



**Board of Vocational Nursing and Psychiatric Technicians**  
**Department of Consumer Affairs**  
**Board Meeting Minutes**  
 Friday 2/16/2024  
[https://youtu.be/EwPEi4aZ50I?si=IOuOqB6w\\_qEFnz8d](https://youtu.be/EwPEi4aZ50I?si=IOuOqB6w_qEFnz8d)

**DATE:** Friday February 16, 2024

**BOARD MEMBERS PRESENT:**

- Dr. Mountain, President, Education Member
- Mr. Dierking, Vice President, Public Member
- Ms. Carpenter, Public Member
- Mr. Hill, Psychiatric Technician Member
- Ms. Brown, Public Member
- Ms. Moore, Psychiatric Technician Member
- Ms. Guzman, Licensed Vocational Nurse Member
- Ms. Sonson, Public Member

**STAFF PRESENT:**

- Ms. Yamaguchi, Executive Officer
- Mr. Ito, Assistant Executive Officer
- Ms. Wood, Enforcement Chief
- Dr. McLeod, Lead Nursing Education Consultant
- Mr. Prouty, Discipline Manager
- Mr. Clark, Discipline Analyst
- Ms. Brown, Licensing Division Manager
- Mr. Hall, Licensing Division Supervisor
- Ms. Arreola, Licensing Division Supervisor
- Dr. Fairchild, Nursing Education Consultant
- Ms. Barrett, Nursing Education Consultant
- Dr. Thomson, Nursing Education Consultant
- Mr. Gonzalez, Education Analyst
- Mr. Randolph, Education Technician
- Ms. Ball, Administration Analyst

**DCA STAFF PRESENT:** Mr. Swenson, Attorney III, Board General Counsel

**Agenda Item 1                      Call to Order, Roll Call, and Establishment of Quorum**

Dr. Mountain called the meeting to order at 9:01 a.m. Dr. Mountain shared housekeeping instructions and information pertaining to the meeting.

Dr. Mountain called roll call; quorum was established.

Absent Members: Mr. Maxey and Ms. Nieblas.

**Agenda Item 2                      Pledge of Allegiance**

Mr. Hill led the room in the pledge of allegiance.

**Agenda Item 3                      Introduction of Board Staff**

Ms. Yamaguchi introduced Board staff. Counsel introduced himself.

**Agenda Item 4                      Board Officer Election**

Mr. Swenson reviewed the memorandum for this agenda item to ensure all members understood the process. He explained that nominations will be deemed a presumed motion to elect the nominee to the office nominated.

Mr. Swenson went on to accept nominations for the Office of President.

Nomination: Dr. Mountain; accepted nomination.

Motion/Second: Mr. Dierking/Ms. Carpenter.

No additional nominations.

<b>Member Name</b>	<b>Vote</b>
Dr. Mountain	Abstain
Mr. Dierking	Yes
Ms. Brown	Absent
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried. Dr. Mountain was re-elected for the Office of President for the ensuing year.

Mr. Swenson continued by accepting nominations for the Office of Vice President.

Nomination: Mr. Dierking; accepted nomination.

Motion/Second: Ms. Carpenter/Dr. Mountain.

No additional nominations.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Absent
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried. Mr. Dierking was re-elected for the Office of Vice President for the ensuing year.

**Agenda Item 5                      Review and Approval – Meeting Minutes for November 17, 2023, December 7, 2023, and December 28, 2023**

A. Board Meeting Minutes for November 17, 2023.

Motion: To approve the November 17, 2023 Board Meeting Minutes.

Moved/Seconded: Ms. Moore/ Ms. Carpenter.

**Board Discussion:** None.

**Public Comment:** None.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Absent
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

B. Board Meeting Minutes for December 7, 2023.

Motion: To approve the December 7, 2023 Board Meeting Minutes.

Moved/Seconded: Ms. Carpenter/ Ms. Moore.

**Board Discussion:** None.

**Public Comment:** None.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Absent
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

C. Board Meeting Minutes for December 28, 2023.

Motion: To approve the December 28, 2023 Board Meeting Minutes.

Moved/Seconded: Ms. Sonson/ Ms. Carpenter.

