



## ENFORCEMENT COMMITTEE MEETING MINUTES

Agenda Item 9.B.

October 23, 2023

Via WebEx

### Board Members

#### Present Via

#### Teleconference:

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

### Staff Present

#### Via Teleconference:

Ms. Elaine Yamaguchi, Executive Officer  
Mr. Mark Ito, Assistant Executive Officer  
Ms. Antoinette Wood, Enforcement Division Chief  
Mr. Ken Swenson, DCA Legal Counsel  
Ms. Kristy Schieldge, DCA Regulatory Counsel  
Mr. Jay Prouty, Discipline Manager  
Ms. Maggie Archibald, Intake and Enhanced Screening  
Manager  
Mr. Eric Delgado, Licensee Applicant Case Review Unit  
Supervisor  
Ms. Stacie Higashi, Supervising Special Investigator  
Mr. Jeff Weiler, Probation Manager

1. Call to Order and Introduction of Committee Members (not recorded)
  - a. Chair Maxey called the meeting to order at 3:05 PM.
2. Roundtable with Enforcement Managers (00:20)
  - a. Statistics Review of each unit within the Division (00:27)
    - i. Intake and Enhanced Unit (00:44)
      1. **Ms. Wood** provided stats and updates for Intake and Enhanced Screening
    - ii. Licensee Applicant Case Review Unit (1:11)
      1. **Ms. Wood** provided stats and updates for Licensing Application, Complaint & Review
    - iii. Special Investigations (1:50)
      1. **Ms. Higashi** provided stats and updates for the Special Investigation Unit

2. **Mr. Maxey** asked for clarification of what an “older case” means.
  3. **Ms. Higashi** provided clarification.
  - iv. Division of Investigation (3:38)
    1. **Ms. Wood** provided stats for Division of Investigation
  - v. Discipline (4:13)
    1. **Mr. Prouty** provided stats and updates for Discipline Unit
  - vi. Probation (5:20)
    1. **Mr. Weiler** provided stats and updates for Probation Unit
3. Continuing Education Audit (5:50)
- a. **Mr. Ito** went over the Continuing Education Audit. The Board is planning on rolling out the CE audit process within the next couple of months. We will start by auditing a small percentage of the total Probationer population every month. The Board will work with the Department to get the Breeze system ready for this implementation. The Board will ensure the public is protected by ensuring that our licensees meet the CE requirements. The status of this audit will be reported at the next committee meeting.
4. Nightingale update (8:13)
- a. **Ms. Wood** went over the Nightingale update. Nightingale cases are cases resulting from an ongoing federal investigation of LVN/RN schools that had inappropriately given diplomas for work not completed. Most of the cases BVNPT are addressing appear to be current LVN’s who may have taken additional schooling to become an RN, or to become licensed in another state.
  - b. **Ms. Moore** asked how many cases we are dealing with.
  - c. **Ms. Wood** stated we have approximately 150 cases (opened and closed cases in total) but more cases are coming in weekly and monthly. We are also working with BRN for licensees who had obtained LVN properly but had attempted to obtain their RN fraudulently.
  - d. **Mr. Maxey** asked if the mentioned 150 cases are being contacted by FBI or is the Board contacting them?
  - e. **Ms. Wood** stated that FBI sends us the list of persons who potentially bought transcripts/diplomas, and did not complete the program appropriately. We then work with the Licensing Division to determine whether or not they were properly licensed. In most cases, the licensee graduated from brick and mortar approved California programs. In some cases, those programs are still open, so we confirm with the program that the person graduated/completed the work they said they did on their application.
  - f. **Ms. Wood** also updated the committee about a California entity that is not an approved school. It appears there may be some attempted fraud, and

