



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
www.bvnpt.ca.gov



MEMORANDUM

DATE	August 14, 2020
TO	Board Members
FROM	Elaine Yamaguchi Executive Officer
SUBJECT	Executive Officer’s Report: August 2020

Status of BVNPT

At this writing, more than 75 percent of our staff telework. Those of us in the office are careful to observe all hygiene and distancing guidelines. The array of custom face coverings brightens our days.

The Board packet contains the quarterly update of licensing statistics. Given the external factors, it’s not possible to chart definitive trends, and our team is keeping everything moving, assisting our population, and protecting California. I am proud of them.

Board Seats and Leadership

With the recent announcement of Paul Sellers’ resignation, the Board has three vacancies: one Public, one VN and one PT. I know that the Governor’s Office is meeting with possible candidates, and if you know qualified individuals, please encourage them to apply, and refer them to me. I would be happy to speak with interested parties.

The Board will be asked to vote for a new President and Vice President at this meeting. I will call the meeting to order on Thursday the 20th and facilitate the introductions and roll call. Board Counsel Ken Swenson will then facilitate the elections. The new President will then assume the chair and begin the petitioner hearings. Staff will provide a script, but as you know, the Administrative Law Judge facilitates the hearings.

On a related note, please see the attached log of Board voting on disciplinary cases. The Board is down to eight of eleven members, and we require at least six members for quorum on all business. If fewer than six members return the ballots, the Board must either convene a special meeting before the 100 day period or adopt the findings as operational law.

Similarly, please be sure to complete and submit your requests for reimbursements and per diem each month. On her exit from the Board, outgoing President Tammy Endozo submitted requests for the past three fiscal years. Given the state's fiscal difficulties, we may not be allowed to approve payment for reimbursement.

DCA Leadership Changes

I am delighted to announce that DCA's Executive Office added strong new leadership to support Director Kim Kirchmeyer. We now have a Chief Deputy Director Christine Lally, Deputy Director for Board and Bureau Relations, Carrie Holmes, Deputy Director for Legislative Affairs, Jennifer Simoes, and Assistant Deputy Director for Legislative Affairs, Megan Allred. These experienced, welcome additions hit the ground running and we've been working effectively together.

The Senate Rules Committee convened Director Kirchmeyer's confirmation hearing on August 5, and she did a terrific job. The Senate votes on her final confirmation in the coming weeks. I can't say enough about the strong and responsive leadership that Kim brings to DCA, and now that she has a full team to back her up, I am confident in the Department's future, even in this uncertain time.

Budget and Finance

The latest Fund Condition report is attached, and the Budget and Fiscal Office will be attending our meeting to provide background. At our February 2020 meeting, we discussed several potential budget issues, resulting in difficult decisions. At this time, the Board will close the fiscal year without exceeding our authorized 2019-20 budget.

The Fund Condition projects out several fiscal years and is an essential guide in our discussion and decision-making about fees.

National Council of State Boards of Nursing (NCSBN)

The annual NCSBN meeting will be held virtually on August 12. Usually, the annual meeting is a multi-day event, but this year's meeting will be an abbreviated business meeting.

Board Committees

The Board's Education and Practice Committee met via Web Ex on Monday, July 27th. The meeting report is enclosed in the packet.

The Board's Legislative and Regulations Committee met via teleconference July 8th. The meeting report is enclosed in the packet. The next meeting is October 2, 2020.

The unexpected vacancies on the Executive, Licensing and Evaluations and Enforcement committees hindered the ability to meet this quarter. Please see the attached memo and the Board's Committee Structure manual. The Committee Objectives and Measurements from the Strategic Plan have been added to the document.

As a side note, I recommend that the Board have a discussion and progress check on the Strategic Plan at the February 2021 meeting, and work with the Executive

Committee on this. Staff developed a template for tracking progress on Committee objectives and measurements, which will be shared with each Committee at their next meeting.

Legislation and Regulations

As reported elsewhere, there are two separate bills pertaining to the BVNPT's Sunset. The first, AB 2854, was intended to be our main sunset bill this year, but now contains only the default decision delegation language the Board discussed many times and approved. The second bill, SB 1474, is a general Board and Bureau technical clean-up bill amended to carry a one-year extension of the sunset dates and related language for all Boards who were postponed this year.

