

AGENDA ITEM # 3.A



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
Board of Vocational Nursing and Psychiatric Technicians
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**Board of Vocational Nursing
and Psychiatric Technicians
Department of Consumer Affairs
Board Meeting Minutes**

<https://www.youtube.com/watch?v=-1pomHC5UYU>

Please note: If you hover over the time stamp under the agenda item and press the Ctrl key on your keyboard, it will take you to the exact place in the webcast to hear the Board conversation.

DATE: Friday, February 19, 2021

EXECUTIVE ORDER: Waiver of Bagley-Keene Restriction on Teleconferenced Meetings Related to Declared Emergency -- (Executive Order N-29-20, March 17, 2020, paragraph 11.)

**BOARD MEMBERS
PRESENT:**

Dr. Mountain, Board President, Education Member
Mr. Dierking, Board Vice President
Ms. Carpenter, Public Member
Mr. Maxey, Public Member
Ms. Norton, Licensed Vocational Nurse Member
Ms. Rubalcava, Psychiatric Technician Member
Ms. Turner, Public Member
Ms. Rooks, Licensed Vocational Nurse Member
Mr. Hill, Psychiatric Technician Member

STAFF PRESENT:

Ms. Yamaguchi, Executive Officer
Ms. Lyman, Assistant Executive Officer
Ms. Wood, Enforcement Chief
Ms. Cordeiro, Supervising Nursing Education Consultant
Mr. Prouty, Discipline Unit Manager
Ms. Brown, Licensing Manager
Ms. Gomez, Nursing Education Consultant (NEC)
Ms. DeYoung, NEC
Ms. McLeod, NEC
Ms. Delarosa, NEC
Dr. Fairchild, NEC
Ms. Silverman, NEC
Ms. Clayworth, NEC
Ms. Saavedra, Budget Analyst

Ms. Pires, Legislation Analyst
Mr. Matsumoto, Retired Annuitant

DCA STAFF PRESENT: Mr. Swenson, Board General Counsel
Ms. Tatayon, Board Regulatory Counsel
Ms. Munoz, DCA Budget Manager

Agenda Item 1 **Call to Order, Roll Call and Establishment of Quorum**
[\(0:18-3:24\)](#)

Board President Dr. Mountain called the meeting to order at 9:00 a.m., Friday, February 19, 2021 via WebEx. Dr. Mountain took attendance of Board Members by roll call, and confirmed quorum.

Agenda Item 2 **Introduction of Board Staff**
[\(3:25-7:53\)](#)

Executive Officer, Elaine Yamaguchi, introduced board staff and DCA Legal counsel.

Agenda Item 3 **Board Officer Elections and Meeting Minutes**
[\(7:55-13:44\)](#)

A. Department of Consumer Affairs (DCA) Legal Staff introduced themselves. Legal Counsel Mr. Swenson conducted the Board Officer Elections. Dr. Mountain was elected President, and Mr. Dierking was elected Vice President.

B. Meeting Minutes for January 26, 2021 – Review and Approval.

[\(13:51-17:40\)](#)

Motion: Approve minutes for January 26, 2021, if no errors or omissions.

Moved/Seconded: Ms. Norton/Ms. Carpenter

| Member Name | Vote |
|---------------|---------|
| Dr. Mountain | YES |
| Mr. Dierking | YES |
| Ms. Carpenter | YES |
| Mr. Maxey | YES |
| Ms. Norton | ABSTAIN |
| Ms. Rubalcava | ABSTAIN |
| Ms. Turner | YES |
| Ms. Rooks | YES |
| Mr. Hill | YES |

The motion carried.

Board Discussion: None

Public Comment: None

Agenda Item 4 **Fiscal Budgets**
[\(17:49-20:32\)](#)

Ms. Munoz, DCA Budget Manager, provided information to the Board Members regarding the board's Fund Condition and the Governor's Budget for 2021/2022 FY.

