

# Agenda Item #24.A.3.



BUSINESS CONSUMER SERVICES AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN, JR.

**Board of Vocational Nursing and Psychiatric Technicians**  
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DATE: August 1, 2016

TO: Board Members

FROM: Kameka Brown, PhD, MBA, NP  
Executive Officer

SUBJECT: Clarification of the Enforcement Task Force Recommendation on Authority to Delegate Adoption of Default Decisions to the Executive Officer

At the November 21, 2014 Board Meeting, the Enforcement Task Force recommended regulatory change to delegate authority to the Executive Officer (EO) to approve default decisions. The meeting minutes reflect the Board approved the recommendation to seek legislative authority to delegate adoption of default decisions to the EO.

At the November 20, 2015 Board Meeting, the Board approved recommendations to amend California Code of Regulations Sections 2503 (VN) and 2563 (PT), Delegation of Certain Functions, and directed Board staff to submit the Rulemaking File to the Department of Consumer Affairs and to the Office of Administrative Law.

Current practice is to manage the Board Members schedules and time commitment by limiting both the amount of default decisions mailed per package and the frequency of mailings. Due to the large number of cases Board staff often "hold" cases that may be ready for approval until the next mailing, resulting in unnecessary delays. Delegation of default decisions to the EO would reduce enforcement processing delays, and result in faster dispositions of cases, which will assist in protecting public safety.

Existing law delegates authority to the EO to approve settlement agreements for the revocation, surrender or interim suspension of a license.

## **Recommendations:**

The Board approve the Enforcement Task Force recommendation to seek regulatory change to delegate authority to the EO to approve default decisions.