



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.
Board of Vocational Nursing and Psychiatric Technicians
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DATE: April 6, 2015
TO: Board Members
FROM: 
Carol Northrup
Licensing & Administrative Services Manager
SUBJECT: Legislative Report

Listed below are the key bills that the Board is following.

AB 178 BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS. AUTHORS: BONILLA (D); CO AUTHOR: HILL (D)

FISCAL COMMITTEE: Yes
URGENCY CLAUSE: No
INTRODUCED: 01/26/2015
AMENDED: 03/03/2015
DISPOSITION: Pending

SUMMARY:

Existing law provides for the licensure and regulation of vocational nurses and psychiatric technicians by the California Board of Vocational Nursing and Psychiatric Technicians (BVNPT), and requires the board, among other things, to appoint an Executive Officer. Existing law repeals these provisions on January 1, 2016.

This bill would extend that repeal date to January 1, 2020.

STATUS:

03/04/2015 In Assembly. Read second time and amended. Re-referred to Committee on Business and Professions.

AB 611 CONTROLLED SUBSTANCES: PRESCRIPTIONS: REPORTING AUTHOR: DAHLE (R)

FISCAL COMMITTEE: Yes
URGENCY CLAUSE: No
INTRODUCED: 02/24/2015
AMENDED: 03/24/2015
DISPOSITION: Pending

SUMMARY:

Authorizes an individual designated by a board, bureau, or program within the Department of Consumer Affairs (DCA) to investigate a holder of a professional license to apply to the Department of Justice to obtain approval to access information contained in the Controlled Substance Utilization Review and Evaluation System (CURES) Prescription Drug Monitoring Program regarding the controlled substance history of an applicant or a licensee for the purpose of investigating the alleged licensee substance abuse. This bill would, upon approval of the application, require the department to provide to the approved individual the history of controlled substances dispensed to the licensee. Additionally, the bill would specify that an application may be denied, or a subscriber may be suspended, if the designated subscriber accesses information for any reason other than investigating the holder of a professional license.

STATUS:

03/25/2015 In Assembly. Read second time and amended. Re-referred to Committee on Business and Professions.

**AB 840 NURSING AND CERTIFIED NURSE ASSISTANTS: OVERTIME
AUTHOR: RIDLEY-THOMAS S (D)**

FISCAL COMMITTEE: Yes
URGENCY CLAUSE: No
INTRODUCED: 02/26/2015
DISPOSITION: Pending

SUMMARY:

Commencing January 1, 2017, the bill would prohibit a nurse or Certified Nursing Assistant (CNA) employed by the State of California in a specified type of facility from being compelled to work in excess of the regularly scheduled workweek or work shift, except under certain circumstances. Authorizes a nurse or CNA to volunteer or agree to work hours in addition to his or her regularly scheduled workweek or work shift, but the refusal to accept those additional hours would not constitute patient abandonment or neglect or be grounds of discrimination, dismissal, discharge, or any other penalty or employment decision adverse to the nurse or CNA.

STATUS:

03/16/2015 To Assembly Committee on Public Employees, Retirement and Social Security.

**AB 923 RESPIRATORY CARE PRACTITIONERS.
AUTHOR: STEINORTH (R)**

FISCAL COMMITTEE: Yes
URGENCY CLAUSE: No
INTRODUCED: 02/26/2015
DISPOSITION: Pending

SUMMARY:

Relates to causes for discipline under the Respiratory Care Practice Act. Includes among those causes the commission of an act of neglect, endangerment, or abuse involving a person under 18 years of age, a person 65 years of age or older, or a dependent adult.

The bill also provides that the expiration, cancellation, forfeiture, or suspension of a license, practice privilege, or other authority to practice respiratory care, the placement of a license on a retired status, or the voluntary surrender of a license by a licensee, does not deprive the board of jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding against, the licensee, or to render a decision to suspend or revoke the license. Requires the board to consult with the BVNPT and other boards to encourage appropriate consistency in the implementation of this provision.

STATUS:

03/16/2015 To Assembly Committee on Business and Professions.

**AB 1165 VOCATIONAL NURSING: SECONDARY POST-SECONDARY EDUCATION.
AUTHOR: RIDLEY-THOMAS S (D)**

FISCAL COMMITTEE: Yes
URGENCY CLAUSE: No
INTRODUCED: 02/27/2015
DISPOSITION: Pending

SUMMARY:

States that the BVNPT has the sole responsibility to assess and recommend approval for schools of vocational nursing and psychiatric technician education programs in the state. Requires the board to enter into a memorandum of understanding with the Bureau of Private Postsecondary Education to delineate the powers of the board to review and approve schools of vocational nursing and psychiatric technicians.

