



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
Board of Vocational Nursing and Psychiatric Technicians
 2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
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MEMORANDUM

DATE	February 9, 2021
TO	Board Members
FROM	Elaine Yamaguchi Executive Officer
SUBJECT	Executive Officer’s Report: February 2021

Happy Lunar New Year. It is now the Year of the Ox. The Ox has traits of strength, reliability, fairness and conscientiousness, as well as inspiring confidence in others. Eating noodles and dumplings is recommended for long life and good fortune. Plus, delicious!

Board Elections and Membership

It is February, and time once again for the annual elections for President and Vice President. After the meeting is called to order on Friday February 19, Board Counsel Ken Swenson will facilitate the elections. After the elections are completed, current President Carel Mountain will continue to chair the meeting, and if the Board elects a new President, he or she will assume the chair at the end of the meeting.

As you know, we lost Board Member Paula Amezola de Herrera, and wish her all the best in her new role as a member of the Culver City School Board. This brings our Board down to 9 members, and we require 6 to do business, including the disciplinary case review and ballots. Fortunately, we have a bit of breathing room on that front.

The Department, Agency and the Governor’s Office are reviewing applicants for our vacant seats. If you know of any qualified individuals, please encourage them to apply or to contact me for more information.

Status of BVNPT

The bulk of our team continue to telework. We reopened our public office on February 1.

Board Calendar

Staff has continued to refine the general BVNPT Calendar, which was approved by the Board in November. The updated version is contained in the Legislative and Regulations Committee report, as the updates mainly provide details for the Legislative

schedule. The calendar will be updated as regularly as possible and uploaded it to the web.

By the way, please remember that the deadline for filing the annual Form 700 is April 1, 2021. Members should have received an email with instructions from DCA recently, and I have attached that instruction sheet to this memo. Please note: if you signed your Oath and filed the Form 700 anytime between October 1st through December 31st 2020, you are NOT required to refile Form 700.

It is also the year to renew your training certification for Sexual Harassment Prevention.

Department and Agency Updates

The Department's Deputy Director for Board and Bureau Relations, Carrie Holmes will provide a brief update from the Department, and answer any Board member questions about DCA. Deputy Agency Secretary Lila Mirrashidi will also provide an update and answer questions.

Budget and Finance

The latest Fund Condition and the Fiscal Month 5 Budget reports are attached, and the Budget and Fiscal Office will attend our meeting to provide background and answer questions.

The Future of Nursing Education

We will continue our discussions on nursing education on Wednesday, February 17. For this session, the NECs have worked with the National Council (NCSBN), and Board President Mountain, as well as some vendors and programs to curate a series of presentations on simulation and clinical experience. We will make the program available to our stakeholders and colleagues, especially the Program Directors at our schools.

Dr. Nancy Spector of the National Council of State Boards of Nursing (NCSBN) will be joining the Board at the information session to provide insights on the national trends in nursing education and the profession.

The detailed agenda for the Information Session will be sent to you all and posted on our web page in the next day or so.

Board Committees

The Board's committees met in January, leading up to our special meeting on January 26.

We have vacancies on our Committee and have two new members awaiting assignment. Rather than do a complete reassignment, we recommend that Board members who would like to change their assignment indicate their preferred assignment on the attached form. Please provide these requests to me no later than Friday, February 26, 2021. The requests will be reviewed, and assignments made at the March Executive Committee meeting. The 2020 Committee Structure is attached and will be updated after the assignments are made.

I recommend that the Board discuss and consider a motion to change committee assignments to two years, rather than one.

Strategic Plan Review

As discussed at the individual Committee meetings in January, a comprehensive review of the Board's Strategic Plan is slated for the May Board meeting. Staff will be working to provide an analysis for discussion at the next committee meetings, so that the Committee may report status and make recommendations for the full Board meeting in May 2021.

Final Comments

Don't hesitate to call or email with any questions, comments or suggestions. I hope that you and yours remain safe and healthy. Looking forward to the meeting.