**Board Discussion:** None.

**Public Comment:** None.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Absent
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

## **Agenda Item 6                      Board Update from DCA**

Ms. Gear shared an updated from the Boards and Bureau Relations. Including, new executive level leadership appointments and information about the statewide expenditure freeze. This included travel recommendations to ensure the most cost-efficient travel. She shared an update on the DCA DEI Steering Committee work and actions being taken. She continued with information regarding the most recent edition of the Consumer Connection (DCA Magazine) such as where to find it and the mission and purpose of the magazine. Ms. Gear shared about trainings DCA has been offering, discussions and guidance on the Bagley-Keene Open Meeting Act DCA has participated in, and the launch of a new portal for military service members to register their current license in California. She continued to share how DCA is enacting new laws enacted as of January 1, 2024 that were signed by the Governor in the last legislative session.

## **Agenda Item 7                      Fiscal and Budgets Update.**

### **A. Fund Condition and Budget Updates**

Nikole Brady, DCA Budget Analyst, reviewed the meeting resource document(s) provided in the meeting resource packet. This resource included updated overviews of the board expenditures, revenue, and fund condition. She reviewed how to read the documents and gave high level overviews of the data provided on each spreadsheet.

## **Agenda Item 8                      Education - Recommendation, and Possible Actions.**

- A. Dr. McLeod shared that the Supervising Nursing Education Consultant, Beth DeYoung has retired, opening a vacancy in the division. She shared that the NEC's ended 2023 with 17 on-site visits. In 2023, twenty-four (24) proposed programs submitted their letter of intent, 20 of these programs were private programs, four (4) were community colleges programs and they were all LVN programs. The division hopes to see new PT programs in the coming year. Eight (8) of the programs have not completed their letter of intent; but there are eight (8) programs in the proposed program process and some of them should be approved within the next couple of months. There are currently 169 approved programs in the state of California. The division continues to work on multiple projects revising and updating the program resources. She offered to answer any questions about the division report that was provided in the meeting resources. No questions or comments received.
- I. Review, Ratification and Approval of Executive Officer Program Decisions for period from November 11, 2023 to January 11, 2024.

Motion: To approve and ratify the EO Program Decisions for the period from November 11, 2023 to January 11, 2024 listed in the report dated January 15, 2024.

Moved/Second: Ms. Brown/Mr. Dierking.

**Board Discussion:** None.

**Public Comment:** None.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

B. Reconsideration of Provisional Approval.

I. Platt College, Alhambra Vocational Nursing Program

Ms. Barrett shared that her submitted report recommends that the program be placed on provisional approval for two years and to be placed on the meeting agenda scheduled for February 2026. She offered to answer any questions from the board.

Motion: To approve the report and adopt the NEC recommendation to place the program on provisional approval.

Motion/Second: Ms. Carpenter/Ms. Guzman.

**Board Discussion:**

Mr. Dierking expressed his concerns with the pass rates of this program. In the absence of a program representative, Ms. Barrett shared that they have started making changes to see progress in this area. He went on to ask Ms. Barrett if she is confident that the

changes they are making will be successful to see better pass rates. Ms. Barrett replied yes.

Mr. Swenson asked if the program director has voiced any opposition to this recommendation. Ms. Barrett confirmed that no, no objections have been received.

**Public Comment:** None.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

C. Consideration of Placement on Provisional Approval; Consideration of Recommendation to Rescind the Programs Pattern of Admission.

I. Smith Chason School of Nursing, Ontario, Vocational Nursing Program

Dr. McLeod offered to answer any questions from the board related to her recommendation to place the program on provisional approval and to rescind the programs pattern of admission.

Dr. Mountain asked to clarify the staff and director turnover listed in the report; Dr., McLeod confirmed the accuracy.

In attendance, Andrew High, Chief Operating Officer and General Counsel, Myra Chason, Founder and CEO, Dr. Tiffany Jorgenson, Program Director, Judy Corless, Consultant with the college since 2019, and Ryan Chilstrom, Campus Director were all present to represent the program.

Mr. Swenson shared that it is at the discretion of the President to request the representatives to designate one representative to speak to the record on behalf of the school.

Dr. Mountain requested that the team choose one representative to be the speaker. Dr. Tiffany Jorgenson was designated speaker.

Dr. Jorgenson thanked the board for the opportunity to speak; she will be as direct and precise as possible to ensure a timely discussion. Her main goal is to provide a full and accurate explanation of Dr. McLeod's assessment of the Ontario campus. Dr. Jorgenson voiced the program's objections and concerns with the report claiming many allegations, biased points and hearsay, raising concerns of what is actually happening.

