



Board of Vocational Nursing and Psychiatric Technicians
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DATE: November 7, 2014

TO: Board Members

FROM: 
Marilyn Kimble
Enforcement Division Chief

SUBJECT: Enforcement Division Report

A. Expert Witness Training

The Board conducted an expert witness training session in Sacramento on October 30, 2014. Eight individuals were trained on how to review enforcement cases, provide quality expert opinions, and testify at administrative hearings. The Board's Enforcement and Education Divisions along with Brett Kingsbury, Deputy Attorney General, provided the training.

Additional expert witnesses are still needed for review of cases involving allegations of incompetence and/or gross negligence against psychiatric technicians. Interested registered nurses and psychiatric technicians are encouraged to submit their applications for review. More information about expert witness recruitment and qualifications is located on the Board's website at:
www.bvnpt.ca.gov/enforcement/expert_witnesses.shtml.

B. 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 first quarter (July - September 2014) Performance Measures report is attached and shows that the number of complaints received averaged 431 a month. With the exception of PM 4 Formal Discipline Cycle time, the Board met its PM targets. PM 2 Complaint Intake and PM 7 Probation Intake averaged 12 days and 4 days respectively. PM 3 Intake and Investigation averaged 252 days. PM 8 Probation Violation Response Cycle Time averaged 1 day.

C. Mail Ballots – Electronic Voting

At the May 2014 Board Meeting, staff were asked to research the possibility of making the Board Member voting process “fully electronic.” As a result, staff contacted other Boards, and Department of Consumer Affairs (DCA) Information Technology (IT) staff for information.

Currently, disciplinary cases are scanned onto a CD and mailed with hardcopy ballot sheets to Board members who return their votes by regular mail and email. When the Board goes, onboard with BreEZe, and an electronic voting feature will be available for use.

All ten BreEZe Release 1 Boards were contacted and surveyed to see if they are currently using the electronic voting feature in BreEZe or what type of method is being used for their mail ballot voting process. Three Boards use BreEZe for electronic voting either fully (1) or partially (2). The remaining Boards we contacted use either Outlook email with PDF documents attached, mail CDs for case review, or continue to use only the hard copy method.

The BreEZe electronic voting feature allows designated staff to attach scanned disciplinary cases that are saved in PDF format and stored in a designated drive/file on their computer. Designated staff will notify the Board members by regular Outlook email, that there are cases to review and vote on. Board members will access BreEZe with their account information and password to view and vote on these cases. Designated staff will have access to the voting system to view who has or has not voted. After all votes have been cast, designated staff will close the voting.

Six Release 1 Boards indicated that they do not use the BreEZe electronic voting feature due to unrelated problems with BreEZe. They do not use this feature because BreEZe is new. These Boards expect to utilize the electronic voting feature in the future.

The Board of Pharmacy uses an email account system in Outlook for their Board members to vote on their disciplinary cases. This system was created by DCA's IT staff. However, they are experiencing problems and working with IT staff.

Board staff contacted the IT staff and was advised that they recently completed the creation of a new system in Outlook for a secured email account that is encrypted and password protected. It is anticipated that this new system will be in production and fully functional by December 2014. DCA's email accounts allow designated staff to send an email with attached cases and voting information to either Board members' personal email addresses, a new Board member DCA account, or a new DCA group account. At this time, IT management has not determined if DCA entities will be charged for the use of this new system.

The following methodologies currently exist for full or partial electronic mail ballot processes:

1. Use the Board members' personal email addresses to send and receive emails.
2. Create individual DCA email accounts for Board members.
3. Create a DCA email group account using Board members' DCA email accounts.
4. Continue using the current process of sending ballot materials on CD.

