



Executive Officer's Report

1. Sunset Review Hearing Update

- Sunset Review – Pursuant to Business and Professions Code, Sections 2841 and 4501, the Board “shall remain in effect only until January 1, 2012, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2012, deletes or extends that date...”

Accordingly, on October 1, 2010, the Board filed its Sunset Review Report with the Senate Business, Professions & Economic Development Committee. The Senate Committee requires each Board to prepare a comprehensive report which includes programmatic and statistical information with a focus on enforcement and consumer protection. The Board is scheduled for its Sunset Review Hearing on March 14, 2011.

2. Board Member Update

- New Board Member – On October 6, 2010, Eric Mah of West Sacramento was appointed by the Assembly Speaker as a Public Member of the Board. Mr. Mah is currently employed at the University of California, Davis, where he serves as Director of the Institutional Review Board, as well as Interim Executive Director of Research Compliance and Integrity. His term expires June 1, 2012.
- Vacant Positions – There are currently three vacant board member positions – one (1) LVN and two (2) public members. Anyone interested in serving on the Board should contact the Governor's Appointment Secretary.

3. Budget and Personnel Update

- Fee Change – Effective October 1, 2010, the Board increased the Examination Application, Re-examination Application, and Dishonored Check fees.

	<u>VN Program</u>	<u>PT Program</u>
➤ Examination Applications	From \$75 to \$150	From \$100 to \$150
➤ Retake Applications	From \$75 to \$150	From \$100 to \$150
➤ Dishonored Checks	From \$10 to \$25	From \$10 to \$25

- State Hiring Freeze – Effective August 31, 2010, former Governor Schwarzenegger ordered a State Hiring Freeze that continues with Governor Brown's Administration. As a result, the Board is unable to fill any of the new positions authorized for the Consumer Protection Enforcement Initiative or the Licensing budget change proposals. Additionally, the Board cannot fill the other vacant positions within the Board. **Currently, there are 32 positions vacant out of 84 total positions. This equates to a 38% vacancy rate.**

4. Department of Consumer Affairs' (DCA) Update

- DCA Director Monthly Conference Calls – On September 14, 2010, the DCA Director Brian Stiger began conducting monthly conference calls with the Presidents of every DCA board. The conference calls are conducted on the 2nd Tuesday of every month.

5. Education Division Update

- Accredited & Approved Schools

Program Type	VN Program	PT Program	Totals
#Accredited Programs	200	15	215
#Approved Programs	3	1	4
Total:	203	16	219

Note: The Board has a total of 111 applications pending for proposed programs (i.e., 100 VN & 11 PT).

- 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 high vacancy rate of consultant staff, the Board cannot project the length of time necessary to review new proposals or materials. Please work with the supervising nursing education consultant. The Board thanks you for your understanding and patience.

6. Enforcement Division Update – See Agenda Item #12 for Enforcement Report.

7. Licensing & Examination Update

- AB 2699 Temporary Licensure Exemption for Out-of-State Licensed Healthcare Practitioners Participating in Free Healthcare Events (Bass, Chapter 270, Statutes of 2010) – This bill, until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while participating in a free healthcare event in this state sponsored by an approved nonprofit organization. The bill requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards, pay a temporary license fee, and comply with California law during the event. (Added Sections 900 and 901 to the B&P Code.) Board staff must prepare regulations to implement this new statutory requirement for adoption at the May 2011 Board Meeting.
- Examination Statistics: Calendar Year 2010 (1/1/2010 – 12/31/2010) – The pass percentage rate for **first-time applicants were 73% for the VN Program and 84% for the PT Program.**

VN Applicants	VN Applicants Tested	#Pass	%Pass	#Fail	%Fail
First-Time Applicants	9,248	6,704	73%	2,539	27%
Repeat Applicants	4,600	1,327	29%	3,272	71%
Overall Totals:	13,848	8,031	58%	5,811	42%

PT Applicants	PT Applicants Tested	#Pass	%Pass	#Fail	%Fail
First-Time Applicants	618	518	84%	100	16%
Repeat Applicants	329	111	34%	218	66%
Overall Totals:	947	629	66%	318	34%

- National Council State Boards of Nursing (NCSBN) - New NCLEX/PN Passing Standard – On December 8, 2010, the NCSBN Board of Directors voted to raise the passing standard for the NCLEX/PN Examination. Implementation of the new passing standard is scheduled for April 1, 2011 with the 2011 NCLEX/PN Test Plan.