Board Discussion: None

Public Comment: None

Agenda Item 5 **Education**

A. Education Division Report – Ms. Cordeiro.
[\(21:00-23:20\)](#)

Board Discussion: None

Public Comment: None

B. Education Committee Report – Dr. Mountain.
[\(23:21-24:11\)](#)

Board Discussion: None

Public Comment: None

C. Reconsideration of Provisional Approval.

**I. Hacienda La Puente Adult School, Vocational Nursing Program.
Dr. Fairchild, Nursing Education Consultant. [\(24:25-25:41\)](#)**

1. Grant the Program full approval for a period of four years beginning February 19, 2021, through February 19, 2024, and issue a certificate accordingly.
2. Comply with all program requirements.

Board Discussion: None

Public Comment: [\(25:42-28:47\)](#)

Motion: Accept the NEC's report and adopt the recommendations.

Moved/Seconded: Ms. Norton/Ms. Carpenter

| Member Name | Vote |
|--------------|------|
| Dr. Mountain | YES |
| Mr. Dierking | YES |

*Board Meeting
February 19, 2021*

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|---------------|-----|
| Ms. Carpenter | YES |
| Mr. Maxey | YES |
| Ms. Norton | YES |
| Ms. Rubalcava | YES |
| Ms. Turner | YES |
| Ms. Rooks | YES |
| Mr. Hill | YES |

The motion carried.

D. Request to Admit Students by Programs on Provisional Approval.

I. Angeles Institute, Vocational Nursing Program, Dr. Fairchild, Nursing Education Consultant. [\(28:48-29:45\)](#)

1. Approve the Program's request to admit a full-time class of 30 students commencing April 4, 2021.
2. Place the Program on the May 21, 2021 board meeting agenda for reconsideration of provisional approval.
3. Comply with all program requirements.

Board Discussion: None

Public Comments: [\(29:50-32:34\)](#)

Motion: Accept the NEC report and adopt the recommendations.

Moved/Seconded: Ms. Turner/Ms. Carpenter

| Member Name | Vote |
|--------------------|-------------|
| Dr. Mountain | YES |
| Mr. Dierking | YES |
| Ms. Carpenter | YES |
| Mr. Maxey | YES |
| Ms. Norton | YES |
| Ms. Rubalcava | YES |
| Ms. Turner | YES |
| Ms. Rooks | YES |
| Mr. Hill | YES |

The motion carried.

II. Curam College, Vocational Nursing Program, Ms. Gomez, Nursing Education Consultant. [\(32:37-41:52\)](#)

1. Admit a class of 16 students to start on March 1, 2021 with an expected graduation date of December 10, 2021, to replace the students who graduated December 20, 2020.

Board Meeting
February 19, 2021

2. No additional requests for admission will be considered until the March 1, 2021 class graduates and verifiable pass rates are available.
3. Comply with all program requirements.

Board Discussion: [\(38:17-39:16\)](#)

Public Discussion: [\(34:42-37:51\)](#)

Motion: Approve the NEC's report and adopt the recommendations.

Moved/Seconded: Mr. Dierking/Ms. Carpenter

| Member Name | Vote |
|--------------------|-------------|
| Dr. Mountain | YES |
| Mr. Dierking | YES |
| Ms. Carpenter | YES |
| Mr. Maxey | YES |
| Ms. Norton | YES |
| Ms. Rubalcava | YES |
| Ms. Turner | YES |
| Ms. Rooks | YES |
| Mr. Hill | YES |

The motion carried.

III. Institute of Technology, Clovis, Vocational Nursing Program, Dr. Fairchild, Nursing Education Consultant. [\(41:53-45:51\)](#)

1. Grant the Program full approval for a period of four years beginning February 19, 2021, through February 19, 2024, and issue a certificate accordingly.
2. Approve the Program's request to admit a full-time class of 30 students commencing on March 15, 2021, graduating on April 15, 2022, to replace the April 16, 2021, graduating class.
3. Comply with all program requirements.

Board Discussion: None

Public Discussion: [\(43:15-43:58\)](#)

Motion: Approve the NEC's report and adopt the recommendations.

Moved/Seconded: Ms. Turner/Ms. Norton

| Member Name | Vote |
|------------------------|-------------|
| Dr. Mountain | YES |
| Mr. Dierking | YES |
| Ms. Amezola De Herrera | YES |
| Ms. Carpenter | YES |
| Mr. Maxey | YES |

Board Meeting
February 19, 2021

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|---------------|-----|
| Ms. Norton | YES |
| Ms. Rubalcava | YES |
| Ms. Turner | YES |

The motion carried.

