her division has a few vacancies and had no further update.

   Committee Discussion: None.

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

Ms. Yamaguchi provided an update on the Respiratory Care Board's (RCB) Sunset Bill, and that the two other bills introduced about LVN respiratory tasks had been held. She reported that she met with the Assembly Committee consultant to discuss the suctioning language posted by the RCB. Ms. Yamaguchi explained that until the Sunset Bill is finalized, the statutory language will remain vague and require clarification through the regulatory process.

Committee Discussion: Ms. Schieldge noted that the Respiratory Care Board (RCB) has posted a readoption of its emergency regulations. As of this meeting, the Office of Administrative Law (OAL) has not yet approved the readoption, and the regulations are set to expire on Monday.

9. Executive Officer Succession Plan – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi reported that the draft still requires legal approval. She expressed her intention to move forward with the current draft of the Executive Office Succession Plan, which outlines the immediate steps to be taken in the event the Executive Officer becomes unavailable.

Committee Discussion: Dr. Mountain asked whether the draft would be presented at the August Board meeting and inquired about the next steps. Ms. Yamaguchi reported that the draft still requires review by Human Resources (HR) and legal counsel, and she hopes it will be ready for approval or discussion at the August meeting.

Ms. Butu indicated that the Office of Human Resources (OHR) will also need to review the document, as OHR is involved in the process of recruiting a new Executive Officer (EO) when EO retires or the position otherwise becomes vacant. Ms. Yamaguchi added that HR would be willing to provide a presentation to the Board Members.

10. Board Policy and Procedure Manual – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi reported that the policy and procedure manual serves as a comprehensive guide for Board members. It provides information on open meeting laws, reimbursement procedures, the structure of the Board, and the roles and responsibilities of its members. She further stated that the manual is now ready to be presented to the Board.

Committee Discussion: Dr. Mountain stated that the document is very helpful for Board members, particularly given the number of new members joining. She noted that it serves as a valuable reference manual and shared that he relied on it frequently when he first joined the Board.

Ms. Schieldge offered several suggestions regarding edits and general clean-up changes. She also noted that the Board could include delegation authority for the

Executive Officer to perform Section 100 clean-up changes to regulations. These changes typically address non-substantive issues such as typographical errors, numbering corrections, and updates to addresses or similar information.

11. Fee Study Update – Elaine Yamaguchi, Executive Officer.

Mr. Ito reported that the Board is working with the Business Services Office (BSO) to obtain bids or secure additional appropriation through the budget process. He explained that a challenge in moving forward is the need for accurate cost estimates, and at this time the Board is unable to absorb the additional expense.

Committee Discussion: None

12. RCB Update – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi provided an update on the Respiratory Care Board (RCB) under agenda item number eight.

Committee Discussion: None

13. DCA Pro Rata Report – Mr. Ito, Assistant Executive Officer.

Mr. Ito reported that the Legislature annually reviews Pro Rata and administrative expenses. He explained that DCA's Pro Rata represents the cost of departmental services provided to boards and bureaus. Although the Board's Pro Rata is relatively high, it is still less than the cost of hiring dedicated staff for each service the department provides.

He noted that, for BVNPT, more than half of the Board's Pro Rata costs are attributed to the Division of Investigation (DOI), reflecting the significant number of cases referred to DOI. The Department's administrative and information services divisions—such as the Executive Office, Equal Employment Opportunity Office, Internal Audits, Legal Affairs, Legislative Affairs, and other units—are funded through a distribution based on each board's authorized position count relative to the total number of positions across the department.

Committee Discussion: None.

14. Board Member Voting Accountability – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi provided the voting statistics for the disciplinary mail vote packages. She stated that six Board members are required to process these votes and confirmed that the Board currently meets this requirement.

Committee Discussion: None.

15. Next Board Meeting: August 13 & 14, 2026 – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi reported that she emailed all Board members to confirm their attendance at the upcoming meeting. She noted that one member is unable to attend, which leaves the Board without a quorum.

Committee Discussion: None.

16. Next Executive Committee Meeting – Ms. Yamaguchi, Executive Officer.

The next Executive Committee meeting was scheduled for September 3, 2026, starting at 10:00 a.m.

Committee Discussion: None.

17. Suggestions for Future Agenda Items – Elaine Yamaguchi, Executive Officer.

There were no suggestions for future agenda items.

Committee Discussion: None.

18. Adjournment

Dr. Mountain adjourned the meeting at 10:55 a.m.

