



Board of Vocational Nursing and Psychiatric Technicians
Department of Consumer Affairs
Board Meeting Minutes

<https://www.youtube.com/watch?v=W5Mjda4k9X4&t=1s>

DATE: Tuesday, November 18, 2025

BOARD MEMBERS

PRESENT:

Dr. Mountain, President, Education Member
Ms. Carpenter, Vice President, Public Member
Ms. Guzman, Licensed Vocational Nurse Member
Ms. Moore, Psychiatric Technician Member
Ms. Nieblas, Public Member (online)
Ms. Sonson, Public Member
Dr. Olaby, Public Member
Dr. Russell, Licensed Vocational Nurse Member

STAFF PRESENT:

Ms. Yamaguchi, Executive Officer
Mr. Ito, Assistant Executive Officer
Mr. Prouty, Discipline Manager
Ms. Higashi, Supervising Special Investigator
Dr. McLeod, Supervising Nursing Education Consultant (Online)
Ms. Brown, Licensing Division Manager
Mr. Hall, Licensing Division Supervisor
Mr. Trimble, Licensing Division Supervisor
Dr. Fairchild, Nursing Education Consultant
Ms. Gomez, Nursing Education Consultant
Ms. Devila, Nursing Education Consultant (online)
Ms. Silverman, Nursing Education Consultant (online)
Ms. Noquez, Nursing Education Consultant (online)
Dr. Thomson, Nursing Education Consultant (online)
Ms. Maracino, Education Analyst
Mr. Gonzales, Education Analyst
Mr. Garcia, Supervising Enforcement Technician
Ms. Martinez, Enforcement Operations Analyst
Ms. Frentzen, Human Resources Liaison
Ms. Brady, Board Administration Analyst

DCA STAFF PRESENT: Ms. Butu, Board General Counsel
Ms. Saldivar, DCA Board and Bureau Relations

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

Dr. Mountain called the meeting to order at 10:01 a.m. Dr. Mountain conducted roll call and established quorum. Dr. Mountain explained housekeeping instructions.

Agenda Item 2**Pledge of Allegiance**

Dr. Russell led the room in the pledge of allegiance.

Agenda Item 3**Introduction of Board Staff**

Ms. Yamaguchi introduced Board staff.

Agenda Item 4**Review and Approval – Meeting Minutes for August 15, 2025**

Motion: To approve the Board Meeting minutes from August 15, 2025.

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

Board Discussion: None.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

Agenda Item 5**Fiscal and Budgets Update.**

A. Fund Condition and Budget Updates

Mr. Ito, Assistant Executive Officer, reviewed the Board's expenditures, revenue, and fund condition. The Board's 2025-26 reversion is expected to be \$68,600 and could be closer to \$300,000 once the January budget is released. For 2025-26, the Board's revenue is projected to reach \$24.9 million.

Board Discussion:

Ms. Moore asked the Board whether its data shows growing reserves and steady revenues. She asked if the projected revenues would cover future expenditures keeping the fund stable. Mr. Ito responded that the Board is bringing in more than it is spending, so he did not anticipate any increased expenditures at this time. Mr. Ito also stated that when the Board initiates a fee study that the study will also consider those factors.

Public Comment: None

B. Update on Revenue study Project – Ms. Yamaguchi, Executive Officer

Ms. Yamaguchi provided an update from the previous board meeting regarding the Board's need to conduct a fee study. She explained the Board is financially solid but structurally unbalanced, which leads to the necessity an in-depth review and analysis of the Board's revenue structure. Ms. Yamaguchi recommended that the Board move forward with a revenue study, in order to have findings and recommendations to include in the Board's next Sunset review in 2028. Ms. Yamaguchi reported that she also spoke to the DCA contract management office for guidance. A drafted scope of work was attached to the board members' materials and posted online.

Board Discussion:

Ms. Moore inquired about the Board's current fees and if they are sufficient and equitable to cover the cost of services while maintaining a sustainable fund balance. Ms. Yamaguchi responded that it should be done by conducting a fee study and its findings will go over operations and review all options.

Motion: To approve the draft scope of work for fee study audit.

Moved / Second: Ms. Carpenter / Ms. Nieblas.

Board Discussion: None.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

Ms. Yamaguchi reported she had a second recommendation for the board's consideration to authorize the Executive Officer and the Assistant Executive Officer to collaborate with DCA to address potential budget change proposals and any other items needed for the fee study.

