Agenda 11.B



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 | <u>www.bvnpt.ca.gov</u> BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY + GAVIN NEWSOM, GOVERNOR



## ENFORCEMENT COMMITTEE MEETING AGENDA

September 18, 2024

Via WebEx

## Time: 3PM –5PM OR UNTIL COMPLETION OF BUSINESS

## Board Members Present Via Teleconference:

Mr. Ken Maxey, Public Member, Chair Ms. Leslie Moore, PT, Licensee Member

## Staff Present Via Teleconference:

- Ms. Elaine Yamaguchi, Executive Officer
  Ms. Mark Ito, Assistant Executive Officer
  Ms. Antoinettte Wood, Enforcement Division Chief
  Mr. Ken Swenson, DCA Legal Counsel
  Ms. Kristy Schieldge, DCA Legal Counsel
  Mr. Jay Prouty, Discipline Manager
  Ms. Stacie Higashi, Supervising Special Investigator
  Ms. Rachel Vierra, Probation Manager
  Mr. Eric Delgado, LACRU Supervisor
  Ms. Brittany Hudson, IESU Manager
- 1. Call to Order and Introduction of Committee Members: **Mr. Maxey** called the meeting to order at 3:03 p.m.
- 2. Roundtable with Enforcement Managers (00:45)
  - a. Statistics Review of each unit within the Division
    - i. Intake and Enhanced Unit (01:10)
      - 1. **Ms. Wood** provided stats and updates for Intake and Enhanced Screening Unit
    - ii. Licensee Applicant Case Review Unit (02:05)
      - 1. **Ms. Wood** provided stats and updates for Licensing Applicant Case Review Unit
    - iii. Special Investigations (03:09)
      - 1. **Ms. Higashi** provided stats and updates for the Special Investigations Unit
    - iv. Discipline (03:55)
      - 1. Mr. Prouty provided stats and updates for Discipline Unit
    - v. Probation (05:11)

- 1. Ms. Vierra provided stats and updates for Probation Unit.
- vi. Petition Hearings (06:08)
  - 2. Ms. **Wood** provided stats and updates for Petition Hearings.
- vii. Enforcement Division (7:00)
  - 1. **Ms. Wood** provided stats and updates for Enforcement Division.
- viii. Division Staffing (7:37)
  - 1. **Ms. Wood** provided stats and updates for division staffing.
- 3. Continuing Education Audit (08:08)
  - a. **Mr. Ito** provided updates. Language is under legal review and will be updated to our website. Information on continued education will be sent to interested parties. Breeze is ready for audits. The audit will start with probationers. Enforcement and licensing will collaborate and will be up and running by November 1 or sooner if possible.
  - b. **Mr. Ito** explained to Mr. Maxey that CE communication will be done by mail but may be email will be implemented in the future. Mr. Ito also added about the possibility of enforcement going paperless.
- 4. Nightingale update (11:00)
  - a. **Ms. Wood** provided updates. Nightingale the name for FBI cases that of current licensees and applicantsattending fraudulent nursing schools. The Board is waiting on several states to make their final determination as they were endorsements from other states. We also several cases from the Board of Registered Nursing, who were denied an RN license. These cases are assigned to our Special Investigations unit.
- 5. Regulatory Updates (11:50)
  - a. Disciplinary Guidelines
    - i. **Ms. Wood** announced that we will be publishing finalized disciplinary guidelines on October 1. This will be announced by sending out email to all interested parties. Ms. Wood thanked Ms. Schieldge for her assistance.
- 6. Outreach Update
  - a. PSA Update (12:42)
    - i. **Ms. Wood** provided updates. We are still waiting for Education to complete their PSA because we can only do one at a time. We will do the next one once Education PSA is completed. Our PSA will be on precedential decision unless the committee wants to make any changes or has any suggestions.
  - b. Precedential Decisions (13:16)

- i. **Ms. Moore** and **Mr. Maxey** confirmed that PSA on precedential decision is the one that should be completed next.
- ii. **Ms. Wood** will ask the committee for feedback if the project has not started prior to the next committee meeting.
- 7. Tracking hours for the Special Investigators (14:01)
  - a. Can be used for cost recovery
    - i. **Mr. Ito** provided updates. With the help of Ty Tomlin in IT, we set up a way to collect cost recovery for special investigator's work in Breeze. Estimated start date is November 1. We need to train special investigators for tracking their time in the system to be able to collect revenue from cost recovery. This will be additional revenue for the Board. Update will be provided at the next committee meeting.
    - ii. Ms. Moore asked what tasks are being tracked?
    - iii. Mr. Ito stated that work time is being tracked for a specific case.
       I.e., whatever time the special investigators are spending on the case.
    - iv. **Ms. Wood** added that by charging for these costs, we are holding the licensee accountable, instead of raising fees for everyone.
- 8. Suggestions for Future Agenda Items (16:58)
  - a. **Ms. Moore** wants update on the Nightingale cases.
  - b. **Ms. Wood** explained that this will be an ongoing agenda item.
  - c. **Ms. Wood** stated that she will provide Botox survey for the next meeting once she has all the information from other state boards.
  - d. Mr. Maxey asked if PSA is an ongoing agenda item.
  - e. **Ms. Wood** confirmed that PSA is an ongoing agenda item until completion.
  - f. **Mr. Maxey** asked about the enforcement on colleges that are non-compliant.
  - g. **Ms. Yamaguchi** stated that unless the violations are criminal in nature, it will be possible to have Enforcement and Education work together for cite and fine against the colleges if this is the wish of the committee.
  - h. **Ms. Moore** prefers this is handled by Education.
- Schedule next Enforcement Committee Meeting (21:44) Wednesday, January 8, 2025. 3 p.m. – 4 p.m.
- 10. Adjournment (24:11) Mr. Maxey adjourned the meeting at 3:20 p.m.

The mission of the California Board of Vocational Nursing and Psychiatric Technicians (Board) is to protect the public. Public protection is paramount to the Board and its highest priority in exercising its licensing, regulatory, and disciplinary functions. Towards this end, the Board ensures that only qualified persons are licensed vocational nurses and psychiatric technicians by enforcing education requirements, standards of practice, and by educating consumers of their rights.