The bill would subject all approved schools of vocational nursing to specified fees for deposit into the Vocational Nursing and Psychiatric Technicians Fund. The bill would specify that only a nursing school approved by the board may accept applications to its vocational nursing and psychiatric technician program and would make it unlawful for anyone to conduct a school of vocational nursing and psychiatric technicians unless the school has been approved by the board. The bill would also deem it "unprofessional conduct" for a registered nurse, vocational nurse, or psychiatric technician to violate or attempt to violate, either directly or indirectly, or to assist or abet the violation of these provisions.

STATUS:
3/23/2015

To Assembly Committee on Business and Professions.

Committee Hearing Date: 04/14/2015

**SB 390 HOME HEALTH AGENCIES: SKILLED NURSING SERVICES
AUTHOR: BATES (R)**

FISCAL COMMITTEE: Yes
URGENCY CLAUSE: No
INTRODUCED: 02/25/2015
DISPOSITION: Pending

SUMMARY:

Requires registered nurses and licensed vocational nurses who provide skilled nursing services for a home health agency to perform their duties consistent with the Nursing Practice Act and the Vocational Nursing Practice Act. Prohibits registered nurses or licensed vocational nurses who otherwise meet the qualifications from being required to have a minimum period of professional nursing experience prior to providing skilled nursing services for a home health agency, provided the LVN has successfully completed a skills and competency training program, administered by a licensed home health agency. That training shall include no less than 80 hours of clinical orientation, didactic, simulations, and hands-on-training in the patient's home.

STATUS:

03/24/2015

To Senate Committee on Health.

Committee Hearing Date: 04/15/2015

**SB 466 BOARD OF REGISTERED NURSING
AUTHOR: HILL (D)**

FISCAL COMMITTEE: Yes
URGENCY CLAUSE: No
INTRODUCED: 02/25/2015
DISPOSITION: Pending

SUMMARY:

Existing statutes provides for the licensure and regulation of registered nurses by the Board of Registered Nursing within the Department of Consumer Affairs, and requires the board to appoint an executive officer to perform duties delegated by the board. The act repeals the authority of the board and its executive officer on January 1, 2016.

This bill would extend the repeal date to January 1, 2020.

STATUS:

03/26/2015

To Senate Committee on Business, Professions and Economic Development.

Committee Hearing Date: 04/27/2015

SB 622 **VOCATIONAL NURSING**
AUTHOR: HERNANDEZ (D)

FISCAL COMMITTEE: No
URGENCY CLAUSE: No
INTRODUCED: 02/27/2015
DISPOSITION: Pending

SUMMARY:

The Vocational Nursing Practice Act provides for the licensure and regulation of the practice of vocational nursing by the BVNPT within the Department of Consumer Affairs. The act requires the board to consist of 11 members, including one member that is a licensed vocational nurse or registered nurse who has had no less than 5 years' experience as a teacher or administrator in an approved school of vocational nursing.

This bill would require that the vocational nurse or registered nurse's experience be in an accredited school of vocational nursing approved by the board.

STATUS:

03/26/2015

To Senate Committee on Business, Professions and Economic Development.

Committee Hearing Date: 04/27/2015

SB 779 **SKILLED NURSING FACILITIES: STAFFING**
AUTHOR: HALL (D)

FISCAL COMMITTEE: Yes
URGENCY CLAUSE: No
INTRODUCED: 02/27/2015
DISPOSITION: Pending

SUMMARY:

Amends existing law which requires every skilled nursing facility to post information about staffing levels for direct caregivers. Requires the State Department of Public Health to develop certain regulations and include staff-to-patient ratios for certified nurse assistants that comply with specified requirements. The bill would also require that the posted information include an accurate report of the number of staff working each shift and be posted in specified locations, including an area used for employee breaks.

Amends provisions of the Medi-Cal Long-Term Care Reimbursement Act concerning supplemental payments to skilled nursing facilities.

STATUS:

03/24/2015 To Senate Committee on Health.

Committee Hearing Date: 04/29/2015

**SB 780 PSYCHIATRIC TECHNICIANS AND ASSISTANTS: OVERTIME
AUTHOR: MENDOZA (D)**

FISCAL COMMITTEE: Yes
URGENCY CLAUSE: No
INTRODUCED: 02/27/2015
DISPOSITION: Pending

SUMMARY:

Prohibits a psychiatric technician (PT) or psychiatric technician assistant (PTA) employed by the State in a specified type of facility from being compelled to work in excess of a regularly scheduled workweek or work shift, except under certain circumstances. The bill would authorize a PT or PTA to volunteer or agree to work hours in addition to his or her regularly scheduled workweek or work shift, but the refusal to accept those additional hours would not constitute patient abandonment or neglect or be grounds for discrimination, dismissal, discharge, or any other penalty or employment decision adverse to the PT or PTA. The bill would require management and supervisors to consider employees in a specified order of priority in order to fulfill the additional staffing needs of a facility.

STATUS:

03/25/2015 To Senate Committee on Public Employment and Retirement.

Committee Hearing Date: 04/13/2015