



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
Board of Vocational Nursing and Psychiatric Technicians
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**Board of Vocational Nursing
and Psychiatric Technicians
Department of Consumer Affairs**

Board Meeting Minutes for Friday, August 21, 2020 Agenda Item 8.A.III Excerpt

<https://www.youtube.com/watch?v=IYRqPv2DON0&feature=youtu.be>
<https://www.youtube.com/watch?v=YmmCYs2r3ms&feature=youtu.be>
<https://www.youtube.com/watch?v=K8fJzbfEUoY&feature=youtu.be>

Please note: If you hover over the time stamp under the agenda item and press the Ctrl key on your keyboard, it will take you to the exact place in the webcast to hear the Board conversation.

DATE: Friday, August 21, 2020

BOARD MEMBERS

PRESENT:

Dr. Mountain, Board President, Education Member
Mr. Dierking, Board Vice President
Ms. Amezola de Herrera, Public Member
Ms. Carpenter, Public Member
Mr. Maxey, Public Member
Ms. Norton, Licensed Vocational Nurse Member
Ms. Rubalcava, Psychiatric Technician Member
Ms. Turner, Public Member

STAFF PRESENT:

Ms. Yamaguchi, Executive Officer
Ms. Lyman, Assistant Executive Officer
Ms. Wood, Enforcement Chief
Ms. Cordeiro, Supervising Nursing Education Consultant
Mr. Prouty, Discipline Unit Manager
Ms. Brown, Licensing Manager
Ms. Gomez, Nursing Education Consultant (NEC)
Ms. DeYoung, NEC
Dr. Fairchild, NEC
Ms. Silverman, NEC
Ms. Clayworth, NEC
Ms. Saavedra, Budget Analyst
Ms. Pires, Legislation Analyst
Ms. Park, Enforcement Analyst
Ms. Dano, Enforcement Analyst
Mr. Matsumoto, Retired Annuitant

Ms. Maracino, Education Analyst

DCA STAFF PRESENT: Mr. Swenson, Board General Counsel
Mr. Jackson, Board Regulatory Counsel

Item 8.A.III

Rulemaking Action: Fee Increase

Committee Recommendation and Possible Action:

[\(14:36-->49:22\)](#)

Mr. Dierking referenced the Fee Memorandum and stated that the Legislation and Regulations Committee made a recommendation that the Board authorize staff to initiate the regulations process for the Applicant, Licensee, and Continuing Education Program Provider Fee Increase. Mr. Dierking referenced the list of Fee Changes, the proposed fee language, and the Fee Increase Memorandum, and asked the Board members for any questions regarding the documents.

Board Discussion: There were no questions from the Board members.

Public Comment: Coby Pizotti (Lyles, Wiesmann, Pizotti & Associates, Inc. (LWP)) representing the California Association of Psychiatric Technicians (CAPT) strongly objects to even asking for rulemaking authority to increase licensing fees until such time as the schools have a fee in place on their application process and regulatory oversight. He added that it is completely unfair to “balance your books on the backs of the licensees while we continue to subsidize the manhours it takes for the schools to go through this application process.” He reminded the Board of the many hours just spent on the Education Committee Report and the various adoptions of Nursing Education Consultant recommendations. He stated that it is unacceptable to ask licensees to pay more while the schools pay nothing and asked why the licensees should subsidize the profits of the schools. “We strongly object to any movement in this direction of increasing fees on licensees without first creating a fee process for schools.”

Board Discussion: Dr. Mountain responded that the financial needs of private schools are not congruent with the financial needs of community colleges, and that a heavy fee burden would be very difficult for the community colleges. Dr. Mountain added that the quality of student education in California preclicensure programs comes at a cost and that without the schools there wouldn't be any licensees.

Ms. Norton commented that, ever since her term began, the Board has struggled with the issue of solvency. She stated that it was her understanding that prior to increasing licensee fees, legislation would be sought to implement a preclicensure education program fee. She noted that the current fees are already quite high.

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Ms. Turner thanked Mr. Pizotti for presenting his concerns to the Board. Ms. Turner noted that there are statutory maximums in place for the fees under consideration, and that the proposed increase is below the statutory maximum. She agreed that there should be “some reasonable shared cost.”

Dr. Mountain asked for an update regarding the schools’ fees progress with the legislature.

Ms. Rubalcava commented that, as a Psychiatric Technician and having paid the licensure and renewal fees, she is disappointed and hopeful that the Board can find other ways to alleviate its budget issues.

Public Comment: Coby Pizotti, (Lyles, Wiesmann, Pizotti & Associates, Inc. (LWP)) representing the California Association of Psychiatric Technicians (CAPT), stated that he has worked with the legislature on the implementation of school fees in the past, and that he had also worked with Board member Dierking and other Board members. He remarked that the Unions now have better relationships with legislators and that he could have gotten an author for the bill. He stated that community colleges should not have to pay fees and provide a vital service to the state as a whole. He urged the Board to get school fees in place before seeking authority to increase existing fees.

Board Discussion: Ms. Amezola de Herrera stated that it is imperative to move forward with potential school fee legislation in conjunction with the process for the Applicant, Licensee and Continuing Education Program Provider Fee Increase.

Motion: That the Board authorize staff to initiate the regulations process for the Applicant, Licensee, and Continuing Education Program Provider Fee Increase for vocational nurses and psychiatric technicians up to the amounts detailed in the documents titled Proposed Fee Changes Language and Simple List of Fee Changes.

Public Comment: No further public comment.

Moved: From Legislation and Regulatory Committee

Member Name	Vote
Dr. Mountain	YES
Mr. Dierking	YES
Ms. Amezola De Herrera	YES
Ms. Carpenter	YES
Mr. Maxey	YES
Ms. Norton	NO
Ms. Rubalcava	NO
Ms. Turner	ABSTAIN

The motion carried.

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Prepared by: SIGNATURE ON FILE Date: 11/5/2021

Elaine Yamaguchi

Executive Officer

Approved by: SIGNATURE ON FILE Date: 11/5/2021

Dr. Carel Mountain, Education Member

Board President