



Executive Officer's Report

1. Enforcement Update

On July 16, 2009, Governor Schwarzenegger took immediate action following a *Los Angeles Times* and *ProPublica* report citing unacceptable investigation and enforcement processing delays at the Board of Registered Nursing (BRN). The Governor replaced four current members of the BRN and filled two vacant appointments. He also directed State and Consumer Services Agency (SCSA) to conduct an internal review of all the health care board's enforcement programs and the Department of Consumer Affairs (DCA) Division of Investigation. As a result, SCSA and DCA conducted an internal review that found most of the health care boards face significant complaint investigation backlogs because all use the same system (i.e., the DCA Division of Investigations, the Attorney General's Office and the Office of Administrative Hearings). The Governor charged the new DCA Director, Brian Stiger, with reforming the current enforcement process for the health care boards.

On August 17, 2009, the Senate Business, Profession & Economic Development (BP&ED) Committee held a hearing regarding DCA's enforcement process. Many of the DCA boards testified on establishing best practices for enforcement. Experts provided recommendations for change and nursing organizations expressed their concerns over the proposal to increase the BRN fees, etc.

The DCA is moving quickly to establish a new Enforcement Model. Health care boards are submitting detailed enforcement information, workload data and recommendations for change. Additionally, as many of the boards currently have enforcement budget change proposals (BCPs) underway, the DCA Budget Office, SCSA and the Department of Finance (DOF) agreed to combine all healing arts program's enforcement proposals into the Healing Arts Enforcement Reform BCP. Staff is working with the DCA Budget Office to complete the BCP and the Enforcement Model workload templates and flow charts which outline the current and proposed workload and staffing structure.

The new Enforcement Model will require extensive statutory changes. Senate Bill 294 (Negrete-McLeod) is a two-year bill that addresses statutory mandates for these changes. The model will increase the number of enforcement staff within the boards and the authority of boards to handle enforcement cases, as well as reduce the time needed to take cases to completion. The proposal also includes a state-of-the-art integrated database to support licensing and enforcement, replacing ATS and CAS.

Consumer Protection is the Board's number one priority.

2. Board Member Update

- Vacant Positions – There are currently four vacant board member positions – two LVNs and two public members. Anyone interested in serving on the BVNPT should contact the Governor’s Appointment Secretary. The BVNPT’s Administrative Analyst, Sophia Cornejo, has the contact information.

3. Budget Update

- BCP: Licensing Workload – The BVNPT plans to request additional staff for the Licensing Division in Budget Year 2010/11. Backlogs are growing due to the number of students graduating from the new schools, expansion of class sizes and start dates and of students graduating from VN Programs. As a result, the workload associated with all licensing functions has increased proportionately, causing significant backlogs in those licensing functions. BVNPT records indicate that there is a 68% increase in the number of applications for new vocational nursing programs and a 110% increase in the number of student admissions to VN programs in the past 5 years.
- Furlough Program (Executive Order S-13-09) – The Governor’s Executive Order S-13-09 ordered an additional mandatory furlough day each month, for a total of three furlough days per month. Beginning July 1, 2009, through June 30, 2010, state offices will be closed the first, second and third Fridays of each month. Employees are no longer allowed self-directed furlough days.

4. Department of Consumer Affairs (DCA) Updates

- Brian J. Stiger was appointed Director of DCA by Governor Arnold Schwarzenegger effective August 11, 2009.
- Patricia Harris, Acting Chief Deputy Director of DCA, accepted a position with the Victim Compensation and Government Claims Board effective October 1, 2009.

5. Education Program Update

	VN Program	PT Program	Totals
#Accredited Programs	190	16	206
#Approved Programs	20	1	21
Total Programs:	210	17	227
#Proposed Programs	94	8	102

- Submission of New Proposals and School Materials for Nursing Education Consultant’s Review – The Board asks for your cooperation when submitting new proposals and other materials to your consultant. Due to the shortage of consultant staff and the Governor’s Executive Order S-13-09 of three furlough days per month, the Board now projects that new proposals may take twelve (12) months or longer for review, depending on the quality and completeness of the proposal. Please work with your consultant to establish mutually agreeable deadlines. The Board thanks you for your cooperation and understanding.