Prepared by: ______________________Date: _________________

Elaine Yamaguchi

Executive Officer

Approved by: ______________________Date: _________________

Dr. Carel Mountain, Education Member

Board President

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EXECUTIVE COMMITTEE MEETING MINUTES

September 3, 2026

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

Board Members Present:	Dr. Mountain, Board President, Chair Ms. Carpenter, Board Vice President
Staff Present:	Ms. Yamaguchi, Executive Officer Mr. Ito, Assistant Executive Officer Ms. Brown, Licensing Manager Ms. Wood, Enforcement Chief Mr. Hall, Licensing Supervisor Mr. Prouty, Discipline Manager Mr. Trimble, Licensing Division Supervisor Ms. Hudson, Intake & Enhancement Screening Manager Ms. Gomez, Nursing Education Consultant Ms. Brady, Board Admin Analyst (moderator)
DCA Staff Present:	Ms. Butu, Attorney III, Board General Counsel Ms. Schieldge, Attorney IV, Senior Regulations Attorney

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

   Dr. Mountain called the meeting to order at 10:03 a.m.

   Committee members introduced themselves.

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

   Ms. Yamaguchi introduced herself and board staff. Ms. Butu, Board General Counsel, and Ms. Schieldge, Senior Regulations Attorney, introduced themselves.

3. Department and Agency Update – Elaine Yamaguchi, Executive Officer.

   Ms. Yamaguchi reported new Agency, Business and Consumer Services, has a new Agency Secretary, Rohit Chopra, formerly with the Federal Consumer

Protection Bureau. His work heavily focuses on consumer protection, particularly financial issues, which means he is expected to scrutinize for-profit schools closely.

He has already met with staff and provided thoughtful, if pointed, feedback. His expertise and proactive engagement are seen as a promising step forward for the department.

Secretary Chopra plans to attend the upcoming board meeting and may offer remarks depending on his schedule. His involvement is considered an exciting and positive development for the agency.

Committee Discussion: Ms. Carpenter asked why the Agency Secretary is expected to scrutinize for-profit schools so closely. Ms. Yamaguchi responded that the concerns were mostly about Board oversight, and whether there was sufficient corrective actions, up to and including school closures. Dr. Mountain noted that this stance seems to conflict with guidance given during the sunset review, which emphasized opening more schools. Ms. Yamaguchi agreed.

She added that the Secretary appears to believe the Board should take a tougher approach with schools. According to Ms. Yamaguchi, his position stems from having seen many students take on significant debt for careers with limited earning potential, leaving them burdened with long-term loans.

Dr. Mountain expressed support for heightened scrutiny, noting that student tuition costs have long been one of her major concerns. She also remarked that conflicting expectations—some urging stricter oversight while others encourage expansion—make the situation challenging.

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

Mr. Ito reported progress on the revenue study. After considerable discussion with both the department and the legislature about the best approach, the board was authorized to conduct the study in-house with support from DCA's Budget Office. Mr. Ito, who previously worked in that office and has experience conducting fee audits for other boards, will lead the effort. He plans to work with Budget Office staff to perform desk audits and review current fee structures to determine appropriate fee levels. He noted that completing the study internally eliminates the need to wait for funding for an external contractor, allowing the project to begin immediately. The goal is to finish the work before the sunset review so it can be included in the sunset report and, ideally, incorporated into related legislation.

Mr. Ito then shared an update he considers particularly important for board staff: the hiring of a new IT staff member. The board has been without dedicated IT support for approximately six months, during which several staff members have taken on temporary IT responsibilities. The upcoming hire will lessen reliance on the DCA's IT staff and restore direct support within the board office.

Committee Discussion: None.

5. Enforcement Division Update – Ms. Wood, Enforcement Chief.

   Ms. Wood reported several positive staffing updates. The board recently hired a new analyst for the Intake and Enhanced Screening Unit, as well as a new manager and an additional analyst for the Probation Unit. She noted that the team has been making significant progress in reducing subsequent discipline cases in probation—from 103 cases in March to 59 as of this month.

   She also shared that recruitment is underway for a new Operations Analyst position, which will report directly to her. Ms. Wood explained that this role is designed to provide flexible support across high-need areas, something the board has not had before. She expressed enthusiasm about the new position and its potential to strengthen overall operations.

   Committee Discussion: None

6. Investigations Division Update – Ms. Higashi, Supervising Special Investigator.

   Ms. Yamaguchi reported that Ms. Higashi was currently working in the field and that there were no significant new updates to share at this time.

   Committee Discussion: None

7. Education Division Update – Dr. Mcleod, Supervising Education Consultant.

   Ms. Gomez reported that the Education Division currently has one vacancy for an NEC. Interviews have already been completed, and the team is now waiting for HR to finalize the necessary paperwork. The hiring process is expected to move forward on the 7th, once HR approval is received.