OFFICE OF HUMAN RESOURCES

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Phone (916) 574-8300 Fax (916) 574-8608 www.dca.ca.gov



The Department of Consumer Affairs' (DCA) [Conflict of Interest \(COI\) Regulations](#) designates your position as being required to file a Statement of Economic Interests (Form 700). Designated filers are required to submit a Form 700 annually. The exception is if a filer assumed office between October 1, 2020 and December 31, 2020, then the filer is not required to file an annual statement until April 1, 2022.

This year's annual filing period covers the prior calendar year (January 1, 2020 through December 31, 2020). The filing deadline is Thursday, April 1, 2021. You may file your annual statement any time between now and the filing deadline. However, we are requesting that everyone complete the e-filing by Monday, March 22, 2021 to ensure compliance. You are required to file even if you do not have any reportable interests.

DCA utilizes the electronic filing system, NetFile, for e-filing Form 700s. Online filing is available 24/7 from any computer with internet access. NetFile will save you time, ensure required data is complete, and eliminate the need for filing technical amendments. Moreover, all data is saved for future filings. You will not need to print, sign, or mail your Form 700. Once online filing is completed, no further action is required.

HOW TO FILE: Access the [NetFile Filing Portal](#). If you have forgotten your NetFile password, click on "Lost Your Password?" (under the "Password" box) to receive a unique password via email. You will need to use the same email address used to receive this notification. Each page contains links to various types of documentation including, printable document format (PDF) help files and video tutorials. Filers are encouraged to use their business contact information on the Form 700. Please remember that the Form 700 is a public document and will be disclosed upon request.

LATE PENALTY: In accordance with [Government Code section 91013](#), any person who files a Form 700 after the deadline (April 1, 2021) becomes liable in the amount of \$10 per day, up to a maximum of \$100. In addition, if a filer does not file timely and is referred to the Fair Political Practices Commission's (FPPC) Enforcement Division, a fine of up to \$5,000 per violation may be imposed.

ETHICS TRAINING: As a reminder, pursuant to [Government Code section 11146.3](#), you are required to complete an ethics training course within six months of appointment or hire, and also once during each two year period thereafter starting on an odd-numbered year. The Attorney General's Office and the FPPC developed an on-line [Ethics Training](#) course. Once you have completed the training, please send the certificate of completion to jill.johnson@dca.ca.gov or

Department of Consumer Affairs
Office of Human Resources
Attn: Jill Johnson, COI Filing Officer
1625 North Market Blvd., Suite N-321
Sacramento, CA 95834

For any questions regarding filing requirements, please contact FPPC at 1-866-ASK-FPPC (1-866-275-3772) Monday through Thursday 9:00 a.m.-11:30 a.m. For questions regarding the NetFile program, contact NetFile via email at filerhelp@netfile.com. For any other questions, please contact

your program's COI Coordinator or DCA's COI Filing Officer, Jill Johnson, at (916) 574-8312 or jill.johnson@dca.ca.gov.



2021 COMMITTEE REQUEST

BOARD MEMBER: _____

_____ I would like to continue my current assignment(s).

_____ I would like to be assigned to one of the following
(in order of preference)

1. _____

2. _____

3. _____



**BOARD OF VOCATIONAL NURSING
AND PSYCHIATRIC TECHNICIANS**

2020 Committee Structure

Introduction

Protecting the public is the highest priority of the Board of Vocational Nursing and Psychiatric Technicians (Board). The Board accomplishes this mandate through various means. Public Board meetings and committee meetings are a critical element in the Board's structure.

The Board's committees conduct public meetings, study and discuss critical issues impacting vocational nurses (VNs) and psychiatric technicians (PTs), review and accept reports on educational programs and make recommendations to the full Board for action.

Areas of study by the Committees include, and are not limited to:

- ❖ Educational material for safe and competent licensees;
- ❖ Scope of practice issues for VNs and PTs;
- ❖ Projected workforce needs;
- ❖ Current utilization of VNs and PTs in the delivery of healthcare to consumers;
- ❖ Overall delivery of healthcare;
- ❖ Current and proposed legislation and regulations that impact the Board's mission and the healthcare of California Consumers; and
- ❖ Other issues relative to consumer healthcare needs.

Each committee is comprised of two or more Board members and meet quarterly or as needed. The committees are:

- ❖ Executive Committee;
- ❖ Education and Practice Committee;
- ❖ Enforcement Committee;
- ❖ Legislative and Regulations Committee; and the
- ❖ Licensing and Evaluations Committee.

