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| DATE | May 10, 2024 |
| TO | Board Members |
| FROM | Elaine Yamaguchi Executive Officer |
| SUBJECT | Executive Officer’s Report: May 2024 |

Greetings, Board Members.

This Board Meeting will be in-person in Sacramento on Friday, May 17, 2024. Staff has sent out some initial logistical information, regarding travel arrangements. Please be sure to make your travel arrangements soon.

Budget and Finance

We have attached the Board’s most current Fund Condition report and have invited our colleagues from the DCA Budget Office to provide updates and answer questions, as well as report on the Governor’s Budget.

Operations

Assistant Executive Officer Mark Ito has attached a brief update on operational matters.

Conversion of Licensing Function

Our colleagues from the National Council of State Boards of Nursing will call in to the Board meeting to provide some further background on this matter before the Board. Some background information is also attached.

FBI Audit

As reported in February, the Department of Justice has notified us that the Board was subject to an FBI audit in February 2024. This audit would examine our processes regarding access to criminal offender record information (also known as CORI), and our information security. AEO Mark Ito and I worked with our Custodian of Records to prepare for the audit, but in the end, the FBI chose not to audit BVNPT.

Sunset Hearing

Board President Mountain and I testified at our hearing on March 12th. I am happy to report that the joint committee seemed pleased with everything we’ve accomplished since our last hearing, and we were finished in less than 20 minutes. The response to their background paper was prepared for Board approval, and the meeting was scheduled for April 10, but unfortunately, we were not able to reach quorum. The Legislative staff kindly allowed us to have the Executive Committee review and approve our response, so that we could meet our April 12 submission deadline.

STAFF RECOMMENDATION: To ratify the Executive Committee's approval of the Sunset Report Response paper.

The Sunset bill, AB 3255 (Committee) was put in print and heard in the Assembly Business and Professions on April 23rd. There was no discussion, and it was moved to Appropriations. The bill text is attached. It now contains some of the technical clean-ups we had requested, and it is possible that more work will happen in the Senate. The best news, though, is that it recommends that BVNPT be authorized for four more years. Our last review in 2021 was for three years, and the review in 2017 was technically for two years, but it was extended until 2021 because of the pandemic.

Strategic Planning

The Board's current Strategic Plan was approved in 2019 and set goals for 2020-2025. While initial progress had been promising, the COVID-19 pandemic halted progress in some areas, and fundamentally changed the environment of our work in other areas. Some of the divisions evaluated their progress in completing its goals, but the Board has not conducted a complete review and assessment, owing to competing priorities. Staff has held initial meetings with the planning consultants and will plan on a Board workday in conjunction with our August meeting. The final Plan should be prepared for approved at the November meeting.

Federal Title IV Rulemaking

The Federal Department of Education recently enacted a rule change that will likely have a significant impact on schools in BVNPT's jurisdiction. The Higher Education Act of 1965 governs the administration of federal higher education programs, and Title IV authorizes federal financial assistance for students. Under BVNPT's laws and regulations, an LVN program must require a minimum of 1530 hours. The new regulations state that as of July 1, 2024, this minimum would become the maximum, and if a school's LVN program exceeds the 1530 hours, they lose eligibility for Title IV funding. A significant number of the current programs are well over 1530 hours.

At this writing, the Department of Consumer Affairs has taken the lead to develop and propose a legislative solution and is working with other affected departments and the Administration. We are hopeful that this will at least allow curriculum changes to be launched with a careful eye to preserve quality at all stages.

The Board may still need to discuss additional proposed legislative or regulatory changes.

Board Meeting Logistics

Just a reminder about the meeting protocols.

- A majority of the members of the state body must be present at the same teleconference location. Additional members, more than the majority, may attend

and participate from a remote location. For example, with a full 11-member board, 6 members must be present at the teleconference location. The remaining five members may attend and participate from one or more remote locations.

- A member attending from a remote location may count towards the majority if both of the following conditions are met:
 - o Member has a need related to a physical or mental disability as defined in Government Codes 12926 and 12926.1
 - o Member notifies the state body as soon as possible of the need to participate remotely.

- Members must appear visible on camera during the open portion of the meeting. If unable to appear due to connectivity issues, the member must announce the reason.

Closing

Please don't hesitate to call or email with any questions or suggestions, or if you need help with anything. We're looking forward to the meeting.



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| DATE | May 10, 2024 |
| TO | Board Members |
| FROM | Mark Ito Assistant Executive Officer |
| SUBJECT | Operations Report – Addendum to Executive Officer’s Report: May 2024 |

New Security System

The installation of the Board’s new security system started on May 3, 2024 and is anticipated to be completed within a couple weeks. The functionality of the new security system is superior to the Board’s previous security system. The new software will allow the Board to remotely access and monitor the security system. The new system will ensure the risks to staff’s personal safety and confidentiality of documents is not compromised.

Space Planning

The Board is in the process of assessing our current space to ensure we are physically and financially utilizing the space in the most efficient way possible. The Board is working collaboratively with the DCA Facilities Unit and the Department of General Services on options for our space planning project. The Board is exploring the option of moving all staff into the same office to ensure that the confidentiality of documents is not compromised. However, due to Budget Letter 23-27, which mandates, among other things, a reduction in current year expenditures and a mandate of spending on mission critical needs only, the Board’s only option may be to renegotiate our current lease to reduce the cost per square foot.

Accounts Receivable Audit

Accounts Receivable (AR) is the balance of money due to the Board, but not yet paid by applicants/licensees. The primary AR types are dishonored checks, cost recovery and citation and fines. The DCA Internal Audit Office is auditing all boards and bureaus on their AR processes. The Board is working collaboratively with DCA on the audit and will provide Board Members with an update on the audit findings at the next scheduled Board Meeting.

Staffing

The Board currently has 76.4 authorized positions. As of May 1, 2024, the Board has the following vacancies:

- Supervising Nursing Education Consultant (SNEC)
- Staff Services Manager I – Intake and Enhanced Screening Unit

- Associate Governmental Program Analyst – Intake and Enhanced Screening Unit
- Associate Governmental Program Analyst – Personnel Liaison
- Two Staff Service Analysts – Licensing Evaluation Unit
- One Staff Services Analyst (Limited Term) – Probation Unit
- Four Program Technician II – Licensing Services Unit

The Board created a Staff Services Manager I position to oversee all the functions in the Administration Unit. The Board is pleased to announce that Jeffrey Weiler has accepted the position, effective May 1, 2024. Mr. Weiler was previously the manager of the Board's Probation Unit. Due to the unfortunate retirement of Cheryl DeCristofaro on March 29, 2024, Mr. Weiler is in the process of hiring a new Personnel Liaison. In lieu of the position being filled, please submit all of your salary information to Mr. Weiler. Please continue to send your travel requests and expense claims to Rochelle Lee.