Second motion: Approve the Executive Officer and Assistant Executive Officer to collaborate with DCA to address potential budget change proposals and any other items needed for conducting a fee study.

Moved / Seconded: Dr. Russell / Ms. Sonson.

Board Discussion: None.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

Ms. Yamaguchi reported her final recommendation would be for the board to delegate interim authority to the Executive Committee to review and determine the next steps of

the fee study and to ratify their recommendations at the next scheduled Board Meeting.

Third Motion: Approve delegation of interim authority to the Executive Committee to authorize the next steps for the fee study and make determinations on the direction of the study and request for proposals.

Moved / Seconded: Dr. Russell / Ms. Niebles.

Board Discussion: None.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

Agenda Item 6

Education - Recommendation, and Possible Actions.

A. Education Division Report

Dr. McLeod, Supervising Nursing Education Consultant, highlighted key points from the Education Division Report, noting that the Nursing Education Consultants (NECs) have conducted 12 site visits since the last quarter, processed 14 proposed programs, and approved one program. She advised there was one approved Psychiatric Technician program. Additionally, the Education Division has been working on scope of practice and respiratory care regulations.

Board Discussion:

Ms. Moore asked if the current number of NECs were sufficient to meet the volume of work. Dr. McLeod responded that there are not enough NECs to cover the workload.

Board Discussion: None.

Public Comment: None.

I. Review, Ratification and Approval of Executive Officer Program Decisions for period from August 5, 2025, to October 5, 2025.

Motion: To approve and ratify the Executive Officer Program Decisions for the period from August 5, 2025, to October 5, 2025, as provided in the meeting packet.

Moved / Second: Ms. Carpenter / Dr. Russell.

Board Discussion: None.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

B. Request for Continued Approval and Removal from the List of Approved Schools on December 21, 2025.

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

Dr. McLeod submitted her report with the request for the continued program approval until December 21, 2025, and then the program would like to voluntarily remove themselves from the approved program list. Dr. McLeod's recommendation was to approve their continuing provisional status and then remove them from the approved program list as of December 21, 2025.

Comments from program: None.

Board Discussion:

Ms. Sonson asked why the school wants to close its doors. Dr. McLeod replied that the school seeks to offer only classes for registered nursing programs and to close its Los Angeles campus as well.

Motion: To approve the Smith Chason School of Nursing Ontario Vocational Nursing program report and adopt the SNEC's recommendations regarding the request for continued program approval and removal from the list of approved schools

Motion / Second: Ms. Sonson / Dr Russell.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

C. Request to Admit Students.

I. Quest Nursing Education Center Vocational Nursing Program

Ms. Gomez submitted her report regarding the request to admit a part-time class of 30 students to begin on December 1, 2025, and a part-time evening class of 10 students to begin on December 1, 2025.

Board Discussion:

Ms. Sonson asked if staff had verified all previous violations, whether they were fully corrected, and whether the documentation was entirely in compliance. Ms. Gomez replied that the program director has worked very hard to ensure that all violations are corrected and that all corrections will be permanent.

Dr. Olaby asked whether clinical sites are available or if they are a challenge. Ms. Gomez replied that the Bay Area has challenges, but the program has been able to secure clinical sites for its students.

Ms. Niebles expressed concerns that some programs are admitting students who do not obtain basic skills to pass the NCLEX. She asked if there are pre-admission exams that could weigh in on whether this class will have the ability to succeed. Ms. Gomez answered that the program has a firm admissions policy and that its pass rates are very high.

Ms. Sonson asked whether the program had enough staff to support and maintain the required 1:10 clinical ratios for both proposed classes without overextending existing staff. Ms. Gomez answered that the program has enough staff.

Motion: To approve the Quest Nursing Education Center Vocational Nursing Program report and adopt the NEC recommendations.

Motion / Second: Ms. Sonson / Ms. Moore.

Comments from program:

Dr. Eletu reported that students admitted to the program must pass an admission test and a scholastic exam to enter.

Dr. Olaby asked whether the exam has questions that reflect what will be on the NCLEX. Dr. Olaby stated she understood that students will hone their skills through the program but asked if they will be ready to take the NCLEX. Ms. Gomez replied that she did not know the answer to that question. There was no response from the program.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

I. **Summit College, San Bernardino, Vocational Nursing Program**

Dr. Thomson submitted her report that the program request to admit a full-time class of 30 students to start on November 24, 2025, and will graduate on November 20, 2026. The program would also like to admit a part time class of 30 students that will start on January 5, 2026, with a graduation date in August 2027.

