



Board of Vocational Nursing and Psychiatric Technicians
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Executive Officer's Report May 16, 2014

I. Administration Division Update

- A. **Annual Staff Meeting** – On March 26, 2014, the Board's annual Staff Meeting was held in the DCA Hearing Room (Headquarters 1). The agenda included the Board's 2013 Annual Report; 2014 Goals; 2014 Strategic Plan; Emergency Action Plans; Review and Discussion of Policies; and Division updates.
- B. **Board Member Orientation** – On April 2, 2014, Board Members, Tammy Endozo and Donna Norton, attended the Department of Consumer Affairs (DCA) Board Member Orientation in Sacramento.
- C. **BreEZe** – The BreEZe update is under Agenda Item #6.
- D. **Budget** – The Budget update is under Agenda Item #7.
- E. **Risk Assessment** – On May 6, 2014, the Board received an email from Annecia Wallace, DCA Audit Chief, informing the Board that the DCA Internal Audit Office will begin conducting risk assessments for all boards and bureaus. The assessments involve interviews with the Executive Officers and Bureau Chiefs. Interviews will be conducted within the next 6-8 weeks. The assessments will be completed by June 30, 2014.
- F. **Strategic Plan** – At its February 2014 Board Meeting, the Board reviewed its Strategic Plan. Revisions to the plan have not been completed. It is anticipated that the revised plan will be presented to the Board at its September 2014 Board Meeting.
- G. **Sunset Review** – On March 20, 2014, the Board received a memorandum from Senator Ted Lieu, Chair of the Business, Professions and Economic Development Committee (BPED), informing the Board that the BPED will begin its sunset oversight review in the fall of 2014. The Assembly Business, Professions and Consumer Protection Committee will also jointly participate in the review. The following boards are scheduled for review during 2014/15.
 1. Board of Accountancy
 2. Architects Board and Landscape Architects Technical Committee
 3. Board of Barbering and Cosmetology
 4. Contractors State License Board
 5. Cemetery and Funeral Bureau
 6. Dental Board
 7. Board for Professional Engineers, Land Surveyors and Geologists
 8. Board of Registered Nursing
 9. Bureau of Security and Investigative Services
 10. **Board of Vocational Nursing and Psychiatric Technicians**

Attached to the memorandum was a Report Form that must be completed and submitted to the Committees by November 1, 2014. Board staff will prepare that report for submission.

Staff of the Committees will be responsible for reviewing and analyzing the information provided by the Board and prepare a background paper with issues to be addressed by the Board and interested parties during public hearings held in early 2015. Announcement of the dates for the hearings is expected in December 2014.

On May 12, 2014, a copy of the memorandum and Report Form were emailed to Board Members.

II. Education Division Update

A. Programs

	VN	PT	Total
# Approved Programs	176	16	192
# Pre-Approved Programs	3	1	4
SubTotal:	179	17	196
# Proposed Programs	61	10	71
(Approved, Preapproved, Proposed) Total:	240	27	267

B. Program Requests

Since the February 2014 Board Meeting, the Nursing Education Consultants (NECs) processed 40 requests from vocational nursing (VN) and psychiatric technician (PT) programs. Those requests included continued program approvals, major curriculum revisions, approval to admit students, approval to alter class size, approval to alter the frequency of admissions, and other critical program elements. Additionally, the NECs processed 130 requests for approval of new faculty and 143 requests for approval of new clinical facilities for existing and proposed VN and PT programs.

C. Scope of Practice Inquiries

Since February 1, 2014, the Education Division has responded to 88 written inquiries and 453 telephone calls regarding the scopes of practice of LVNs and PTs.

D. Meetings with Program Representatives

Since February 1, 2014, the NECs have conducted meetings and teleconferences with representatives of the following existing and proposed programs to facilitate resolution of program issues.

1. Advanced Medical College VN Program (Proposed)
2. CES VN Program
3. Curam College VN Program

4. InterCoast College, VN Programs (Proposed—Roseville, Orange, Burbank, Riverside, Elk Grove, West Covina, and Carson)
5. Summit Career College, Colton, VN Program

E. Proposed Program Applications

As reported at the February 2014 Board meeting, the Board sent correspondence, on December 13, 2013, to directors and administrators of proposed programs. The purpose of that communication was to ascertain continued interest in beginning a new VN or PT program.