The Legislative and Regulations and the Education and Practice Committees both discussed work to enact our rulemaking regarding the 75 percent NCLEX passage rate requirement for the schools. The Board approved draft language at its May 2020 meeting and authorized staff to proceed in the process. As staff worked on this project, it was apparent that there were many issues in our regulations for schools and programs that needed to be addressed immediately. Staff recommended to the Committees that the other pieces in the draft approved in May be deferred and included in comprehensive work to update Article 5. The Board will review and hopefully approve detailed concepts and/or draft language for the Article 5 revisions at the November 2020 meeting, in order to place the item on the 2021 Rulemaking calendar.

The motion before the Board is to approve narrowing the scope for this current package, allow us to move forward on the pass rates, which has been under discussion for several years, and defer the other pieces until 2021.

Final Comments

The team and I miss getting to see you, but we know it's much more important to ensure everyone's health and safety.

As a reminder, the meeting minutes are different. The meeting documents from now on will contain the action items, motions and votes. The link to the meeting recordings is listed on the meeting minutes. The detailed minutes presented in the past take more than a week to prepare and approve. As you know, the state reduced all personnel salaries by nearly ten percent, and each Board was also asked to redirect five percent of their staff to contact tracing. Vicki and I consulted with Counsel and confirmed that between this record of the Board actions and the availability of the complete recordings of the meetings, the Board's history is preserved and accessible.

I hope that you and yours remain safe and healthy.

**0779 - Vocational Nursing and Psychiatric Technicians
Analysis of Fund Condition**

Prepared 8/7/2020

(Dollars in Thousands)

2020-21 Budget Act
+2019-20 FM12 Projections

	ACTUAL 2018-19	PY 2019-20	Budget Act CY 2020-21	BY 2021-22	BY+1 2022-23	BY+2 2023-24	BY+3 2024-25	BY+4 2025-26	BY+5 2026-27
BEGINNING BALANCE	\$ 7,728	\$ 6,540	\$ 4,135	\$ 3,058	\$ 1,457	\$ -686	\$ -3,385	\$ -6,657	\$ -10,519
Prior Year Adjustments	\$ 566	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 8,294	\$ 6,540	\$ 4,135	\$ 3,058	\$ 1,457	\$ -686	\$ -3,385	\$ -6,657	\$ -10,519
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS									
Revenues:									
4121200 Delinquent fees	\$ 186	\$ 255	\$ 258	\$ 258	\$ 258	\$ 258	\$ 258	\$ 258	\$ 258
4127400 Renewal fees	\$ 9,599	\$ 11,980	\$ 11,520	\$ 11,520	\$ 11,520	\$ 11,520	\$ 11,520	\$ 11,520	\$ 11,520
4129200 Other regulatory fees	\$ 280	\$ 346	\$ 492	\$ 492	\$ 492	\$ 492	\$ 492	\$ 492	\$ 492
4129400 Other regulatory licenses and permits	\$ 3,731	\$ 4,442	\$ 5,375	\$ 5,375	\$ 5,375	\$ 5,375	\$ 5,375	\$ 5,375	\$ 5,375
4143500 Miscellaneous services to the public	\$ -	\$ -	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2
4163000 Income from surplus money investments	\$ 260	\$ 137	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4171400 Escheat of unclaimed checks and warrants	\$ 7	\$ 16	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7
4171500 Escheat of unclaimed property	\$ 2	\$ -	\$ 1	\$ 1	\$ -	\$ -	\$ -	\$ -	\$ -
4172500 Miscellaneous revenues	\$ 2	\$ 2	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8
4173500 Settlements and Judgements	\$ 3	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 14,070	\$ 17,178	\$ 17,663	\$ 17,663	\$ 17,662	\$ 17,662	\$ 17,662	\$ 17,662	\$ 17,662
Transfers from Other Funds									
Revenue Transfer from Psychiatric Technicians Fund (0780) per Chapter 510, Statutes 2015	\$ 1,072	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenues, Transfers, and Other Adjustments	\$ 15,142	\$ 17,178	\$ 17,663	\$ 17,663	\$ 17,662	\$ 17,662	\$ 17,662	\$ 17,662	\$ 17,662
Totals Resources	\$ 23,436	\$ 23,718	\$ 21,798	\$ 20,721	\$ 19,119	\$ 16,976	\$ 14,277	\$ 11,005	\$ 7,143
EXPENDITURE AND EXPENDITURE ADJUSTMENTS									
Expenditures:									
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 15,840	\$ 18,062	\$ 17,480	\$ 18,004	\$ 18,545	\$ 19,101	\$ 19,674	\$ 20,264	\$ 20,872
8880 Financial Information System for California (State Operations)	\$ 2	\$ -2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
9892 Supplemental Pension Payments (State Operations)	\$ 112	\$ 246	\$ 246	\$ 246	\$ 246	\$ 246	\$ 246	\$ 246	\$ 246
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 942	\$ 1,277	\$ 1,014	\$ 1,014	\$ 1,014	\$ 1,014	\$ 1,014	\$ 1,014	\$ 1,014
Total Expenditures and Expenditure Adjustments	\$ 16,896	\$ 19,583	\$ 18,740	\$ 19,264	\$ 19,805	\$ 20,361	\$ 20,934	\$ 21,524	\$ 22,132
FUND BALANCE									
Reserve for economic uncertainties	\$ 6,540	\$ 4,135	\$ 3,058	\$ 1,457	\$ -686	\$ -3,385	\$ -6,657	\$ -10,519	\$ -14,989
Months in Reserve	4.0	2.6	1.9	0.9	-0.4	-1.9	-3.7	-5.7	#DIV/0!