Dr. Mountain thanked them for stating their case, and pointed out that the inconsistency of the pass rates is the concern. She continued to voice concern about 17 nursing instructor turnovers in one year. She confirmed that her interpretation of the discussion is that they disagree with the report.

Dr. Jorgenson confirmed that they are in disagreement and that she has attempted to meet with Dr. McLeod to address the concerns. Dr. McLeod stated that she has no recollection of any written request for a discussion.

Dr. McLeod continued to share that she does believe that Dr. Jorgenson can and will take the issues seriously, but that right now, the school should be on provisional and rescind their pattern of admission to address the issues. They may not need to be on provisional for the full two years, but right now, she believes it to be necessary.

Ms. Brown asked why the requested meeting was not held. Dr. Jorgenson clarified, a meeting was held, but they were not able to discuss her response to all the allegations. Ms. Brown went on to ask Dr. McLeod why they did not discuss the response. Dr. McLeod shared that at the time, she was still reviewing and confirming the responses; all while still receiving complaints.

Mr. Dierking asked Dr. Jorgenson if she was present at the in-person visit in December, she confirmed that she was. She went on to clarify that all violations resulting from the visit were not discussed or address during the visit but were submitted after. Mr. Dierking continued to share his concerns with the noted violations and uncorrected issues.

Mr. Dierking asked Dr. McLeod if any of the information provided by the program today has changed any of her recommendations. She responded no.

Dr. Mountain asked that while Dr. Jorgenson claims that there has not been collaborative communication with their NEC, is she still open to collaboration to correct the concerns. Dr. Jorgenson shared that all she wants is collaboration.

Motion: To approve the report and adopt the NEC recommendations to place the program on provisional approval and to rescind the programs pattern of admission.

Motion/Second: Mr. Hill /Ms. Moore.



**Public Comment:**

Ryan Chilstrom shared that he has not been before the board in a few years but has attended every meeting for over 10 years. He has supported this board and has even presented to Sunset Committees in support of the board at the request of prior executive management. He continued to voice his concern and disappointment and personal beliefs of bias and unfair doings.

Judy Corless shared positive reinforcement of Dr. Jorgenson’s thoroughness and work ethic and looks forward to working with her to correct all the concerns.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	No
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

**D. Reconsideration of Provisional Approval; Request to Admit Students.**

**I. Integrity College of Health, Vocational Nursing Program**

Ms. Barrett offered to answer any questions from the board related to her recommendation of reconsideration of provisional approval and request to admit students. Ms. Barrett recommends extending the program’s provisional status for one (1) year, effective February 16, 2024 and place the program on the February 2025 meeting agenda for reconsideration of provisional approval and the recommendation is to approve the program’s request to admit a full-time class of 20 student to commence on February 26, 2024 with a graduation date of April 24, 2025.

Alice Sorrell-Thompson, Program Director and Dr. Michelle Welch, VP of Nursing for Legacy Education were present and concur with the recommendations of their NEC. They look forward to continuing their work with the board and to serve their community.

Motion: To approve the report and adopt the NEC recommendations for reconsideration of provisional approval and request to admit students.

Motion/Second: Mr. Hill /Mr. Dierking.

**Board Discussion:**

Mr. Dierking highlighted the timeline of the corrected violations as noted in the reports and commended the program and NEC for their collaboration.

**Public Comment: None.**

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

II. Healthcare Career College, Vocational Nursing Program

Dr. Thomson has submitted her report and recommendations as it pertains to Healthcare Career College’s reconsideration of provisional approval and request to admit students. Dr. Thomson recommends denying the admission of students and revoke the provisional approval effective February 16, 2024 and remove the program from the list of board approved programs, as of February 16, 2024.

Elizabeth Estrada, Director of Nursing thanked the board for their time and for allowing the representatives to provide them with additional information for consideration. Amita Garg, CEO and Edna Krezhold, Full-time Faculty Member of Healthcare Career College were present representing the school. Ms. Estrada spoke on behalf of the school. She shared a high-level overview of the school’s experience, including that the four (4) violations from Dr. Thomson’s July 2023 site visit were corrected by the date they were provided, and they appreciate the breadth of knowledge and advise she provided; the school was notified early in February of an additional six (6) violations that were not previously mentioned; four (4) of which have already been corrected.