Attachment A: Fiscal Year 2014/15 First Quarter Performance Measures Report

Agenda Item #13. – Attachment A

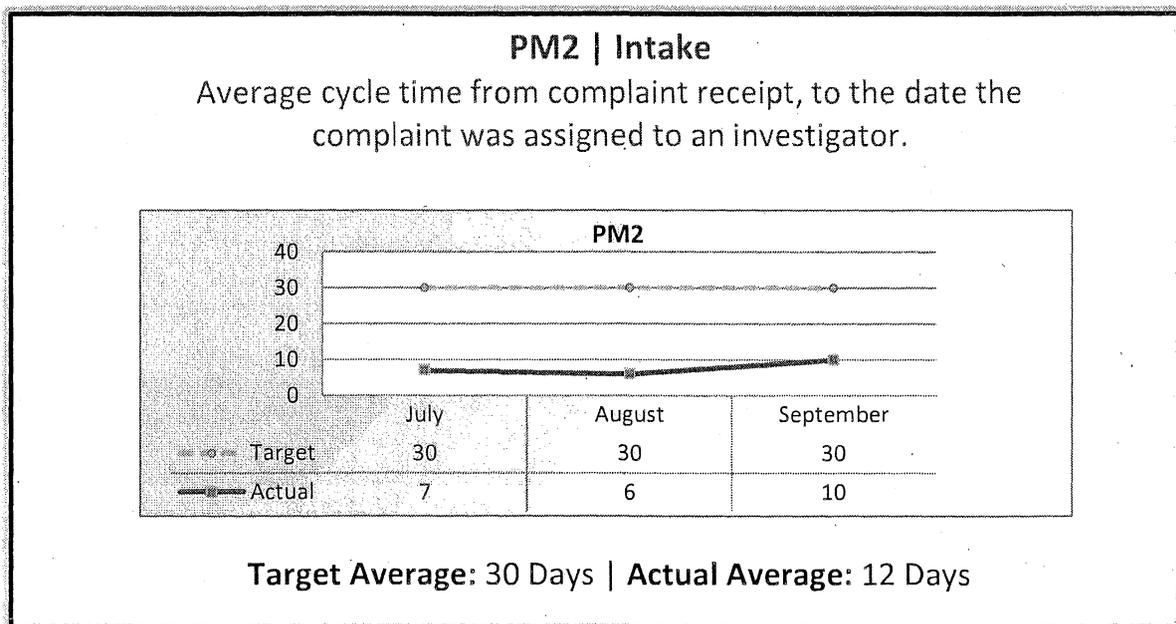
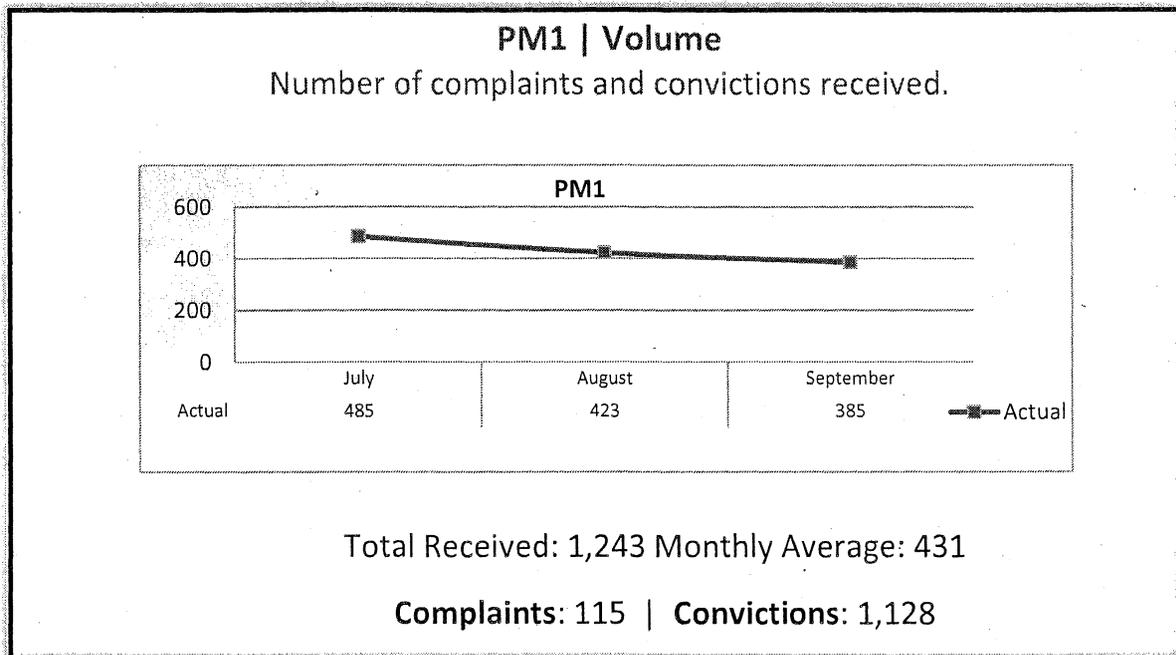
Department of Consumer Affairs