Of the 146 proposed programs canvassed (136 VN and 10 PT), 40 responses were received. Of those responding, 35 proposed VN and 2 proposed PT programs affirmed their continued interest in establishing an educational program; 2 VN and 1 PT program were no longer interested. Additionally, 12 letters were returned as undeliverable.

At its February 2014 Board Meeting, the Board authorized a moratorium on the review of new proposals until February 28, 2015. Additionally, the Board authorized staff to send follow-up letters to those non-responsive proposed programs advising that the Board would remove them from the queue effective April 18, 2014.

In response to that correspondence, 22 additional proposed programs notified the Board of their continued interest in commencing new VN and PT programs. Given those responses, the number of responding proposed programs was revised to include 57 proposed VN programs and 2 PT programs, for a total of 59 proposed programs.

Since February 28, 2014, consultants have completed a detailed analysis and evaluation of 10 proposed programs including 9 VN proposals and 1 PT proposal. Documentation advising of identified deficiencies and required corrections were forwarded to the submitting director.

Final approval of five (5) new programs is projected by the end of May 2014.

The Board asks for your cooperation when submitting new proposals and other materials to your consultant. Please work with the Education Division staff. The Board thanks you for your understanding and patience.

III. Enforcement Division Update

- A. Enforcement Performance Measures (PM)** – The following eight performance measures were developed by the DCA to determine the effectiveness of efforts to streamline enforcement processes, reduce backlogs, and achieve the overall goal to process complaints within 12-18 months.

PM 1: Volume – Number of complaints received.

PM 2: Intake Cycle Time – Average number of days to complete complaint intake.

PM 3: Intake & Investigation Cycle Time – Average number of days to complete closed cases not resulting in formal discipline.

- PM 4: Formal Discipline Cycle Time** – Average number of days to complete cases resulting in formal discipline.
- PM 5: Efficiency (Cost)** – Average cost of intake and investigation for complaints not resulting in formal discipline.
- PM 6: Customer Satisfaction** – Consumer satisfaction with the service received during the enforcement process.
- PM 7: Probation Intake Cycle Time** – Average number of days from the date a probation monitor is assigned to a probationer to the date the monitor makes first contact.
- PM 8: Probation Violation Response Cycle Time** – Average number of days from the time a violation is reported to a program to the time the assigned probation monitor responds.

DCA has delayed data collection for PM 5 Efficiency (Cost) until BreEZe, the new integrated licensing and enforcement system, is implemented.

The third quarter (January – March 2014) PM report was not available at the time this report was prepared. It will be provided once it is finalized.

- B. Investigations Unit** – The Board continues its development of the Investigations Unit. With the Board’s investigators trained and actively working in the field, the Board did not refer any cases to the DCA Division of Investigation (DOI) during this fiscal year (through 3/31/14). The Board refers to DOI only those cases that require investigators who are sworn peace officers (e.g., cases involving international borders, federal or other government agencies, the issuance/service of search warrants, and cases involving safety concerns). Most of the Board’s cases do not require sworn peace officers. Therefore, the Board uses its own non-sworn investigators to handle the majority of its field investigations. Currently, there are 28 cases still pending with DOI.
- C. Expert Witness Program** – Additional expert witnesses are needed for review of cases involving allegations of incompetence and/or gross negligence. Qualified experts are especially needed in Northern California and those who can render opinions regarding psychiatric technicians. Recruitment is on-going and it is anticipated that a training session will be offered during 2014.

Interested persons will find a listing of the qualifications and the application form in the “Quick Hits” section on the home page of the Board’s website at www.bvnpt.ca.gov.

D. General Statistics

Table #1 summarizes the Enforcement Division's volume over the past six fiscal years.