Ms. Guard shared with the board that she understands Dr. Mountain's concerns and that they are working on a complete infrastructure update to allow for a much more stable program.

Motion: To approve the report and adopt the NEC recommendations for reconsideration of provisional approval and request to admit students.

Motion/Second: Ms. Carpenter /Mr. Dierking.

**Board Discussion:**

Dr. Mountain asked how much their program cost; they confirmed that it is about \$30,000. She continued to voice some of her concerns with the historical data, including that of the just over 15 years of being a program, the program has been on provisional for 10 of the years; she can see they know how to correct violations; however, it does not stay, there is lack of consistency.

Mr. Dierking asked Dr. Thomson whether the testimony from the program changes any of her recommendations. Dr. Thomson confirmed there are no changes.

Dr. Mountain offered that the board may delay the vote through a new motion.

**Public Comment:**

Melody Garcia, via WebEx, commented that this school has really helped her and other students. She shared her personal story of creating a path to her nursing career.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

**Agenda Item 9**

**Executive Officer's Report.**

Ms. Yamaguchi took this opportunity to highlight certain topics listed in the report provided in the meeting packet for discussion and possible action. First, to convert one of the board's current licensing functions. NCSBN's NURSYS system streamlines the license verification process; most of the nation participate in this program, including California's Board of Registered Nursing. Ms. Yamaguchi outlined the pros and cons of participating in this program, ending that this is a great service to provide to the licensees and asks the board for permission to work with NCSBN to begin the work to launch this service to our licensees.

Dr. Mountain shared her support of the NURSYS system having used it personally for her nursing license.

Motion: To authorize the Executive Officer to work with NCSBN to explore the possibility of converting the license verification functions to the NURSYS system.

Moved/Second: Ms. Carpenter/Ms. Sonson.

**Public Comment: None.**

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

Ms. Yamaguchi shared that the Sunset Hearing is tentatively scheduled for Tuesday, March 12, 2024.

Ms. Yamaguchi made certain that the members knew of and understood how the Federal Title IV Regulations and mandatory curriculum hours will affect the board. The BVNPT has a minimum curriculum hour of 1530 and this new regulation will revert the 1530 to a maximum number to qualify for the Title IV financial aid. She continued to share concerns and ideas that have been discussed; but discussion continues while this is being figured out. This does affect other DCA boards and likely other boards in other departments; DCA is also looking into a legislative fix.

First Motion: To direct and authorize the Executive Officer to communicate with the Department of Education relating to the implementation of the Federal Title IV Regulations and Mandatory Curriculum Hours provision and so doing to seek a delay in implementation as it relates to the curriculum hours for licensed vocational nurse program(s).

Moved/Second: Ms. Carpenter/Ms. Guzman.

**Public Comment:**

Kirk Blackburn, via WebEx, spoke on behalf of Concord Career Colleges, who offer LVN classes. He shared that the college has approx. 1000 students per year and their curriculum exceeds the 1530 minimum hours; so they would like to thank the board for their prompt attention to the issue and stresses how critical this matter is. Without timely help, student, schools, and the public will be negatively impacted.

Susan Paillet, President at American Career College, via WebEx, expressed their appreciation to the board for the prompt attention to this critical issue; urging action that allows more flexibility and time to meet the new requirements with the quality oversight of the BVNPT. Without some flexibility, programs will potentially be forced to halt, jeopardizing the nursing pipeline. The school expressed their concern that a “one size fits all” approach to hours may lead to a decrease in preparedness of the students. In addition, the implementation date of July 1 is also a concern, the turn around time does not allow for complete analysis and reorganization of curriculum.

Janice Holt, representing Unitek College, in-person, mirrors and agrees with the other public comments. They appreciate the board taking this seriously and working with schools.

Ann Marie Kopekian, via WebEx, commented that two years ago she shared the inequity of hours with the board, and was told it was being worked on. She believes that the Federal Government is now showing the board that 1530 is a reasonable and adequate number of hours. Asked the board to consider having the 24 programs in the application process to meet the new maximum so that they will not have to submit a curriculum revision at a later date.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes

Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

Second Motion: To delegate to the Executive Committee, consisting of the President and Vice President, the authority to take action upon any recommendations of the Executive Officer resulting from those communications with the Department of Education authorized in the previous motion.