Executive Committee

The Executive Committee's Purpose:

- ❖ Provide oversight and recommendations regarding administration of the Board;
- ❖ Provide a safe avenue for staff engagement;
- ❖ Direct and supervise the Executive Officer;
- ❖ Provide guidance to Board members; and
- ❖ Monitor all Board committees.

The Executive Committee considers and advises the Board on matters relative to Board organization and administration. The Executive Committee's role is crucial in achieving the Board's mandate to ensure consumer protection.

This Committee also discusses and develops policies and makes recommendations to the full Board relative to the attendance and standards of conduct for Board Members. Executive Committee Members may represent the Board at departmental or legislative hearings.

The functions of the Executive Committee include:

- ❖ Supervision and annual evaluation of Executive Officer;
- ❖ Review Board-wide policies and issues and make recommendations for action to the full Board;
- ❖ Oversee Strategic Planning process and implementation;
- ❖ Oversee Sunset Review and report process and implementation;
- ❖ Oversee fiscal planning, audit and budget processes;
- ❖ Establish and communicate availability for direct staff engagement with Board;
- ❖ Assign agenda items to policy committees and monitor progress;
- ❖ Develop and propose Board calendar and call special meetings;
- ❖ Appoint standing and ad hoc committees;
- ❖ Approve Board Member requests for travel, reimbursement and payment of per diem; and
- ❖ Make interim decisions on emerging issues and report for ratification at Board meeting immediately following.

The Executive Committee meets monthly or as needed. The Board President and Board Vice-President sit on the Executive Committee.

Education and Practice Committee

The Education and Practice Committee's purpose is evaluating educational programs and policies which serves the Board stakeholders.

The Education and Practice Committee gathers public input and makes recommendations to the full Board relative to the education and safe practice for competent VNs and PTs. The Committee considers the health care needs of the consumer and ensures that the scope of practice for VNs and PTs is preserved in the face of competing priorities.

The functions of the Education and Practice Committee include:

- ❖ Program Assessment;
- ❖ Review proposals and recommend action to the full Board regarding schools, programs, policies and regulations;
- ❖ Evaluate operations of the Education Division;
- ❖ Address Scope of Practice issues;
- ❖ Inform stakeholders and the public about nursing education programs, consumer safety, and Board priorities;
- ❖ Recognize program successes; and
- ❖ Implement Strategic Plan goals.

The Committee also considers:

- ❖ Entry level competencies necessary for safe and effective practice, curricular content and the number of hours critical to achieving the highest level of education for VNs and PTs;
- ❖ Established professional standards relative to education, health care, and the nursing profession; and
- ❖ Compliance of prelicensing educational programs based on statutory and regulatory requirements and established professional standards. When noncompliance is substantiated, the Committee makes recommendations for action to the full Board up to and including modifications of the program's approval status.

The Education and Practice Committee meets quarterly or as needed in open session. At least three Board Members may be appointed to this Committee.

Enforcement Committee

The Enforcement Committee's purpose is ensuring licensee, program, and applicant compliance with laws and regulations. This Committee also provides oversight of the functions and performance of the Board's Enforcement Division. The Committee oversees, develops and recommends policies that advance the mission-related goals directly guided by the Board's Strategic Plan.

The functions of the Enforcement Committee include:

- ❖ Evaluate operations and case management processes of the Enforcement Division;
- ❖ Provide guidance on compliance with Consumer Protection Enforcement Initiative (CPEI), emerging policy issues and best practices;
- ❖ Analyze statistics and trends and make recommendations for action to the full Board;
- ❖ Inform stakeholders and public about Enforcement programs, consumer safety, and Board priorities;
- ❖ Recognize program successes;
- ❖ Implement Strategic Plan goals; and
- ❖ Promote and support partnerships with Division of Investigations (DOI) and the Office of the Attorney General (OAG), as well as other healing arts Boards and government agencies.

The Enforcement Committee meets quarterly or as needed. Two Board members are appointed to this Committee.