Motion: To approve the Summit College, San Bernardino, Vocational Nursing program report and adopt the NEC recommendations regarding the request to admit students.

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

Comments from program:

Ms. Wyatt, Director of Nursing, thanked the board and the Dr. Thomson for their guidance with the program the past few months after she assumed the position.

Ms. Moore inquired about the program's long-standing history of admitting students without board approval. She asked what safeguards are in place to ensure that will not reoccur. Ms. Wyatt replied that the program is under her directorship and that its integrity and compliance are key. She stated she will work with Dr. Thomson.

Ms. Sonson inquired whether the program lacked a conducive learning environment. She asked if the school investigated that topic. Ms. Wyatt responded that during the time she has been there the program has completed an evaluation and an assessment of all the previous issues. She reported that there was a lack of structure and streamlining and that many of the concerns were corrected.

Dr. Olaby asked about the faculty continuity plan and the turnover and onboarding of new faculty. Ms. Wyatt responded that it was an area the program identified as needing some work, and that before she was hired, the program was also working on that topic.

Ms. Moore inquired about the average pass rate for the NCLEX, which is below 76% and below the state average of 81%. She asked what interventions have been implemented to improve pass rates. Ms. Wyatt replied that the program has implemented NCLEX remediation due to having night and weekend classes in addition

to weekday classes. The students could meet six to nine times a week if they have recently graduated or if it has been some time since they graduated. She further explained a student also can come in and get help if they did not pass their first attempt and work with a NCLEX educator. The program also provides an ATI and live reviews.

Dr. Russell asked whether there was a mechanism in place that demonstrated the ability to see why the 5% below average can be addressed on the teaching side. Ms. Wyatt responded that before her there were no regular faculty evaluations to address education quality. Ms. Wyatt stated has been in every classroom working with the instructors and even with clinicals. She explained the program requires an academic remediation specialist to help with any issues that may arise.

Ms. Moore asked whether all compliance issues from the 2024-2025 provisional approval period have been fully resolved and whether there is documentation to support the problems. Ms. Wyatt responded affirmatively noting the NCLEX pass rate improved from 70% to 76% this year and additional improvement is expected.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

D. Request to Admit students and Request Curriculum Revision.

I. Angeles Institute Vocational Nursing Program

Dr. Thomson submitted her report and her recommendation to approve the program's request to change the curriculum from a full-time 44-week curriculum to a revised full-time 44-week curriculum. This change will be effective on November 18, 2025, if approved. The program is also requesting a full-time class starting on December 1,

2025, with the graduation date of September 18, 2026. Dr. Thomson advised she was proud of the program's new revamped curriculum and explained they have spent numerous hours on the requirements for establishing collaborative theory and clinical practice.

Motion: To approve the Angeles Institute Vocational Nursing Program report and adopt the NEC recommendations regarding the request to admit students and request for curriculum revision.

Motion / Second: Dr. Russell / Ms. Guzman.

Comments from program:

Ms. Coward introduced Ms. Solomon from the program. Ms. Coward thanked Dr. Thomson for all the kind words and help to get the program to where it is today.

Board Discussion:

Dr. Mountain asked if the program aligned the curriculum's theory to its clinical hours. Ms. Coward replied affirmatively and opined that in the end that will line up better for the students.

Dr. Olaby asked about faculty development, the redesign of the curriculum, and the psychomotor objectives. She asked what was in place to bring them up to date. Ms. Coward explained the lesson plans and lectures are now up to date and should be more familiar to staff; however, there have been multiple meetings about the new format, and every new term the program meets to review the goals for that term. She advised it is a work in progress. She stated there is also a sponsor who can help staff with additional training, if needed. She advised her school is currently using the HESI testing suite for students and are also receiving the comprehensive review earlier.

Dr. Mountain asked if the program is secure on their clinical sites. The program responded that they feel it will always be an issue in Los Angeles County.