In the event the Executive Committee is called upon to take action as described; the meeting will be subject to the Open Meeting Act conditions as it relates to public notice and public participation. The committee can then report to the board or request ratification of the board at a regularly scheduled board meeting.

Moved/Second: Mr. Hill/Ms. Sonson.

**Public Comment: None.**

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

Ms. Yamaguchi shared that the other items agendized were handled at the previous days Board Member Training and Development Day.

- B. Dr. Mountain offered to answer any questions from the Executive Committee Report.  
No questions were received.

**Agenda Item 10                      Licensing and Evaluations**

A. The Board received the committee report in the meeting packet. Ms. Brown offered to answer any questions from the members.

**Board Discussion:** None

**Public Comment:** None.

## **Agenda Item 11                      Legislative and Regulations**

A. Ms. Yamaguchi gave a high-level overview of what has been seen thus far in the legislative season and what staff expects to see. Most importantly, the board's Sunset Review.

B. Mr. Ito provided the rulemaking update in the absence of Ms. Schieldge, Board Regulations Counsel. Mr. Ito shared his thanks to Ms. Schieldge, the whole regulations legal team, and Matt Nishimine for their expert assistance and guidance.

- I. Mr. Ito gave an update on the Disciplinary Guidelines package, specifically that the package is under review with the DCA Executive Office and staff expect to have their review back by the end of the month.
- II. Mr. Ito shared an update on the Certificate of Compliance for the new school approval process regulations; AB 1536 was passed in 2021, requiring the board to, among other actions, implement a new school approval process. He gave an overview of the emergency regulations and the permanent regulations timelines and action staff accomplished, and announced that, as of February 6, 2024, the package was approved by the Office of Administrative Law and is final.

## **Agenda Item 12                      Enforcement**

A. Ms. Wood highlighted certain concerns, as listed in the report provided in the meeting packet. Specifically, that it has been brought to the division's attention that a number of licenses have been issued to applicants without a proper enforcement review, a couple of which are with the Department of Investigations. She shared that the number of complaints has increased and gave some causes of this rise, including but not limited to anonymous complaints. Ms. Wood went on to share helpful tips for submitting anonymous complaints to allow the board to take better action on them (available at 02:37:28 in recording). Ms. Wood closed by sharing that they are working on staff development and hopes that the board will support the efforts; the Enforcement Committee Report provides additional details.

B. Ms. Moore shared that the Enforcement Committee has requested that the next Public Service Announcement cover the Board Precedential Decisions to ensure all

stakeholders are made aware of them. As part of its knowledge transfer plan, the division has been working to get more training and development opportunities for its staff; working with the department's SOLID unit, we will be getting a staff member trained to be a Gallup Global Strength Training coach to provide training to our staff. This unique training will assist staff with identifying their strengths and weaknesses. This training will cost approx. \$7,000 and updates will be given as the plan progresses toward implementation. Ms. Moore continued to highlight cost savings the division has made through reclassifying a number of their positions; in addition to taking back cases from the DOI, resulting in additional cost savings.

**Board Discussion:**

Ms. Brown asked to clarify the cost of the training mentioned; a lump sum or if there is a breakdown of the cost. Ms. Wood answered that the approx. \$7000 mentioned is for the coaches training course only; there will be additional costs for training material/resources for the trainees attending the training. In addition, once the coach is trained and certified, the coach can offer the training to DCA staff and even to Board Members at a future development day.

**Public Comment:** None.

**Agenda Item 13                      Public Comment on Items Not on the Agenda**

No public comments received.

**Agenda Item 14                      Suggestions for Future Agenda Items**

Mr. Hill used this opportunity to request an ad hoc committee for Psychiatric Technicians.

**Agenda Item 15                      Closed Session**

Motion: To retire to closed session and not reconvene to open session; the meeting will adjourn at the completion of closed session.

Motion/Second: Mr. Dierking/Ms. Carpenter.

**Board Discussion:** None.

**Public Comment:** None.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Brown	Yes



Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes

Motion carried.

**Agenda Item 14                      Adjourn Meeting**

The closed session was completed, and the meeting was adjourned without returning to open session at approximately 1:00pm.

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_  
**Elaine Yamaguchi**  
Executive Officer

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
**Dr. Carel Mountain, Education Member**  
Board President