Legislative and Regulations Committee

The Legislative and Regulations Committee's purpose:

- ❖ Monitor, review, and recommend actions on current legislation and rulemaking proposals;
- ❖ Develop and advance new legislation and regulations to protect and benefit the Board and its stakeholders; and
- ❖ Review and recommend updates and amendments to the Board's Practice Acts and regulations.

After relevant research and analysis, the Committee is authorized to recommend to the Board a position of support, opposition, or watch. The Committee is also authorized by the Board to act on legislation and regulations between scheduled Board meetings. Such action(s) must be reported to and ratified by the full Board at the next scheduled Board meeting.

The Legislative and Regulations Committee functions include:

- ❖ Review new and updated lists of relevant legislation, and recommend action to the full Board;
- ❖ Communicate with legislators and stakeholders about Board legislative priorities;
- ❖ Inform stakeholders and public about Board's legislative priorities;
- ❖ Implement Strategic Plan goals;
- ❖ Review and suggest updates to practice acts and regulations;
- ❖ Review Sunset Report and legislation; and
- ❖ Draft, promulgate and implement regulation packages.

If the proposed legislation or regulation is progressing expeditiously through the committees of the Legislature or regulatory process, the Executive Officer or designee shall consult with Committee Members to obtain direction and implement a position.

That direction may include, but is not limited to:

- ❖ Formulation and submission of letters of support or opposition;
- ❖ Provide testimony at hearings; and
- ❖ Discussions with Legislators and/or their staff.

This allows a timely response to newly introduced or amended legislative proposals. Such action will then be ratified by the full Board at its next scheduled meeting.

The Legislative and Regulations Committee meets quarterly or as needed based on Legislative and Regulatory Calendars. Two Board members are appointed to this Committee.

Licensing and Evaluations Committee

The Licensing and Evaluations Committee's purpose:

- ❖ Provide oversight to application and licensing functions; and
- ❖ Review and oversee complaint trends.

The functions of the Licensing and Evaluations Committee include:

- ❖ Review license and applicant processes at a policy level to ensure customer satisfaction;
- ❖ Inform stakeholders and public about Licensing and Evaluations processes, consumer safety, and Board priorities;
- ❖ Review the Continuing Education Audit program;
- ❖ Review and analyze Board complaint trends and management, and recommend action to full Board as needed;
- ❖ Recognize program successes; and
- ❖ Implement Strategic Plan goals.

The Committee also advises the Board on matters related to approving candidates seeking qualification for examination to obtain California licensure as vocational nurses (VNs) and psychiatric technicians (PTs) via nontraditional pathways based on:

- ❖ Completion of education and work experience that is equivalent to the minimum requirements for an approved school of vocational nursing in this state;
- ❖ Current valid licensure as a vocational/practical nurse in another state; or
- ❖ Completion of equivalent military education and training, no less than an aggregate of 12 months of practice, and honorable discharge from any branch of the U.S. military.

The Committee also reviews quarterly processing times/telephone wait times and proposes strategies to proactively improve customer satisfaction.

The Licensing and Evaluations Committee meets quarterly or as needed. Two Board members are appointed to this Committee.

Committee	Lead Staff	Committee Purpose	Committee Functions	Objectives and Measurements	Meeting Frequency
Executive	Executive Officer	<ul style="list-style-type: none"> • Provides oversight and recommendations regarding administration of the Board; • Provides a safe avenue for staff engagement; • Directs and supervises the Executive Officer; • Provides guidance to Board members, and • Monitors all Board committees. 	<ul style="list-style-type: none"> • Supervision and annual evaluation of the Executive Officer; • Review Board-wide policies, issues and make recommendations for action to the full Board; • Oversee Strategic Planning process and implementation; • Oversee Sunset Review and report process and implementation; • Oversee fiscal planning, audit and budget processes; • Establish and communicate availability for direct staff engagement with Board; • Assign agenda items to policy committees and monitor progress; • Develop and propose Board calendar and call special meetings; • Appoint standing and ad hoc committees; • Approve Board Member requests for travel, reimbursement and payment of per diem; and • Make interim decisions on emerging issues and report for ratification at Board meeting immediately following. 	<p>Objective 1: Monitor and oversee board member participation.</p> <p>Measurement: Regularly review attendance, engagement, compliance with mandatory training, and general board member accountability.</p> <p>Objective 2: Monitor and oversee BVNPT committees' action items.</p> <p>Measurement: Review committee meeting agendas.</p> <p>Objective 3: Approve board member travel expense reimbursement claims and time for per diem payment.</p> <p>Measurement: Regular and timely processing of claims.</p> <p>Objective 4: Facilitate ongoing positive and productive working relationships between managers and staff.</p> <p>Measurement: Review and analyze annual staff survey results.</p>	Monthly or as needed.

