



Consumer Protection and the Enforcement Program



BVNPT
BOARD OF VOCATIONAL NURSING
AND PSYCHIATRIC TECHNICIANS



PUBLIC PROTECTION AND THE BOARD

The Board of Vocational Nursing and Psychiatric Technicians (Board) is responsible for the examination and licensure of vocational nursing and psychiatric technician applicants. It protects consumers from unprofessional and unsafe practitioners by regulating the education, practice, and discipline of licensed vocational nurses (LVNs) and psychiatric technicians (PTs).

TYPES OF VIOLATIONS

There are many types of violations for which LVNs or PTs may be disciplined. Most involve unprofessional conduct, such as:

Incompetence: The lack of possession of and the failure to exercise the degree of learning, skill, care, and experience ordinarily possessed by a responsible licensee.

Gross negligence: A substantial departure from the standard of care that under similar circumstances would have ordinarily been exercised by a competent licensee and that has or could have resulted in harm to the consumer.

Conviction of serious crime: Convicted of a crime substantially related to the qualifications, functions, or duties of the licensee. A conviction of a crime can also lead to the denial of a license.

YOUR RIGHTS AS A CONSUMER

When receiving care, you have a right to:

- Be treated by a competent and qualified LVN or PT.
- Be informed of the name and licensure status of the LVN or PT providing your care.
- Confidentiality and privacy during care.
- File a complaint with the Board if you believe you received substandard care by a licensee.
- Contact the Board with questions or concerns, and receive a prompt, accurate, and courteous response.



FILING A COMPLAINT

Anyone may file a complaint if they believe a licensee has violated the law or provided substandard care. A complaint should be filed when a consumer is abused in any way, is the victim of sexual misconduct, or is treated by an LVN or PT impaired by drugs or alcohol, negligently, and/or in any manner that brings into question issues of competence, negligence, or professional conduct.

Complaints are most often received from consumers; their families; other members of the health care industry; law enforcement agencies; and health care facilities. According to State regulations, LVNs and PTs are required to report to the Board instances of unprofessional conduct by their fellow licensees.

A complaint may be submitted online or filed by writing the Board's Enforcement Unit at:

Board of Vocational Nursing & Psychiatric Technicians
2535 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833

Consumers can also call the Board at (916) 263-7800 to receive a complaint form. The form may also be downloaded from the website (www.bvnpt.ca.gov). The completed form should be mailed to the Board.

AFTER THE COMPLAINT IS FILED

The Board has established an aggressive enforcement program to ensure that timely and appropriate disciplinary action is taken against unprofessional, incompetent, or grossly negligent practitioners. The Board utilizes the services of the Department of Consumer Affairs' Division of Investigation, the Attorney General's Office and the Office of Administrative Hearings to ensure that disciplinary actions are handled in a fair, expeditious, and judicious manner.

Examples of Formal Discipline Include:

Revocation—The license is taken away from the licensee for a minimum of one year.

Suspension—The license is temporarily taken away from the licensee for not less than 30 days.

Probation—The license is placed on probationary status, which includes specific terms and conditions of compliance.

Cite/Fine—The licensee is issued a citation and required to pay a fine commensurate with the violation committed.

Public Letter of Reprimand—The licensee is issued a reprimand letter and required to pay a fine commensurate with the violation and/or complete course work.

How long is the review process?

Normally, the required time for reviewing your complaint may range between eight to 12 weeks. However, if additional information is requested by the expert review, the process could take longer.

The initial review of your complaint will be undertaken immediately; however, depending on the complexity of the case, it may take six to 12 months to resolve.

LICENSEES AND DISCIPLINARY ACTIONS

The Board publishes and distributes its Enforcement Action List in January and July each year. The list identifies LVNs and PTs against whom enforcement action was taken during the six months immediately preceding publication of the list. The list is available on the Board's website, www.bvnpt.ca.gov, in the "Enforcement" section.



MISSION

The mission of the Board of Vocational Nursing and Psychiatric Technicians is to protect the health and safety of consumers by promoting quality vocational nursing and psychiatric technician care in California.



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