



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
Board of Vocational Nursing and Psychiatric Technicians
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MEMORANDUM	
DATE	August 10, 2021
TO	Board Members
FROM	Elaine Yamaguchi Executive Officer
SUBJECT	Executive Officer's Report: August 2021

Status of BVNPT

The Board staff is making progress moving staff operations back to the office, including reorganizing positions for efficiency based on workload.

State agencies have been directed to reinstate health and safety precautions. This includes mandatory face coverings while inside. It also includes mandatory verification of vaccination or mandatory weekly COVID testing. The operational details are not finalized.

The Board currently has eight out of eleven members and we require six board members for a quorum to do business. We currently have vacancies for one Vocational Nurse, one Psychiatric Technician and one Public Member. The Governor's Office is aware of this and met with potential members to begin the appointment process. They hope to have good news for us in the next few months, and in the meantime, please encourage qualified individuals to apply.

Department of Consumer Affairs Updates

At the August Board meeting, the Department's Assistant Deputy Director for Board and Bureau Relations, Brianna Miller will provide a brief update from the Department and answer any Board member questions about DCA.

Budget and Finance

Please review the attached Fund Condition report.

On August 9, 2021, I met with DCA's Budget and Fiscal Office to project updated assumptions for both revenue and expenses over the next several years. We also discussed new developments in our fee structures based on the proposed language in

our Sunset bill, AB 1536, as well as revenue assumptions based on the fee increases for applicants/licenseses via regulations.

We will not have an updated hard report by the Board Meeting, so the Budget staff will attend our meeting and provide background and answer questions.

Sunset Review Legislation

We discussed our issues and suggestions for AB 1536 with the Assembly and Senate Committee staff. They drafted amendments that address some of our issues and technical clean-up items. The amendments are not yet in print and will be adopted in Appropriations on August 23 and moved immediately to Suspense. This information is based on the mocked-up language we received and sunsets January 1, 2025.

Critical to BVNPT's fiscal and structural health is the school/ program fees. The Board approved a conceptual fee structure at the May 2021 meeting, which we presented and discussed with the legislative staff. The proposed legislation authorizes an initial application fee of \$5,000, a final approval fee of \$15,000, and an annual continuing approval fee for all active programs of \$5,000.

The Assembly and Senate Committee Chairs are concerned about our current program approval backlog. We worked with the Committee staff over the past five months to develop concepts for new program approvals and steps to streamline the wait list, which the Board discussed and approved at the May 2021 meeting.

The proposed amendments create ambitious timelines for the new program approval process and communication requirements. This will be challenging to the NECs and other Education Division staff and requires analysis of staffing levels in the next years to accommodate the increase in the number of approved/continuing programs.

Other key points will:

1. Extend BVNPT's sunset until 2025, which means that the Board will prepare its Sunset Review Report in late 2023, have a hearing in Spring 2024, and work on sunset legislation through 2024.
2. Require the Executive Officer in office on December 31, 2021 to continue in the position until it is either vacated, or until the Board selects another Executive Officer.
3. Require the Board to delegate the authority to adopt default decisions to the Executive Officer.

The Naturopathic Medicine Committee

The Naturopathic Medicine Committee was formed effective October 23, 2009 under the Osteopathic Medical Board of California although the programs are autonomous from one another. California was the 13th state to recognize naturopathic medicine and provide licensure to naturopathic doctors. There are currently 1,241 licensed naturopathic doctors (NDs) in the state.

Our Practice Acts require LVNs and PTs to work under the supervision and direction of physicians (MDs or DO's) and registered nurses (RNs). NDs are not physicians and do not provide the full scope of medical care physicians do. Several states, including Arizona, Washington, and Oregon, specifically allow LVNs to work in these settings.

We had a brief introductory conversation with representatives from the Naturopathic Medicine Committee (NMC) in July to discuss potential avenues for employment for LVNs and PTs, and possibly clinical placement for students. This conversation will continue with our NECs and the Education and Practice Committee.

National Council of State Boards of Nursing (NCSBN)

On August 18 and 19, the annual meeting of the National Council of State Boards of Nursing will convene online. Board Chair Mountain and I will be attending to represent BVNPT. We'll report any updates at August 20 Board meeting.