				<p>Objective 5: Assign new issues to committees.</p> <p>Measurement: Review committee agendas and meeting reports.</p> <p>Measurement: Create ad hoc committees as needed.</p> <p>Objective 6: Assess ongoing and emerging Board functions and issues.</p> <p>Measurement: Present quarterly Executive Committee Report to the Board.</p>	
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Committee	Lead Staff	Committee Purpose	• Committee Functions	Objectives and Measurements	Meeting Frequency
Education and Practice	Supervising Nursing Education Consultant	Evaluates educational programs and policies that serve Board stakeholders.	<ul style="list-style-type: none"> • Program Assessment; • Review proposals and recommend action to full Board regarding schools, programs, policies and regulations; • Evaluate operations of Education Division; • Address Scope of Practice issues; • Inform stakeholders and public about nursing education programs, consumer safety, and Board priorities; • Recognize program successes; and • Implement Strategic Plan goals. 	<p>Objective 1: Research and analyze VN and PT scopes of practice and educate stakeholders.</p> <p>Measurement: Create, maintain, and disseminate documents defining scopes of practice per the Vocational Nursing Practice Act and Psychiatric Technician Law, and relevant regulatory language.</p> <p>Objective 2: Engage stakeholders and obtain input on education programs and practice issues.</p> <p>Measurement: Convene focus groups, conduct surveys, and review director forum’s meeting minutes.</p> <p>Objective 3: Collaborate with health care workforce development stakeholders and evaluate the impact of current educational trends on Board licensees, where appropriate and needed:</p> <p>Measurement: Create interest papers/precedential decisions.</p> <p>Measurement: Identify and engage with advocacy groups, labor and workforce</p>	Quarterly, and as needed.

				<p>development agencies and government entities.</p> <p>Measurement: Work with Legislative and Regulations Committee and staff on legislation as needed.</p> <p>Objective 4: Explore the creation of a recognition program to acknowledge outstanding education programs and students.</p> <p>Measurement: Develop recommendations and present to the Board.</p>	
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Committee	Lead Staff	Committee Purpose	Committee Functions	Objectives and Measurements	Meeting Frequency
Enforcement	Enforcement Chief	Ensures licensee, program, and applicant compliance with laws and regulations.	<ul style="list-style-type: none"> • Evaluate operations and case management processes of the Enforcement Division; • Provide guidance on compliance with Consumer Protection Enforcement Initiative (CPEI), emerging policy issues and best practices; • Analyze statistics and trends and make recommendations for action to the full Board; • Inform stakeholders and public about Enforcement programs, consumer safety, and Board priorities; • Recognize program successes; • Implement Strategic Plan goals; and • Promote and support partnerships with Division of Investigations (DOI) and the Office of the Attorney General (OAG), as well as other healing arts Boards and government agencies. 	<p>Objective 1: Provide support to the Enforcement Chief and help strengthen Board relationships with stakeholders.</p> <p>Measurement: Determine education avenues for stakeholders, such as schools and students.</p> <p>Objective 2: Review and provide feedback for the Board’s Enforcement outreach.</p> <p>Measurement: Seek Board approval for plan.</p> <p>Objective 3: Review and update disciplinary guidelines.</p> <p>Measurement: Collaborate with Board’s Legislative and Regulations committee and report recommendations to the Board.</p> <p>Objective 4: Create a tool box to prepare students and educators for disciplinarily hearings.</p> <p>Measurement: Development and dissemination of the tool box.</p>	Quarterly, or as needed.