Table #1: Enforcement Volume	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14 Thru 3/31/14
Complaints Received (Licensees)	2,013	3,110	2,599	2,610	2,210	1,360
Complaints Received (Applicants)	1,573	2,041	2,461	3,035	2,806	2,910
Total Complaints Received	3,586	5,151	5,060	5,645	5,016	4,270
Complaints Pending – Desk	1,641	4,123	3,742	3,189	2,658	2,404
Complaints Pending – Field	0	0	0	656	1036	908
<i>Field Complaints Pending with DOI¹</i>	<i>365</i>	<i>242</i>	<i>164</i>	<i>141</i>	<i>60</i>	<i>28</i>
Total Complaints Pending	3,006	4,365	3,906	3,845	3,754	3,322
Complaints Referred to DOI	140	113	111	92	18	0
Total Complaints Referred to DOI	140	113	111	92	18	0
Complaints Closed - Desk	3,020	3,616	5,407	5,464	5,227	4,217
<i>Licensees – Unsubstantiated/NOW*</i>	<i>-</i>	<i>-</i>	<i>2,495</i>	<i>2,065</i>	<i>1,616</i>	<i>1,099</i>
<i>Substantiated*</i>	<i>-</i>	<i>-</i>	<i>643</i>	<i>485</i>	<i>369</i>	<i>303</i>
<i>Applicants - Approved</i>	<i>1,474</i>	<i>1,150</i>	<i>1,757</i>	<i>1,739</i>	<i>2,035</i>	<i>1,636</i>
<i>Denied</i>	<i>24</i>	<i>20</i>	<i>55</i>	<i>78</i>	<i>36</i>	<i>30</i>
<i>Other*²</i>	<i>-</i>	<i>-</i>	<i>457</i>	<i>1,097</i>	<i>1,171</i>	<i>1,149</i>
Complaints Closed - Field	0	0	0	5	259	394
<i>Licensees – Unsubstantiated/NOW*</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>4</i>	<i>172</i>	<i>251</i>
<i>Substantiated*</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>1</i>	<i>87</i>	<i>143</i>
Complaints Closed - DOI	137	240	204	114	86	54
<i>Licensees – Unsubstantiated/NOW*</i>	<i>-</i>	<i>-</i>	<i>111</i>	<i>31</i>	<i>45</i>	<i>38</i>
<i>Substantiated*</i>	<i>-</i>	<i>-</i>	<i>93</i>	<i>83</i>	<i>41</i>	<i>16</i>
Total Complaints Closed	3,157	3,856	5,611	5,583	5,572	4,665
Cases Referred to AG's Office	226	221	339	412	288	256
Accusations Filed	183	166	168	251	217	193
Disciplinary Actions Completed	199	213	175	170	271	178
Statement of Issues Filed	32	18	57	82	68	37
Licenses Denied (Adjudicated)	9	10	7	17	16	14
*Started reporting data FY 2010/11						
1. DOI = DCA Division of Investigation.						
2. Other = pending exam, abandoned, referred to Attorney General's (AG) Office.						

Table #2 summarizes the Enforcement Division’s processing times over the past six fiscal years.

Table #2: Enforcement Average Processing Times (In days)	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14 Thru 3/31/14
Complaint Processing ¹						
Desk Investigations	176	212	295	283	238	203
Field Investigations	0	0	0	197	510	594
DOI Investigations ²	705	775	703	666	783	960
Average Days to Close Complaints³	199	247	310	291	249	245
Formal Discipline Processing						
Pre-Accusations ⁴	150	138	145	175	236	211
Post Accusations ⁵	423	434	275	191	220	229
Average Days to Complete Disciplinary Actions	573	572	420	366	456	440
Total Average Processing Time (Days)⁶	772	819	730	657	715	685
Total Average Processing Time (Years)	2.1	2.2	2.0	1.8	1.9	1.9
1. Desk, Field, and DOI: includes intake, investigation, determination of Board action, and preparation of informal action if applicable. 2. DOI = DCA Division of Investigation. 3. Prior to the 9/6/12 Board Meeting, Average Days to Close Complaints was calculated using an average of the three Complaint Processing categories. Beginning with the 9/6/12 Board Meeting, Average Days to Close Complaints was presented as weighted averages. (Weighted average is an average that takes into account the proportional relevance of each component, instead of treating each component equally.) 4. From date transmitted to the Attorney General’s (AG) Office to date formal action filed. 5. From date formal action filed to conclusion of the disciplinary case. 6. Total = Average Days to Close Complaints + Average Days to Complete Disciplinary Actions.						

IV. Licensing Division Update

A. Psychiatric Technician Program

- Current Application Processing Time** – The current average processing time for PT applications is within 2 weeks.
- Examination Development** - On April 7–11, 2014, the Board and the Office of Professional Examination Services (OPES) convened the 2014 PT Item Review Conference. The purpose of that conference was to analyze and revise new test items for inclusion in the 2015 Psychiatric Technician Licensure Examination. Participants included registered nurses and PTs employed and knowledgeable in the education and clinical practice of PTs.

