



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR  
**Board of Vocational Nursing and Psychiatric Technicians**  
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**State of California Department of Consumer Affairs  
Board of Vocational Nursing and Psychiatric Technicians  
Legislative and Regulations Committee Meeting Report**

**DATE:** Thursday, June 17, 2021

**TIME:** 1:05 P.M. – 2:35 P.M.

**LOCATION:** Board of Vocational Nursing and Psychiatric Technicians  
2535 Capitol Oaks Drive, Suite 205 Sacramento, CA  
(Via WebEx)

**COMMITTEE MEMBERS PRESENT:** Mr. Dierking, Chairperson  
Ms. Carpenter, Board Member

**COMMITTEE MEMBERS ABSENT:** None

**BOARD STAFF PRESENT:** Ms. Yamaguchi, Executive Officer  
Ms. Lyman, Assistant Executive Officer  
Ms. Wood, Enforcement Chief  
Ms. DeYoung, Nursing Education Consultant  
Ms. Clayworth, Nursing Education Consultant  
Ms. Shuman, Nursing Education Consultant  
Ms. Archibald, Personnel Specialist  
Ms. Pires, Legislative and Regulatory Specialist

**DCA STAFF PRESENT:** Mr. Swenson, Attorney III, Board General Counsel  
Ms. Tatayon, Attorney III, Board Regulations Counsel

**DCA STAFF ABSENT:** None

**Agenda Item 1: Call to Order and Roll Call**

Committee Action:

Mr. Dierking called the meeting to order at 1:05 p.m. on Thursday, June 17, 2021.

**Agenda Item 2: Legislative Update and Possible Action**

- a) [AB 1536](#): (Committee on Business and Professions) Board of Vocational Nursing and Psychiatric Technicians of the State of California.  
Committee analyses are found [here](#).

Ms. Yamaguchi updated the Committee regarding the Board's Joint Sunset Oversight Hearing Assembly Bill 1536.

Mr. Swenson asked that the committee members review the New Program Approval Memorandum. Mr. Dierking and Ms. Carpenter indicated that they had reviewed the concepts. Mr. Dierking moved to refer the New Program Approval concepts (found in June 17, 2021 Special Board Meeting Agenda item 4C) to the Board for vote. Ms. Carpenter seconded the motion.

Committee Action:

Motion to refer New Program Approval concepts to the board. Motion passed.

b) Action to Recommend Support Position to Board

[AB 1273](#) (Rodriguez) Interagency Advisory Committee on Apprenticeship: the Director of Consumer Affairs and the State Public Health Officer. Committee analyses are found [here](#).

Ms. Yamaguchi reviewed the provisions of the bill. Mr. Dierking moved to refer a "support" recommendation to the Board for consideration. Ms. Carpenter seconded the motion.

Committee Action:

Motion to refer Assembly Bill 1273 (Rodriguez) to the Board for consideration for formal "support" position. Motion passed.

### **Agenda Item 3: 2021 Rulemaking Update**

a) Update: [AB 2138](#) (Chiu, Low, Chapter 995, Statutes of 2018) Substantial Relationship and Rehabilitation Criteria for Psychiatric Technicians (PT).

Status: Ms. Pires reported that the PT package was filed with The Office of Administrative Law (OAL) on 04/13/2021 and remains under review.

Ms. Tatayon stated that the VN Modified Proposed Text for [AB 2138](#) (Chiu, Low, Chapter 995, Statutes of 2018) Substantial Relationship and Rehabilitation Criteria for Vocational Nurses (VN) must be reviewed and moved to the Board for vote.

Ms. Carpenter moved and Mr. Dierking seconded the motion to refer Modified Proposed Text for [AB 2138](#) (Chiu, Low, Chapter 995, Statutes of 2018) Substantial Relationship and Rehabilitation Criteria for Vocational Nurses (VN) to the Board for vote.

Committee Action:

Motion to refer Modified Proposed Text for [AB 2138](#) (Chiu, Low, Chapter 995, Statutes of 2018) Substantial Relationship and Rehabilitation Criteria for Vocational Nurses (VN) to the Board for vote. Motion passed.

[Note: The committee previously reviewed and moved to refer the Substantial Relationship and Rehabilitation Criteria for Vocational Nurses language to the board at the May 6, 2021 meeting.]

b) Update and Action: Program Pass Rate Standards for Vocational Nursing Programs  
Modified Proposed Text

Status: Ms. Pires reported that the Program Pass Rate Standards for the Vocational Nursing Programs rulemaking package was submitted to DCA's regulations unit on March 29, 2021. DCA's regulations counsel would like to modify the text the Board approved on August 21, 2020. DCA's regulations counsel recommended modified language which was presented to the Committee for review and referral to the board.

Ms. Carpenter moved and Mr. Dierking seconded the motion to refer the modified language for Program Pass Rate Standards for Vocational Nursing Programs to the Board for vote.

Committee Action: Motion to refer the modified language for Program Pass Rate Standards for Vocational Nursing Programs to the Board for vote. Motion passed.

c) Update and Action: Program Pass Rate Standards for Schools for the Preparation of  
Psychiatric Technicians Modified Proposed Text

Status: Ms. Pires reported that the Program Pass Rate Standards for Schools for the Preparation of Psychiatric Technicians rulemaking package was prepared in parallel construction to the modified language for Program Pass Rate Standards for Vocational Nursing Programs as received by DCA's regulations unit. The recommended modified language was presented to the Committee for review and referral to the board.

Ms. Carpenter moved and Mr. Dierking seconded the motion to refer the modified language for Program Pass Rate Standards for Schools for the Preparation of Psychiatric Technicians to the Board for vote.

Committee Action: Motion to refer the modified language for Program Pass Rate Standards for Schools for the Preparation of Psychiatric Technicians to the Board for vote. Motion passed.

**Agenda Item 4: Suggestion for Future Agenda Items**

There were no suggestions for Future Agenda Items.

**Agenda Item 5: Schedule next Legislative and Regulations Committee Meeting**

Committee Action: Administrative.

The Committee deferred to staff for the scheduling of the next Legislative and Regulation Committee Meeting to be held in September.

**Agenda Item 6: Adjournment**

Committee Action: Administrative.

The meeting adjourned at 2:35 p.m.