Notes:

- A ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED FOR BY+1 AND ON-GOING.
- B ASSUMES APPROPRIATION GROWTH OF 3% PER YEAR IN BY+1 AND ON-GOING..
- C ASSUMES INTEREST RATE OF 1.5%

0779 - Vocational Nursing and Psychiatric Technicians

Prepared 8/7/2020

Analysis of Fund Condition

(Dollars in Thousands)

2020-21 Budget Act

+2019-20 FM12 Projections

w_Proposed Fee Increase

	ACTUAL 2018-19	PY 2019-20	Budget Act CY 2020-21	BY 2021-22	BY+1 2022-23	BY+2 2023-24	BY+3 2024-25	BY+4 2025-26	BY+5 2026-27
BEGINNING BALANCE	\$ 7,728	\$ 6,540	\$ 4,135	\$ 3,058	\$ 1,457	\$ 3,482	\$ 4,642	\$ 5,237	\$ 5,242
Prior Year Adjustments	\$ 566	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 8,294	\$ 6,540	\$ 4,135	\$ 3,058	\$ 1,457	\$ 3,482	\$ 4,642	\$ 5,237	\$ 5,242
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS									
Revenues:									
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4127400 Renewal fees	\$ 9,599	\$11,980	\$11,520	\$ 11,520	\$ 11,520	\$ 11,520	\$ 11,520	\$ 11,520	\$ 11,520
4129200 Other regulatory fees	\$ 280	\$ 346	\$ 492	\$ 492	\$ 492	\$ 492	\$ 492	\$ 492	\$ 492
Proposed Fee Increase	\$ -	\$ -	\$ -	\$ -	\$ 4,168	\$ 4,168	\$ 4,168	\$ 4,168	\$ 4,168
4129400 Other regulatory licenses and permits	\$ 3,731	\$ 4,442	\$ 5,375	\$ 5,375	\$ 5,375	\$ 5,375	\$ 5,375	\$ 5,375	\$ 5,375
4143500 Miscellaneous services to the public	\$ -	\$ -	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2
4163000 Income from surplus money investments	\$ 260	\$ 137	\$ -	\$ -	\$ -	\$ 69	\$ 77	\$ 77	\$ 68
4171400 Escheat of unclaimed checks and warrants	\$ 7	\$ 16	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7
4171500 Escheat of unclaimed property	\$ 2	\$ -	\$ 1	\$ 1	\$ -	\$ -	\$ -	\$ -	\$ -
4172500 Miscellaneous revenues	\$ 2	\$ 2	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8
4173500 Settlements and Judgements	\$ 3	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 14,070	\$17,178	\$17,663	\$ 17,663	\$ 21,830	\$ 21,899	\$ 21,907	\$ 21,907	\$ 21,898
Transfers from Other Funds									
Revenue Transfer from Psychiatric Technicians Fund (0780) per Chapter 510, Statutes 2015	\$ 1,072	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenues, Transfers, and Other Adjustments	\$ 15,142	\$17,178	\$17,663	\$ 17,663	\$ 21,830	\$ 21,899	\$ 21,907	\$ 21,907	\$ 21,898
Totals Resources	\$ 23,436	\$23,718	\$21,798	\$ 20,721	\$ 23,287	\$ 25,381	\$ 26,549	\$ 27,144	\$ 27,140
EXPENDITURE AND EXPENDITURE ADJUSTMENTS									
Expenditures:									
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 15,840	\$18,062	\$17,480	\$ 18,004	\$ 18,545	\$ 19,101	\$ 19,674	\$ 20,264	\$ 20,872
8880 Financial Information System for California (State Operations)	\$ 2	\$ -2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
9892 Supplemental Pension Payments (State Operations)	\$ 112	\$ 246	\$ 246	\$ 246	\$ 246	\$ 246	\$ 246	\$ 246	\$ 246
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 942	\$ 1,277	\$ 1,014	\$ 1,014	\$ 1,014	\$ 1,392	\$ 1,392	\$ 1,392	\$ 1,392
Total Expenditures and Expenditure Adjustments	\$ 16,896	\$19,583	\$18,740	\$ 19,264	\$ 19,805	\$ 20,739	\$ 21,312	\$ 21,902	\$ 22,510
FUND BALANCE									
Reserve for economic uncertainties	\$ 6,540	\$ 4,135	\$ 3,058	\$ 1,457	\$ 3,482	\$ 4,642	\$ 5,237	\$ 5,242	\$ 4,630
Months in Reserve	4.0	2.6	1.9	0.9	2.0	2.6	2.9	2.8	#DIV/0!