OPES was represented by Sanja Durman–Perez, Project Director. The Board was represented by Cheryl Anderson, Supervising Nursing Education Consultant.

The Examination Construction Conference is scheduled for June 9-13, 2014. The goal of that conference is the selection and finalization of items for the 2015 PT Licensure Examination. Implementation of the 2015 PT Licensure Examination is scheduled for January 2015.

3. **Occupational Analysis** - The Board and the OPES continue work on the PT Occupational Analysis. The purpose of the analysis is an in-depth study of the professional practice of PTs.

For purposes of the study, entry-level practice is defined as licensure and practice no less than 6 months and no more than 5 years. Detailed information was gathered from entry-level licensees through in-depth personal interviews. Upon completion, 2 subject matter expert panels were convened to review, amend, and refine the collected information. From that information, task and knowledge surveys were developed.

On January 29, 2014, the Board disseminated correspondence requesting the participation of a select population of approximately 10,000 PTs. Participants were invited to complete the task or knowledge survey.

A subject matter expert panel is scheduled from May 21–23, 2014 to review the results of the survey and develop recommendations for a new examination outline.

Presentation of the Validation Report is scheduled for the September 2014 Board Meeting. Additionally, a new PT Examination Outline will be presented for Board consideration. That document will serve as the blueprint for development of future licensure examination.

Following Board adoption of the new PT test plan, a Standard Setting Conference will be convened to establish a new passing score for the PT Licensure Examination.

4. **Statistics** - The table below shows current fiscal year (7/1/13 to 3/31/14) statistics. A total of 646 applicants sat for the PT Licensure Examination. The pass percentage rate for first-time applicants was 85%.

PT Applicants	PT Applicants Tested	# Pass	% Pass	# Fail	% Fail
First-time Applicants	500	425	85%	75	15%
Repeat Applicants	146	33	23%	113	77%
Overall Totals	646	458	71%	188	29%

B. **Vocational Nursing Program**

1. **Current Application Processing Time** – The current average processing time for VN applications is within 4 weeks.
2. **Statistics** – The following table shows current fiscal year (7/1/13 to 3/31/14) examination statistics. A total of 9,913 candidates sat for the VN Licensure Examination. The pass percentage rate for first-time applicants was 73%.

VN Applicants	VN Applicants Tested	# Pass	% Pass	# Fail	% Fail
First-time Applicants	6,938	5,035	73%	1,903	27%
Repeat Applicants	2,975	785	26%	2,190	74%
Overall Totals	9,913	5,820	59%	4,093	41%

V. Liaison Activity Update

1. **March 4-5, 2014:** Angelina Martin, Assistant Executive Officer (AEO), and the following subject matter experts (SMEs): Shawn Nibbelink, Associate Information Systems Analyst (AISA), Mark Ito, Licensing Analyst, and Sharon Wall, Licensing Analyst, attended BreEZe Licensing Configuration Interviews.
2. **March 6-7, 2014:** The following SMEs: Shawn Nibbelink, AISA, Amy Wyckoff, Enforcement Analyst, and Daisy Fuentes, Probation Monitor, attended BreEZe Enforcement Configuration Interviews.
3. **March 6, 2014:** The AEO attended a BreEZe Executive Officer's meeting.
4. **March 18, 2014:** The EO attended a BreEZe Executive Steering Committee meeting.
5. **March 20, 2014:** The AEO, Carol Northrup, Licensing and Administrative Services Division Manager, and Shawn Nibbelink, AISA, met with Jason Piccione, DCA BreEZe Technical Project Manager, to discuss the Board's PC equipment needs for BreEZe implementation.
6. **March 21, 2014:** The EO, AEO, and SMEs attended a meeting to review the Board's BreEZe Licensing Profile Report.
7. **March 28, 2014:** The EO, AEO, and SMEs attended a meeting to review the Board's BreEZe Enforcement Profile Report.
8. **April 8, 2014:** The AEO and SMEs attended a BreEZe Data Mapping Session.
9. **April 8, 2014:** Jennifer Almanza, Staff Services Analyst (SSA), attended a Travel Liaison Meeting with DCA representatives.
10. **April 9, 2014:** The Board's Licensing SMEs attended a meeting to review the Board's Licensing Profile Report related to transactions.
11. **April 10, 2014:** Jennifer Almanza, SSA, attended a Human Resources Liaison Meeting with DCA representatives.
12. **April 10, 2014:** The AEO and Board SMEs attended a BreEZe meeting to discuss correspondence in BreEZe.
13. **April 15, 2014:** The AEO and Board SMEs attended a BreEZe Interface Checkpoint meeting.
14. **April 28, 2014:** The EO and AEO met with Taylor Schick, Budget Officer, and Tommy Nhan, Budget Analyst.
15. **April 29, 2014:** The EO and Board SMEs attended a BreEZe meeting to discuss reports.
16. **April 30, 2014:** The EO and AEO participated in a conference call with DCA BreEZe representatives and Accenture representatives regarding BreEZe Release 2 – Detailed System Design Part 2 Readiness.
17. **May 5, 2014:** The EO attended a BreEZe Executive Officer's meeting with Awet Kidane, DCA Chief Deputy Director, and other members of the DCA BreEZe Team.