Committee	Lead Staff	Committee Purpose	Committee Functions	Objectives and Measurements	Meeting Frequency
Legislative and Regulation	Executive Officer	<ul style="list-style-type: none"> • Monitors, reviews, and recommends actions on current legislation and rulemaking proposals; • Develops and advances new legislation and regulations to protect and benefit the Board and its stakeholders; and • Reviews and recommends updates and amendments to the Board’s Practice Acts and regulations. 	<ul style="list-style-type: none"> • Review new and updated lists of relevant legislation, and recommend action to the full Board; • Communicate with legislators and stakeholders about Board legislative priorities; • Inform stakeholders and public about Board’s legislative priorities; • Implement Strategic Plan goals; • Review and suggest updates to practice acts and regulations; • Review Sunset Report and legislation; and • Draft, promulgate and implement regulation packages. 	<p>Objective 1: Track and monitor new and pending legislation. Measurement: Report and make recommendations to the Board.</p> <p>Objective 2: Engage stakeholders to obtain input on legislation. Measurement: Convene meetings and focus groups and conduct surveys.</p> <p>Objective 3: Recommend legislative solutions to address specific issues. Measurement: Report to the Board and work with staff to develop legislation on new and emerging issues.</p> <p>Objective 4: Inform and educate legislators about the Board and our licensees. Measurement: Quarterly progress reports to the Board.</p> <p>Objective 5: Oversee the Board’s regular review and maintenance of regulations. Measurement: Coordinate collaboration with appropriate committees. Measurement: Present report and recommendations, as needed, to the Board.</p>	Quarterly and as needed, based on Legislative and Regulatory Calendars.

				<p>Objective 6: Oversee the regular review and maintenance of the Board's practice acts.</p> <p>Measurement: Coordinate collaboration with appropriate committees.</p> <p>Measurement: Present report and recommendations, as needed, to the Board.</p>	
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Committee	Lead Staff	Committee Purpose	Committee Functions	Objectives and Measurements	Meeting Frequency
Licensing and Evaluations	Licensing Division Manager	<ul style="list-style-type: none"> • Provides oversight to application and licensing functions; and • Reviews and oversees complaint trends. 	<ul style="list-style-type: none"> • Review licensing and applicant processes at a policy level to ensure customer satisfaction; • Inform stakeholders and public about Licensing and Evaluations processes, consumer safety, and Board priorities; • Review Continuing Education Audit program; • Review and analyze Board complaint trends and management, and recommend action to full Board as needed; • Recognize program successes; and • Implement Strategic Plan goals. 	<p>Objective 1: Review data on emerging licensing patterns.</p> <p>Measurement: Report status and recommendations to the Board as needed.</p> <p>Objective 2: Explore reciprocity with other states.</p> <p>Measurement: Annual report of findings and recommendations to the Board.</p> <p>Objective 3: Review data and anecdotal information regarding ongoing issue trends as necessary.</p> <p>Measurement: Report analysis as needed to the Board.</p> <p>Objective 4: Oversee the Continuing Education Audit program.</p> <p>Measurement: Report status to the Board quarterly basis and provide recommendations as needed.</p>	Quarterly, or as needed.

				<p>Objective 5: Review and educate the public about ongoing licensing processes.</p> <p>Measurement: Review and approve planned outreach programs.</p>	
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2020 COMMITTEE ASSIGNMENTS

As of December 2020

Committee	Board Members	Staff Members
Executive	Carel Mountain- President John Dierking– Vice President	EO/AEO (lead) Supervising Nursing Education Consultant Enforcement Chief Licensing Manager Legal Counsel
Education and Practice	Carel Mountain, Chair Donna Norton, Member Cheryl Turner, Member	Supervising Nursing Education Consultant (lead) EO/AEO Nursing Education Consultants Education Analyst Legal Counsel
Enforcement	Ken Maxey, Chair Melissa Rubalcava, Member	Enforcement Chief (lead) EO/AEO Enforcement Managers (optional) Legal Counsel
Legislative and Regulations	John Dierking, Chair Aleta Carpenter, Member	EO/AEO (lead) Legislative and Regulations Analyst Legal Counsel
Licensing and Evaluations	Aleta Carpenter Chair VACANT, Member	Licensing Division Manager (lead) EO/AEO Licensing Division Supervisors Legal Counsel