**IV. Institute of Technology, Modesto, Vocational Nursing Program.
Dr. Fairchild, Nursing Education Consultant. [\(45:51-49:12\)](#)**

1. Approve the Program's request to admit a full-time class of 30 students commencing March 15, 2021, and graduating April 29, 2022, to replace the February 12, 2021, graduating class.
2. Place the Program on the May 21, 2021, Board meeting agenda for reconsideration of provisional approval.
3. Comply with all program requirements.

Board Discussion: None

Public Comments: [\(46:51-47:12\)](#)

Motion: Approve the NEC report and adopt the recommendations.

Moved/Seconded: Ms. Norton/Ms. Carpenter

| Member Name | Vote |
|---------------|------|
| Dr. Mountain | YES |
| Mr. Dierking | YES |
| Ms. Carpenter | YES |
| Mr. Maxey | YES |
| Ms. Norton | YES |
| Ms. Rubalcava | YES |
| Ms. Turner | YES |
| Ms. Rooks | YES |
| Mr. Hill | YES |

The motion carried.

**V. Southeast California College, Vocational Nursing Program, Ms. Silverman,
Nursing Education Consultant. [\(49:13-53:54\)](#)**

1. Approve Southeast California College Vocational Nursing Program to begin a full-time day class of 20 students with two alternate students to commence on March 1, 2021 with an expected graduation date of March 4, 2022, to replace the class which graduated on October 16, 2020.
2. Comply with all program requirements.

Board Discussion: None

Public Comments: [\(50:57-52:14\)](#)

Motion: Approve the NEC report and adopt the recommendations.

Moved/Seconded: Ms. Rooks/Mr. Hill

| Member Name | Vote |
|---------------|------|
| Dr. Mountain | YES |
| Mr. Dierking | YES |
| Ms. Carpenter | YES |
| Mr. Maxey | YES |
| Ms. Norton | YES |
| Ms. Rubalcava | YES |
| Ms. Turner | YES |
| Ms. Rooks | YES |
| Mr. Hill | YES |

The motion carried.

VI. University of Antelope Valley, Vocational Nursing Program. Ms. Silverman, Nursing Education Consultant. [\(53:55-57:53\)](#)

1. Approve University of Antelope Valley Vocational Nursing Program to begin a part-time evening/weekend class of 30 students to commence on March 22, 2021 with an expected graduation date of August 29, 2022.
2. Comply with all program requirements.

Board Discussion: None

Public Comments: [\(55:05-55:57\)](#)

Motion: Approve the NEC's report and adopt the recommendations.

Moved/Seconded: Ms. Carpenter/Ms. Turner

| Member Name | Vote |
|---------------|------|
| Dr. Mountain | YES |
| Mr. Dierking | YES |
| Ms. Carpenter | YES |
| Mr. Maxey | YES |
| Ms. Norton | YES |
| Ms. Rubalcava | YES |
| Ms. Turner | YES |
| Ms. Rooks | YES |
| Mr. Hill | YES |

The motion carried.

E. Reconsideration of Provisional Approval and Request to Admit Students.

I. Integrity College, Vocational Nursing Program, Ms. Gomez, Nursing Education Consultant. [\(57:54-1:04:47\)](#)

1. Extend the program's provisional approval for a two-year period, beginning November 21, 2020 and issue a certificate accordingly.
2. Deny the program's request to admit a full-time evening class of 30 students to commence on March 2, 2021, with an expected graduation date of April 9, 2022, to replace the class that graduated on October 10, 2020.
3. Comply with all program requirements listed below.

Board Discussion: None

Public Comments: [\(59:42-1:02:00\)](#)

Motion: Approve the NEC's report and adopt the recommendations.

Moved/Seconded: Ms. Carpenter/Ms. Rooks

| Member Name | Vote |
|---------------|------|
| Dr. Mountain | YES |
| Mr. Dierking | YES |
| Ms. Carpenter | YES |
| Mr. Maxey | YES |
| Ms. Norton | YES |
| Ms. Rubalcava | YES |
| Ms. Turner | YES |
| Ms. Rooks | YES |
| Mr. Hill | YES |

The motion carried.