Board of Vocational Nursing and Psychiatric Technicians

Performance Measures

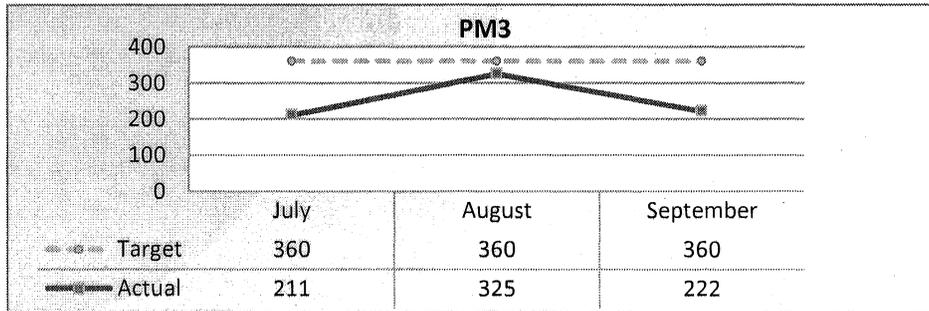
Q1 Report (July - September 2014)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.



PM3 | Intake & Investigation

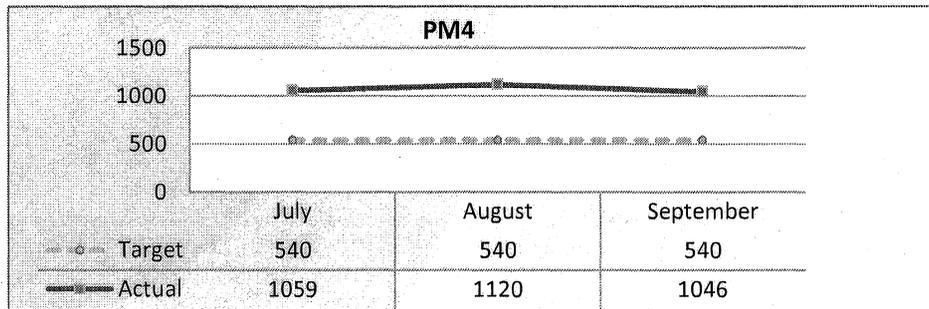
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



Target Average: 360 Days | Actual Average: 252 Days

PM4 | Formal Discipline

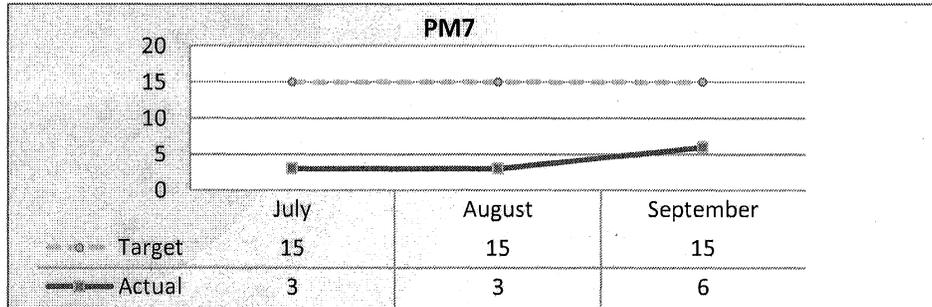
Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



Target Average: 540 Days | Actual Average: 1,075 Days

PM7 | Probation Intake

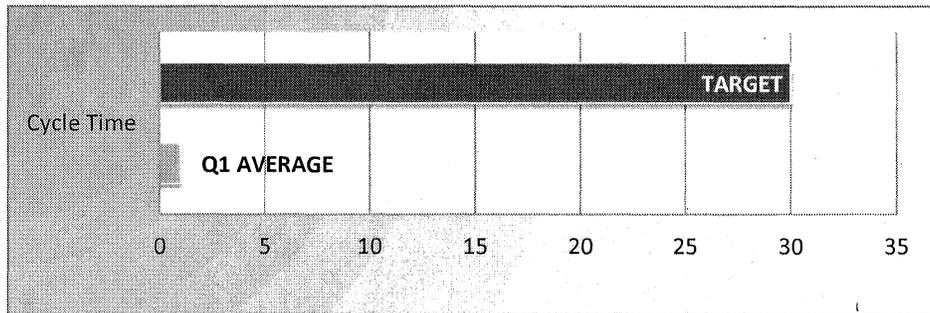
Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 15 Days | Actual Average: 4 Days

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.



Target Average: 30 Days | Actual Average: 1 Day