   She also noted that a practice update meeting with all program directors is scheduled for the 24th of this month. Topics will include remediation, makeup procedures, and required forms. Additionally, the team will provide an update related to AI during that meeting.

   Committee Discussion: None

   a. Discussion of Education and Practice Committee

   Ms. Yamaguchi provided an update on the Education and Practice Committee, noting that a document outlining potential changes had been attached to the agenda, and is proposed for a larger discussion with the full Board. She explained that the committee has faced logistical challenges, including changing membership and reduced participation due to vacancies. Additionally, public meeting requirements have made it more difficult for the committee to operate efficiently.

She stated that, while the committee could continue in its current structure, staff developed several possible options for improving its function. One option would involve holding committee meetings immediately before board meetings, allowing all board members and stakeholders to attend and reducing duplication of discussions-particularly those involving schools. Another option would be to restructure the committee as a two-member body able to meet virtually when needed.

Additional possibilities included hosting town-hall style meetings focused on specific policy issues with invited presenters, designating the committee as the public hearing forum for rulemaking or legislative matters, addressing scope-of-practice issues and related complaints, or serving as a working group composed of staff, members, and potentially stakeholders to support planning efforts such as the strategic plan and sunset review.

Ms. Yamaguchi emphasized that the list was not exhaustive and welcomed board input. She noted that any revisions or additions would be brought forward at the October board meeting for further consideration.

Committee Discussion:

Dr. Mountain expressed strong support for the idea of transforming the Education and Practice Committee into a working-group style forum. She stated that such a structure would promote open dialogue among board members, stakeholders, and the community, ensuring everyone receives the same information and expectations.

She noted that, at times, directors appear surprised by issues already addressed by NECs, and a more inclusive, open forum might reduce misunderstandings and ensure schools fully understand required corrective actions.

Ms. Carpenter asked whether a working-group model would require participation from the entire board. Ms. Yamaguchi explained that attendance would be optional. Dr. Mountain agreed, stating she would participate regularly and emphasized the value of engaging board members with diverse backgrounds, especially the PT and VN members.

Ms. Yamaguchi noted that broader participation would be beneficial, especially since the current four-member committee structure has limited opportunities for both PT and VN licensees to engage in more in-depth discussions.

Ms. Butu advised the group about several legal considerations regarding Bagley-Keene Open Meeting Act requirements and noted that some legal issues would need to be addressed before changing the committee’s structure or function.

Ms. Yamaguchi acknowledged these concerns and stated they would be carefully considered when determining what is feasible. She added that previous town hall meetings had successfully included board member participation, though such meetings had been properly noticed. Regarding earlier references to quasi-judicial functions, she clarified that the intent was not to assign decision-making authority to the committee, but rather to create a venue for broader board involvement when schools begin showing early signs of problems. This would allow proactive engagement before issues escalate to formal probationary or disciplinary stages. She emphasized that this concept remains exploratory and that her goal was to open a broader conversation about potential models for the committee's future structure and responsibilities.

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

Ms. Brown reported that the unit had recently extended a conditional offer to fill the vacant Equivalency Analyst position. The hire has not yet been formally announced, as they are awaiting final confirmation. She added that the team will begin reviewing applications next week for a vacant Licensing Technician position, with interviews anticipated later in the month. She noted that these staffing activities represent the primary updates from her area at this time.

Committee Discussion: None.

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

a. AB 1729 (Lee): State Employee Telework

Ms. Yamaguchi reported that AB 1729 (Lee), although not formally tracked by DCA, could reshape the state's telework policy. The bill would give individual departments greater discretion to determine how telework is implemented and to assess which duties can be performed remotely.

She noted a key challenge: the Governor previously directed state employees to return to office four days per week, and the bill is currently awaiting his action. She stated that a veto would not be surprising; however, more than two-thirds of both legislative houses voted in favor of the measure, meaning an override is possible.

b. SB 1304 (Wahab): Respiratory Care Board Sunset

Ms. Yamaguchi reported on SB 1304 (Wahab), RCB's sunset bill. She explained that the bill contains no major new provisions affecting the board; however, near the end of the bill's progress through the Legislature, legislative staff asked whether the board would be willing to incorporate policies regarding suctioning that were previously adopted by RCB into the Vocational Nursing Practice Act. Ms. Yamaguchi stated that adopting these policies would likely be mostly beneficial, as it would provide clearer guidance for practitioners and employers. She emphasized that incorporating the policies now would not limit the board's ability to revise or expand them in the future. She noted that, ultimately, this remains part of the BVNPT's future sunset process.

c. Proposed Regulations: § 1399.361. Exemption for Licensed Vocational Nurses to Perform Specified Respiratory Care Tasks and Services

Ms. Yamaguchi reported on the proposed regulations for section 1399.361, which would reinstate an exemption allowing LVNs working in home and community-based care facilities to perform specified respiratory care tasks—tasks they had historically performed before the last regulatory changes in October 2025.