Ms. Sonson inquired about the eight previous violations, as some have been corrected, leaving unresolved. She asked if there was a timeline to fix the remaining violations. Ms. Coward updated that all violations have been completed and that there was not enough time to submit verification for the Board Meeting.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

E. Consideration of Recommendation for Provisional Approval, and Request to admit students

I. Glendale Career College Vocational Nursing Program.

Dr. McLeod submitted her report with the recommendation to place the program on provisional approval for a period of two years commencing today, and to deny the program's request for a full-time class of 45 students that would start on December 15, 2025. Instead, she recommended approval for a class of 25 students to begin on December 15, 2025, and graduate on March 30, 2026. Dr. McLeod reported that this program has experienced significant instability in its administration and that its program director neglected it for about nine months. She opined the program director is working very hard to bring the program back into compliance and stipulated to a reduction in the number of students requested so the program could give them individual attention and ensure they succeed.

Motion: To approve the Glendale Career College Vocational Nursing Program report and adopt the NEC recommendations regarding the consideration for provisional approval and request to admit students.

Motion / Second: Dr. Olaby / Ms. Nieblas.

Comments from program:

Ms. Siao, Program Director, reported that she is five months into coming on board with the program and is aware of the program's needs. She advised the faculty, and the program are aware that it may take up to two years to correct the items. Ms. Siao thanked Dr. McLoed for the guidance and support.

Board Discussion:

Dr. Olaby asked about tutoring and remediation. She asked if the program has any detailed evaluation or monitoring that would include early indicators of student engagement for student success. Ms. Siao responded that the program's primary focus is on its current term which has just started under her supervision. The program completed a risk analysis project, identified students who are likely to have challenges, and will hold tutoring sessions that students can attend. The program has an extended NCLEX review and offers tutorial options for students who need extra help.

Dr. Mountain inquired if, despite the new plan, the students' pass rate decreased in the last quarter, and whether the program appears to offer a significant number of options, such as HESI and Hearst. She asked if the program investigated using the Mountain Measurement which NCSBN endorses. Dr. Mountain explained that program provides the ability to look at areas that are consistently areas of struggle for the students. Ms. Siao thanked Dr. Mountain for the suggestion and will bring it up at their next executive committee meeting.

Ms. Moore asked how the program director and the NEC will monitor the progress of the newly admitted 25 students to ensure they receive adequate preparation and do not contribute to a further decline in the pass rate. Ms. Siao reported they now have a smaller cohort; the program will start with the ranking. Then in term one, they will do a risk analysis project that we have just begun with cohort 61, identifying any risk students so they can prevent rather than react.

Ms. Nieblas asked whether the program has one-on-one tutors, like other programs, to help students. Ms. Siao responded that the students have a coach who helps small student groups, and those students can make one-on-one appointments when they are able.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

II. North-West College, West Covina, Vocational Nursing School

Dr. McLeod submitted her report and recommended the program be placed on a provisional approval for two years commencing today and deny the program's request to admit a full-time class of 45 students but approve the program a full-time class of 25 students that will begin on December 1, 2025, and graduate on October 7, 2026. She advised the program has a new director, Dr. Lee, that is working hard to improve items with the program needs to address and had a plan in place and will update Dr. McLeod in the upcoming months.

Motion: To approve Northwest College West Covina, Vocational Nursing Program report and adopt the SNEC recommendations regarding the consideration for provisional approval and request to admit students.

Motion / Second: Ms. Nieblas / Dr. Russell.

Comments from program:

Ms. Marquess, Program Director, thanked Dr. McLeod for the time and feedback to identify what needs to be accomplished. She stated her program wants to produce good nurses, and that they will do whatever is recommended to ensure that happens.

Board Discussion:

Dr. Olaby asked about turnover and what the program has in place to retain faculty so turnover does not affect students. Ms. Marquess reported that since she began there has been no staff turnover. She explained the change in numbers on their faculty and facilities report resulted from the fact that many faculty had not completed any assignments but had never been removed from the roster when she came on board.

Ms. Sonson asked if there have been any discussion or ideas for improving pass rates. Ms. Marquess opined it is difficult to see on paper, but her program has a plan which has been implemented and that the numbers in the report reflect the time before she was hired. She believes the program's plan will be implemented successfully.

Ms. Moore asked how they will communicate with the NEC if a class is displaced or if there are any other compliance concerns. Ms. Marquess replied that she is quick to reach out to Dr. McLeod to address any questions or concerns.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Yes
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed unanimously.

F. Consideration of Recommendation to Rescind Pattern of Admission and I for Provisional Approval.

I. San Bernardino Valley College Psychiatric Technician Program

Dr. Thomson submitted her report and recommendation that the program be placed on provisional approval for a period of two years commencing on November 18, 2025. She also recommended rescinding the program's current pattern of admission and place the program on the November 2027 board agenda for reconsideration of provisional approval.