Notes:

A ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED FOR BY+1 AND ON-GOING.

B ASSUMES APPROPRIATION GROWTH OF 3% PER YEAR IN BY+1 AND ON-GOING..

C ASSUMES INTEREST RATE OF 1.5%

Board Member Votes Log 2020

(Ballot Mail Out Only)

Board Member	January		February	March		April		May	June		July		August	September		October		November	December	
	13th	28th	24th	10th	25th	9th	24th	26th	10th	22th	3rd	20th	4th	1st	16th	1st	16th	2nd	2nd	17th
1. Tammy Endozo	V	V	L	L	L	L	L	V												
2. Dr. Bernice Bass de Martinez	V	V	V	V	V	V	V	V												
3. Dr. Carel Mountain	NV	V	L	NV	V	NV	V	NV	V	V	V	V								
4. Kenneth Maxey	NV	NV	V	NV	L	L	NV	NV	NV	NV	NV	NV								
5. Donna Norton	V	NV	V	V	V	V	V	L	V	V	V	V								
6. John Dierking	V	V	V	V	V	V	V	V	V	V	V	V								
7. Cheryl Turner	NV	V	V	L	V	V	V	V	V	V	V	V								
8. Paul Sellers	V	V	V	V	V	V	V	V	NV	NV	NV	NV								
9. Aleta Carpenter	V	V	V	V	V	V	V	V	V	V	V	V								
10. Paula Amezola de Herrera	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	V								
11. Melissa Rubalcava			V	V	V	V	V	V	V	V	V	V								

V - Voted

L - Votes turned in Late

NV - No Vote

***NV - No Vote on Vacation**

Board Member Votes Log 2019

(Ballot Mail Out Only)