6. Examination Update

- Examination Development – On July 1-2, 2009, the PT Item Review Meeting was conducted with the DCA Office of Professional Examination Services.
- Examination Statistics

Current Fiscal Year to Date (7/1/09 to 9/28/09)	VN Program	PT Program
Average Annual Pass Rate for First-Time Graduates	74%	84%
Overall Pass Rate	56 %	68%
Total # of First-Time Graduates Tested:	1,983	183

7. Statutory & Regulatory Update

- Governor's Consolidation Proposal – On December 31, 2008, Governor Schwarzenegger proposed consolidating the Licensed Vocational Nurses with the Board of Registered Nurses to create a new Board of Registered and Vocational Nurses. He also proposed consolidating the Psychiatric Technicians with the Board of Psychology and the Board of Behavioral Sciences to create a new Board of Mental Health. On June 15, 2009, the Senate Business and Professions Committee held a hearing to hear testimony and regarding this proposal. By a vote of 6-3, the Committee voted against the consolidation of Psychiatric Technicians with the Board of Psychology and the Board of Behavioral Sciences to create a new Board of Mental Health. By a vote of 7-2, the Committee voted to keep the separate nursing boards.
- Retroactive Fingerprinting & Fee Regulations – On January 9, 2009, the Office of Administrative Law (OAL) approved the emergency regulations to implement retroactive fingerprinting and a fee increase to obtain the staff and funding needed for this action. On June 30, 2009, BVNPT staff completed the final regulatory activities to make the emergency regulations permanent, which entailed filing a Certificate of Compliance and resubmitting the regulations through the regular rulemaking process. On August 11, 2009, OAL approved the regulatory action to make permanent the emergency regulations.
- Law & Regulations Booklets – Board staff updated the Vocational Practice Act with Rules & Regulations and the Psychiatric Technicians Law with Rules & Regulations to include amendments through September 1, 2009. The Board Members received updated copies today. They are also available on the Board's Web site or by contacting the Board at (916) 263-7800 for a hard copy.

8. Liaison Activities

- American College of Nursing VN Program Graduation – On May 30, 2009, John Vertido, Board President, was the commencement speaker at this graduation.
- Dinuba Adult School VN Program Graduation – On June 5, 2009, John Vertido, Board President, was the commencement speaker at this graduation.
- Senate BP&ED Hearing – On June 8, 2009, Ann Shuman testified at the Committee Hearing regarding Assembly Bill 1416.

- ATC College of Nursing – On July 11, 2009, Education Unit and Licensing staff met with students following revocation of program accreditation.
- Palo Verde College, Fast Track VN Program Graduation – On July 16, 2009, John Vertido, Board President, was the commencement speaker at this graduation.
- NCP College of Nursing VN Program Graduation – On August 9, 2009, John Vertido, Board President, was the commencement speaker at this graduation.
- Senate BP&ED Committee Enforcement Hearing – On August 17, 2009, Teresa Bello-Jones, amongst many other health care Board Executive Officers, were asked to testify on establishing best practices for enforcement.
- California Department of Corrections and Rehabilitation (CDCR) – On August 20, 2009, Executive Officer, Teresa Bello-Jones, and Supervising Nursing Education Consultant, Ann Shuman, met with Karen Rea, the CDCR Nurse Executive, to discuss VN & PT Scope of Practices.
- 2009 Director Forums – The Board held its 2009 Director Forums for vocational nursing and psychiatric technician programs on Tuesday, September 8th in Sacramento with 63 participants and Wednesday, September 16th in Los Angeles with 167 participants.

9. Other Important Issues

- Customer Service Surveys – The BVNPT distributes a “Customer Service Survey” to solicit feedback regarding how the BVNPT is accomplishing its mission and goals. The information is used to develop the BVNPT’s Strategic Plan and is included in the BVNPT’s Sunset Review Reports. Please complete the survey form and leave it on the table at the back of the room. The BVNPT is very interested in obtaining any recommendations you can make regarding improving effectiveness.

(10/05/09)