Motion: To approve the San Bernardino Valley College Psychiatric Technician Program Report and adopt the NEC recommendations regarding the consideration for provisional approval.

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

Comments from program:

Dr. Kappattil, Program Director, thanked Dr. Thomson for working closely with them throughout the process and for her continued guidance and support. Dr. Kappattil stated she assumed her role with the program on October 1, 2025, and was informed about the concerns during the fourth semester. Since then, she stated the program has prioritized addressing concerns about low test scores and missing clinical hours. The program has implemented a system to collect weekly attendance data from staff to ensure records are accurate. Dr. Kappattil explained her program has already arranged for additional hours to make up the missing clinical time. She advised the program already consulted with the college administrator who approved the immediate hiring of a clinical coordinator. The program decided to limit the spring class of 2026 to 14 students to help ensure clinical placements and the necessary supervised experience for the students. She advised the program agreed to provide a three-day NCLEX review course

for graduating student in their final semester. Finally, the program will add Kaplan to align a curriculum system that provides the data and analytics needed for student performance, enabling the identification of weaknesses to provide targeted remediation. Lastly, Dr. Kappattil stated the program has also added professional development opportunities for the faculty and staff.

Yolanda Simantel, the interim Associate Dean of Health Science and Director of the Associate Degree program, spoke about the program's incremental progress in PT license exam pass rates. Ms. Simantel reported that the program will implement new admission policy selection and screening criteria to identify students most likely to succeed in completing the program. In addition, the program is dedicated to increasing the rigor of its curriculum by following the instructional plans and the required daily lesson plans for each course, which will align with our students meeting the program's terminal objectives with evidence-based active learning strategies to engage students in a hands-on, participatory way rather than passive learning. She explained the program's emphasis will be on skills labs and student skill acquisition with skillsets demonstrated by faculty, practiced by students, and validated using a skill assessment and/or evaluation checklist. Ms. Simantel stated she wants to assure the board that the program will have secured an additional mental health clinical site, the regional Medical Center's behavioral health unit, for the spring 2026 semester. Ms. Simantel expressed her desire to continue pursuit of new clinical partnerships to afford their students' additional hands-on experience.

Lori Berman, Dean of the Science Division, thanked Dr. Thomson for her guidance and recommendations, and is fully committed to bringing the program into full compliance and to strengthen the quality of education. She advised the program hired a remediation specialist who will work closely with students to improve academic performance and test-taking skills and that all new hires will be registered nurses with master's degrees ensuring stronger instructional quality and clinical supervision.

Board Discussion:

Ms. Moore asked what specific strategies are in place to improve the NCLEX pass rate and how their effectiveness will be measured. Dr. Kappattil responded that she requested a three-day review course and has already reached out to regional health. The program will also provide services to students who graduated last semester. The program is also reviewing the testing policy to make sure it aligns with PT requirements.

Dr. Mountain expressed her concern for the significant turnover in administration and asked what guarantees exist for ongoing support for the school's program. Ms. Berman acknowledged the turnover issue and stated she was made permanent dean last August and plans to stay with the program.

Ms. Moore asked if they were ensuring students completed their required clinical hours at appropriate mental health facilities. Dr. Kappattil responded the program reviewed the attendance policy including the clinical hours which Dr. Thomson had already approved. Ms. Moore asked what the process is for identifying at-risk students and how the program ensures remediation. Dr. Kappattil responded they have revised the testing policy and anyone who is below a 75% in their sixth week will meet with a remediation consultant.

Dr. Olaby asked about the training workshops for the faculty on implementation, environment, testing, and attendance. Dr. Kappattil replied that they work closely with the regional director on the health care initiative and offer workshops, specifications, curriculum development, and other services.

Dr. Russell opined the plans the program has in place sound great but asked if they put in place a solid structure for the future. Ms. Berman agreed with Dr. Russell's concern, and that is why the vice president, and the administration, have been so involved working together to create an outstanding team. She advised there is an organizational chart in place, and the program would like the health sciences division to have its own dean of students.

Ms. Moore asked how the program verifies faculty qualifications and maintains the required student-to-instructor ratio during clinical supervision. Dr. Kappattil replied the program has approval from their NEC with all their faculty qualifications, so if the program hires it would have already been approved from the NEC before the hiring offer.