Board Member	January		February		March		April		May	June		July		August		September		October		November		December	
	3rd	18th	1st	25th	12th	27th	11th	26th	20th	6th	19th	5th	19th	19th	10th	25th	10th	25th	25th	10th	30th		
1. Tammy Endozo	V	V	V	V	V	V	V	V	V	V	L	L	L	L	V	V	V	L	NV	L	L		
2. Dr. Bernice Bass de Martinez	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	
3. Dr. Carel Mountain									V	V	V	V	V	V	V	V	V	V	V	NV	V		
4. Kenneth Maxey	NV	NV	NV	NV	V	V	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	L	NV	NV	NV	NV	
5. Donna Norton	V	V	V	V	V	V	V	NV	V	V	V	NV	V	V	V	V	V	V	V	L	V	V	
6. John Dierking	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	
7. Cheryl Turner	V	V	V	V	V	V	V	V	NV	V	V	V	V	V	V	V	V	V	L	NV	V	NV	
8. Paul Sellers	V	V	V	V	NV	V	V	V	L	NV	V	V	V	V	V	NV	NV	V	V	V	V	V	
9. Aleta Carpenter	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	
10. Paula Amezola de Herrera	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	L	V	NV	NV		
11. Samantha James-Perez	V																						

V - Voted

L - Votes turned in Late

NV - No Vote

*NV - No Vote on Vacation

Board Member Votes Log 2018

(Ballot Mail Out Only)

Board Member	January		February		March		April		May	June		July		August		September		October		November	December		
	4th	19th	2nd	26th	13th	28th	13th	30th	21st	5th	20th	6th	23rd	7th	27th	11th	26th	10th	26th	19th	4th	19th	
1. Tammy Endozo	V	V	V	L	V	V	V	V	L	V	V	L	L	V	L	V	V	V	V	V	V	V	V
2. Dr. Bernice Bass de Martinez	V	V	V	L	L	L	L	L	L	L	L	V	V	V	L	NV	V	L	V	V	V	V	V
3. Samantha James-Perez	NV	NV	V	V	V	V	L	V	V	L	V	NV	V	V	V	V	NV	V	V	V	V	V	V
4. Kenneth Maxey	NV	V	NV	NV	NV	L	V	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV
5. Donna Norton	V	V	V	V	V	V	L	V	V	V	V	NV	V	NV	V	L	V	V	NV	V	V	V	NV
6. John Dierking	V	V	V	V	V	V	V	V	L	V	V	V	V	V	V	V	V	V	V	V	V	V	V
7. Cheryl Turner	V	V	V	V	V	L	L	V	NV	NV	V	V	NV	V	L	V	V	NV	V	V	V	V	V
8. Paul Sellers	NV	V	V	V	V	V	NV	V	V	V	V	V	V	V	V	V	V	V	V	NV	V	V	*NV
9. Aleta Carpenter	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V
10. Paula Amezola de Herrera	V	V	NV	V	NV	NV	L	NV	L	NV	L	L	L	V	L	V	L	NV	NV	NV	NV	NV	NV

V - Voted

L - Votes turned in Late

NV - No Vote

*NV - No Vote on Vacation

Board Member Votes Log 2017

(Ballot Mail Out Only)

Board Member	January		February		March		April		May		June		July		August		September		October		November		December	
	9th	23rd	13th	28th	15th	30th	14th	16th	31st	15th	30th	17th	1st	28th	12th	27th	12th	27th	20th	5th	20th			
1. Tammy Endozo	V	V	V	V	V	V	V	V	V	NV	V	V	V	V	V	V	V	V	V	V	V	V	V	
2. Dr. Bernice Bass de Martinez	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	L	V	V	L	V	L	V	L	
3. Samantha James-Perez	V	V	V	V	V	V	NV	V	NV	V	V	V	NV	NV	L	V	L	L	V	NV	V	V		
4. Todd D' Braunstein	V	NV	V	V	V	V	V																	
5. Donna Norton	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	
6. John Dierking	V	V	NV	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V	
7. Eric Mah	V	V	V	V	NV																			
8. Andrew Moreno	V	V	V	NV	V	V	V	V	V															
9. John Vertido	V	V	V	V	V	V	*NV	V																
10. Kenneth Maxey					NV	NV	V	V	NV	NV	NV	V	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV		
11. Cheryl Turner								V	V	V	V	V	V	V	V	L	V	V	V	V	V	V		
12. Paula Amezola de Herrera													V	NV	NV	V	V	NV	V	L	NV	NV		
13. Aleta Carpenter													V	V	V	V	V	V	V	V	V	V		
14. Paul Sellers									V	V	V	V	V	V	V	V	V	V	V	V	V	V		

V - Voted
 L - Votes turned in Late
 NV - No Vote
 *NV - No Vote on Vacation