The new passing standard was required as a result of the 2009 occupational analysis of vocational nursing practice. The study examined all clinical and geographical settings in the United States where vocational nurses practice. The study indicated a change in the delivery of health care and nursing practice. It found that based on today's health care system, entry-level vocational nurses are required to provide nursing care for clients with a greater acuity level than previously indicated. Given those findings, the NCSBN determined that safe and effective entry-level practice requires a greater level and complexity of knowledge, skills, and abilities than was required in 2008.

This information and a new Test Plan were discussed and distributed at the Board's Director Forums in September 2010. This information is also on the Board's website.

- Psychiatric Technician (PT) Examinations
 - A. Item Development Conference – On December 6-9, 2010, the Board and the Office of Professional Examination Services (OPES) convened the 2011 PT Item Development Conference. The overall purpose of the conference was the development of quality examination items consistent with the needs of the item bank and occupational analysis. Subject Matter Experts included PTs and registered nurses (RNs) employed in the education and practice arenas.
 - B. Item Review Conference – On January 24-28, 2011, the Board and the OPES convened the first 2011 PT Item Review Conference. Goals of this conference included: review, analysis, and revision of the new try-out examination items to address identified deficiencies in the item bank; and review, analysis, and revision of the scoreable items with performance statistics inconsistent with Board approved parameters for inclusion in the PT Item Bank. Subject Matter Experts included PTs and RNs employed in the education and practice arenas.

8. Liaison Activities

- Cypress College – On September 27, 2010, Vice President Todd D'Braunstein spoke at the Cypress College Advisory Board Meeting.
- California Vocational Nurse Educators (CVNE) – On October 16, 2010, President John Vertido was the keynote speaker at the CVNE's Annual Conference.

- California Consumer Affairs Association (CCAA) – On November 8 – 9, 2010, President John Vertido and EO Teresa Bello-Jones attended CCAA's 35th Annual Conference.
- DCA Board Member Orientation Training – On December 1, 2010, President John Vertido was a panelist at the Board Member Orientation Training. New Board Members Ling-Ling Chang, Victor King, Eric Mah, and Mark Stanfield attended this orientation.
- St. Francis Career College, Lynwood – On January 5, 2011, President John Vertido spoke at a faculty enrichment event at St Francis. Career College Vocational Nursing Program.
- Summit Career College, Colton – On January 21, 2011, President John Vertido spoke to students of Summit Career College Vocational Nursing Programs relative to the Professional Responsibilities of the Licensed Vocational Nurse in Today's Healthcare.
- Concorde Career College, Garden Grove – On January 29, 2011, President John Vertido was the keynote speaker at the graduation ceremonies for the Concorde Career College Vocational Nursing Program.

9. Other Important Issues

- Customer Service Surveys – The Board distributes a “Customer Service Survey” to solicit feedback regarding how the Board is accomplishing its mission and goals. The information is used to develop the Board's Strategic Plan and is included in the Board's Sunset Review Report. Please complete the survey form and leave it on the table at the back of the room.
- Subject Matter Expert Consultants – On November 10, 2010, the DCA announced required changes to existing processes related to acquiring the services of Subject Matter Expert Consultants (Experts). All Experts will be required to enter into a formal contract that must follow all guidelines, procedures, and rules governed by the State Contracting Manual and the California Public Contract Code.

The Board retains Experts to provide the following services:

- Provide an expert opinion in an enforcement matter from initial review of the case through testifying at a hearing.
- Develop professional licensing examinations.
- Evaluate curriculum content and other requirements for school or program approval.

The new requirement will impact the time required to secure Expert services. To facilitate the transition and help minimize the impact, the DCA Business Services Office (BSO) plans to meet with all boards. The BSO will use the information gathered to develop a rollout plan for each board. The Board is scheduled to meet with John Steele, BSO Liaison, on March 2, 2011, to discuss this new requirement.

Additionally, proposed legislation is being developed to exempt boards from the contracting process when retaining Experts.