She noted that stakeholders broadly agree the proposal is illogical, as it permits only a subset of LVNs to perform these tasks while restricting others. She has already shared the draft language with stakeholder groups, and feedback has been consistent: the proposal is poorly conceived and lacks coherence. She anticipates submitting formal comments on the regulations.

Ms. Schieldge raised significant legal concerns. She noted that RCB currently has two regulations open for public comment, closing on September 28, yet the Board has not brought these to a meeting to seek approval for submitting comments. She also observed substantial inconsistencies between the proposed regulations and SB 1304, the pending sunset bill. If signed by the Governor, the bill would add subdivision (c) to section 2860. This language includes a "notwithstanding any other law" clause, meaning it would override conflicting statutes. Under the bill, all LVNs—regardless of practice setting—would be permitted to perform the listed tasks, without the qualifiers contained in the proposed regulations.

Ms. Schieldge noted additional conflicts: the regulations rely on statutory references that will be repealed as of January 1, and they do not acknowledge the new statutory authority created under 2860(c). As a result, she warned that the regulated community could be left with unclear or contradictory guidance about what tasks LVNs are legally permitted to perform. She recommended coordinating with RCB and its legal counsel to understand how they intend to reconcile these inconsistencies. Ms. Yamaguchi agreed that these issues must be addressed and stated she would work with staff to evaluate potential regulatory comments before the October meeting.

Committee Discussion:

Ms. Yamaguchi explained that the Board is continuing conversations with stakeholders regarding the proposed regulations but does not yet have Board authorization to submit written comments. She noted that if the Board discusses the matter on October 2 and grants approval, comments could potentially be presented at a public hearing—provided one is scheduled within the required timeframe.
Ms. Schieldge clarified that a request for a hearing must occur at least 15 days before the public comment period closes on September 28, leaving minimal time. She stated

that if a hearing were requested, the earliest it could legally be scheduled would be September 29. Ms. Yamaguchi added that some of the stakeholder groups do plan to request a hearing.

Ms. Yamaguchi asked Counsel whether she could request a hearing without Board authorization. Ms. Schieldge confirmed that anyone may request a hearing, but emphasized that if Ms. Yamaguchi were to do so, it must clearly be on her own behalf—or staff's behalf—not the Board's. She noted that if other organizations have already requested a hearing, an additional request may not be necessary.

10. Board Member Voting Accountability – Elaine Yamaguchi, Executive Officer.

    Ms. Yamaguchi reported that the Board continues to experience logistical challenges in securing sufficient votes due to its current composition. As of the August voting package, the Board did not initially have enough responses to move items forward. The voting deadline was August 18, and Mr. Prouty reached out to several board members to obtain the necessary votes. He confirmed that, after additional outreach, the Board now has enough votes to establish quorum and proceed with pending actions.

    Committee Discussion: None.

11. Next Board Meeting: October 2, 2026, and November 19 & 20, 2026 – Elaine Yamaguchi, Executive Officer.

    Ms. Yamaguchi reported that preparations are underway for the Board meeting scheduled on October 2, 2026. She noted that she has been periodically checking in with board members to confirm their attendance, given the significant amount of delayed business that needs to be addressed. She acknowledged the pushiness of these constant reminders but emphasized their importance to ensure a quorum.

    She also provided an update on planning for the regularly scheduled November Board meeting. The current plan is for a two-day meeting: the first day would focus on training, evaluations, and closed-session items, while the second day would serve as the full Board's regular business meeting. She noted that November's agenda is expected to be busy.

    Committee Discussion: None.

12. Next Executive Committee Meeting – Ms. Yamaguchi, Executive Officer.

    The next Executive Committee meeting is tentatively scheduled for December 10, 2026, beginning at 10:00 a.m. The team will follow up with Ms. Butu to confirm whether the proposed date and time presents any issues.

    Committee Discussion: None.

13. Suggestions for Future Agenda Items – Elaine Yamaguchi, Executive Officer.

    There were no suggestions for future agenda items.

    Committee Discussion: None.

14. Adjournment

    Dr. Mountain adjourned the meeting at 11:02 a.m.

Prepared by: ______________________Date: _________________

Elaine Yamaguchi

Executive Officer

Approved by: ______________________Date: _________________

Dr. Carel Mountain, Education Member

Board President