November Board Meeting

The November Board meeting November 18 and 19 is scheduled in person in Sacramento and use a hybrid WebEx format. The first day is dedicated to Board training and orientation, and the second day is the regular Board business meeting. We will keep you informed if we are required to change that plan and go back to the WebEx only platform. The remote NECs will give their reports via WebEx to save travel costs. The program directors will have the option to use WebEx when their school is presented to the Board

Final Comments

I hope that you and yours remain safe and healthy. Please don't hesitate to call or email with any questions or suggestions or if you need help with anything.

Looking forward to the meeting.

0779 - Vocational Nursing and Psychiatric Technicians (Dollars in Thousands) 2021-22 Governor's Budget	Analysis of Fund Condition	PY 2019-20	CY 2020-21	BY 2021-22	BY+1 2022-23	BY+2 2023-24	BY+3 2024-25	BY+4 2025-26
Based on FM 11 (2020-21) projections to year end								
BEGINNING BALANCE		\$6,540	\$5,217	\$4,787	\$2,449	-\$425	-\$3,852	-\$7,848
Prior Year Adjustment		-\$105	\$0	\$0	\$0	\$0	\$0	\$0
Adjusted Beginning Balance		\$6,435	\$5,217	\$4,787	\$2,449	-\$425	-\$3,852	-\$7,848
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS								
Revenues								
4121200 - Delinquent fees		\$255	\$283	\$258	\$258	\$258	\$258	\$258
4127400 - Renewal fees		\$11,479	\$12,248	\$12,106	\$12,106	\$12,106	\$12,106	\$12,106
4129200 - Other regulatory fees		\$346	\$412	\$639	\$639	\$639	\$639	\$639
4129400 - Other regulatory licenses and permits		\$4,442	\$4,900	\$4,832	\$4,832	\$4,832	\$4,832	\$4,832
4143500 - Miscellaneous Services to the Public		\$0	\$0	\$2	\$2	\$2	\$2	\$2
4163000 - Income from surplus money investments		\$162	\$30	\$0	\$0	\$0	\$0	\$0
4171400 - Escheat of unclaimed checks and warrants		\$16	\$8	\$7	\$7	\$7	\$7	\$7
4171500 - Escheat of unclaimed Property		\$0	\$0	\$1	\$0	\$0	\$0	\$0
4172500 - Miscellaneous revenues		\$2	\$1	\$8	\$8	\$8	\$8	\$8
4173500 - Settlements and Judgments - Other		\$0	\$15	\$0	\$0	\$0	\$0	\$0
Totals, Revenues		\$16,702	\$17,897	\$17,853	\$17,852	\$17,852	\$17,852	\$17,852
Transfers and Other Adjustments		\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS		\$16,702	\$17,897	\$17,853	\$17,852	\$17,852	\$17,852	\$17,852
TOTAL RESOURCES		\$23,137	\$23,114	\$22,640	\$20,301	\$17,427	\$14,000	\$10,004
EXPENDITURES AND EXPENDITURE ADJUSTMENTS								
Expenditures:								
1111 Program Expenditures (State Operations)		\$16,399	\$17,067	\$17,893	\$18,428	\$18,981	\$19,550	\$20,136
Estimated AG/OAH Augmentation Ongoing		\$0	\$0	\$430	\$430	\$430	\$430	\$430

Assumed GSI 4.55 Percent Increase Effective 7.1.2021	\$0	\$0	\$535	\$535	\$535	\$535	\$535
8880 Financial Information System for California (State Operations)	-\$2	\$0	\$0	\$0	\$0	\$0	\$0
9892 Supplemental Pension Payments (State Operations)	\$246	\$246	\$246	\$246	\$246	\$0	\$0
9900 Statewide Pro Rata	\$1,277	\$1,014	\$1,087	\$1,087	\$1,087	\$246	\$246
						\$1,087	\$1,087
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$17,920	\$18,327	\$20,191	\$20,726	\$21,279	\$21,848	\$22,434
FUND BALANCE							
Reserve for economic uncertainties	\$5,217	\$4,787	\$2,449	-\$425	-\$3,852	-\$7,848	-\$12,430
Months in Reserve	1.4	2.8	1.4	-0.2	-2.1	-4.2	0.0

NOTES:

Assume Board will need an AG/OAH augmentation each FY equal to what was received in FY 2020-21
Assume all staff will receive a 4.55 percent GSI increase effective July 1, 2021
Assumes workload and revenue projections are realized in BY +1 and ongoing
Expenditure growth projected at 3 percent beginning in BY +1
Assumes interest rate at 1.5 percent