VI. Personnel Update

- A. **Recruitment of Nursing Education Consultants** – The Board continuously recruits to fill the NEC vacancies. As of May 1, 2014, there is 1 vacant NEC position. The Board requested a new candidate list and will conduct interviews in the next few weeks to fill this vacancy.
- B. **Board Vacancies (Authorized Positions)** – The Board continues to work extremely hard to fill its vacancies. Since its February 2014 Board Meeting, the Board filled 2 authorized positions. The Board has 7 positions vacant for a 10% vacancy rate (i.e., 7 vacant positions out of 68.4 total positions). The vacant positions are currently in the following Divisions:
- 1 Administration Division.
 - 1 Enforcement Division.
 - 4 Licensing Division.
 - 1 Education Division.

The Board will continue its vigorous effort to fill these vacancies as quickly as possible.

<u>New Hires</u>	<u>Date</u>	<u>Classification</u>
Denise Rodriguez	March 3, 2014	Nursing Educ. Consultant
Donna Guyot Johnson	April 14, 2014	Nursing Educ. Consultant

Separations

Linda Ruyters	April 22, 2014	Assoc. Gov. Prog. Analyst
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- C. **Board Vacancies: BL 12-03** – Effective July 1, 2012, Budget Letter (BL) 12-03 directed the Board to eliminate budgeted salary savings and allocate that amount to accurately reflect how state operation funds are being expended. That directive resulted in the elimination of 3.8 of the Board's authorized positions. However, the Board was notified that it could still fill those positions because the funding for those positions is still available. Therefore, the Board began recruitment to fill the following positions:
- 2 Program Technician II positions (full-time);
 - 1 Office Technician position (full-time); and
 - 1 Office Technician position (half-time).

Since its February 2014 Board Meeting, the Board filled the following BL 12-03 position:

<u>New Hire</u>	<u>Date</u>	<u>Classification</u>
Subashini Abeywickrama	May 1, 2014	Program Technician II

A total of 2.5 BL 12-03 positions are filled. The Board will continue its effort to fill the remaining BL 12-03 positions as quickly as possible.

Board Vacancies: Retired Annuitant (RA) – The Board received approval to hire 5 RAs to assist the Board during the BreEZe conversion and 2 RAs to assist the Education Division with its workload. Approval for the BreEZe RA positions will expire on December 31, 2014. These 7 RA positions are in addition to the existing 2 NEC RAs currently working in the Education Division (total = 9 RAs approved).

Since its February 2014 Board Meeting, the Board filled the following RA positions:

<u>New Hire</u>	<u>Date</u>	<u>Classification</u>
Helen Barrera	March 10, 2014	AGPA (RA)
Karen Nelson	March 11, 2014	AGPA (RA)
Janet Baker	April 1, 2014	SSA (RA)

Separations

Janet Baker	May 8, 2014	SSA (RA)
Shawne Boyde	April 4, 2014	AGPA (RA)

The Board will continue to recruit to fill all of its RA positions.

- D. **Overtime** - Board staff have volunteered to work overtime on a regular basis to attempt to reduce backlogs. During fiscal year 2013/14 (7/1/13 through 3/31/14), Board staff have volunteered to work overtime approximately 6,571 hours as shown below:

Licensing Division: 2,960
 Enforcement Division: 3,109
 Other Divisions: 502

VII. Other Important Issues

- A. **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 our Sunset Review Reports. Please complete the survey form and leave it on the table at the back of the room. We are very interested in obtaining any recommendations you make regarding improving effectiveness.

(5/12/14)