Agenda Item 6 Executive Officer's Report
[\(1:04:50-1:05:06\)](#)

A. Sunset Hearing update: [\(1:05:06-1:08:21\)](#)

Board Discussion: [\(1:06:30-1:07:18\)](#)

Public Comment: None

B. Committee Appointments: [\(1:08:25-1:15:25\)](#)

Board Discussion: [\(1:10:27-1:14:16\)](#)

Public Comment: None

Motion: Extend committee appointments to two years except for the chair which shall continue to be on a yearly basis.

Moved/Seconded: Mr. Maxey/Mr. Hill

| Member Name | Vote |
|---------------|------|
| Dr. Mountain | YES |
| Mr. Dierking | YES |
| Ms. Carpenter | YES |
| Mr. Maxey | YES |
| Ms. Norton | YES |
| Ms. Rubalcava | YES |
| Ms. Turner | YES |
| Ms. Rooks | YES |
| Mr. Hill | YES |

The motion carried.

C. Strategic Plan Review: [\(1:15:26-1:17:45\)](#)

Board Discussion: None

Public Comment: None

D. Executive Committee Report – Dr. Mountain. [\(1:18:31-1:20:06\)](#)

Board Discussion: None

Agenda Item 7 **Update from DCA – Ms. Carrie Holmes.**
[\(1:49:09-1:52:51\)](#)

Board Discussion: None

Public Comment: None

Agenda Item 8 **Update from BCSH Agency – Ms. Lila Mirrashidi.**
[\(1:45:37-1:48:37\)](#)

Board Discussion: None

Public Comment: None

Agenda Item 9 **Licensing and Evaluations**
[\(1:20:08-1:21:11\)](#)

A. Licensing Division Report – Ms. Brown.

Board Discussion: None

Public Comment: None

B. Licensing Committee Report – Ms. Carpenter. [\(1:21:15-1:22:26\)](#)

Board Discussion: None

Public Comment: None

Agenda Item 10 **Legislation and Regulations**
[\(1:22:27-1:27:45\)](#)

A. Committee Report – Mr. Dierking.

I. 2021-2022 BVNPT Calendar (formerly referenced as Legislative task Calendar).
[\(1:23:40-1:24:51\)](#)

II. Preparation for Sunset Hearing (also contained in Executive Officer’s Report).
[\(1:24:52-1:25:53\)](#)

III. 2021 Rulemaking Calendar and update on rulemaking packages.
[\(1:25:54-1:26:42\)](#)

IV. Strategic Plan.
[\(1:26:44-1:27:45\)](#)

Board Discussion: None

Public Comment: None

Agenda Item 11 **Enforcement**
[\(1:28:01-1:32:29\)](#)

A. Enforcement Division Report – Ms. Wood.

Board Discussion: [\(1:30:53-1:32:09\)](#)

Public Comment: None

B. Enforcement Committee Report – Mr. Maxey. [\(1:32:30-1:43:27\)](#)

I. Cost Recovery.

Board Discussion: [\(1:33:27-1:43:26\)](#)

Public Comment: None

Agenda Item 12 **Board Calendar Discussion and Possible Action**
[\(1:43:28-1:44:49\)](#)

Board Discussion: None

Public Comment: None

Agenda Item 13 **Public Comment on Items Not on the Agenda**
[\(1:53:24-1:53:52\)](#)

Board Discussion: None

Public Comment: None

Note: The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code Section 11125 and 11125.7(a)].

Agenda Item 14 **Suggestions for Future Agenda Items**
[\(1:53:53-1:56:52\)](#)

Board Discussion: [\(1:54:14-1:56:15\)](#)

Public Comment: None

Agenda Item 15 **Closed Session**
The Board will convene in closed session pursuant to Government Code section 11126, subdivision (c)(3) to deliberate and vote on disciplinary matters.

Agenda Item 16 **Adjourn Meeting**

Dr. Mountain adjourned the meeting at 12:02_p.m.

Prepared by: _____

Date: _____

Elaine Yamaguchi

Executive Officer

Board Meeting
February 19, 2021

Approved by: _____ Date: _____

Dr. Carel Mountain, Education Member
Board President