Ms. Moore asked Dr. Thomson if the program currently has sufficient oversight resources to meet students' learning objectives and regulatory requirements. Dr. Thomson answered the Program was working toward that as far as having adequate staff. She advised there are still some issues that need to be resolved and that there has been four Program Directors. Dr. Thomson opined the program now has a stable director and it should be able to correct the issue. Dr. Thomson recommended close monitoring to ensure compliance.

Public Comment:

Denise Via stated she served as the associate Dean of Health Sciences and Director of Nursing for the Registered Nursing Program at San Bernardino Valley College. She stated she also oversaw the Pharmacy and Psychiatric Technician programs and became the Director of the Psychiatric INPU program in July 2025. Ms. Via stated she spent approximately a decade in nursing education, including serving as a critical care nurse, the director of education for a hospital system, and, most recently, a as the

health science program administrator for the past three years. She explained she was placed on administrative leave, as mentioned in Dr. Thomson's report, without being given a reason and with a spotless employee record. Ms. Via stated the timing directly aligned with her ongoing efforts to bring forward the numerous compliance deficiencies documented in Dr. Thomson's report. Before Ms. Via's leaving, she stated she communicated those issues to the NEC and actively implemented corrective measures as she became aware of them. She opined her role required ensuring that clinical, regulatory, and board-mandated standards were always met, and this responsibility, central to public safety, is something a microbiology instructor at the school, known for giving extra credit points in exchange for their dog's favorite brand of food, could never understand. Ms. Via opined that when systemic noncompliance was identified, particularly regarding attendance rosters, clinical hour completion and documentation, faculty adherence to clinical affiliation agreements, and required health and safety clearances, she fulfilled her duty by reporting these concerns and initiating corrective processes. She stated she acquired grant funds to help pay for the program to come into compliance. Ms. Via stated her attempts to enforce compliance were repeatedly met with resistance from a particular faculty member, whom she identified as Angela Vocal, who regularly manipulated campus leadership, primarily Lori Berman, the Dean of Science. Ms. Via stated she was directed by Ms. Berman, PPI, and HR to disregard requirements clearly outlined in clinical affiliation agreements and board regulations, even to the point of being given a directive not to use the health requirements she had worked so hard to acquire to comply. Ms. Via opined compliance with such directions would have required falsifying documentation and putting public safety at risk, which she would never do under any circumstances. Ms. Via opined this placed her in an untenable position: follow an unlawful directive or maintain integrity and risk retaliation.

A public commenter who identified himself as "Jay" identified himself as a member of the school's staff who was present during Dr. Thomson's unannounced visit in September. He stated he heard Ms. Berman make dismissive and derogatory comments about Dr. Thomson during a division meeting. He stated he felt Ms. Berman's remarks regarding Dr. Thomson were inappropriate for a senior leader and inconsistent with the level of respect and professionalism required when interacting with the board and its representatives. Jay stated Ms. Berman called Dr. Thomson a "bitch" which elicited an audible gasp from the meeting's participants. Jay advised the board to not be fooled by Ms. Berman's strategy of telling them what they want to hear. He advised the previous commentor, Ms. Via, had served in the public and private sectors over the last ten years and is surprised that this program is being put on provisional status rather than closed.

Mary Malika, who stated she served as the administrative assistant for the Health Sciences Department at Sam Bernardino Valley College, expressed her concern that since Ms. Moore did not recuse herself in this item, that she hopes she will abstain from voting due to a conflict of interest. Since joining the program in 2021, she worked under multiple administrations and witnessed much instability within the Psychiatric Technician program. She opined there is a lack of appropriate management interventions, which placed an increasing burden on the staff, leading to complaints from students enrolled in the program and contributing to compliance concerns. She further opined that throughout the years of no support for the program, nor for those bearing the impact, the mismanagement and lack of accountability have taken a toll on everyone. She stated these conditions contributed to the cumulative sense of trauma caused by long patterns of dysfunction that were never addressed. Ms. Malika said when Denise Via was hired in June of 2024, it was the first time in her tenure that she felt genuine hope for the department and program. Ms. Malika said Ms. Via directly acknowledged longstanding issues, took responsibility where others had avoided it, and began making thoughtful, necessary decisions to stabilize the program. However, when Ms. Via was placed on administrative leave in August of 2025, that moment became the catalyst for Ms. Malika to leave. She stated Ms. Via's removal signaled to her that attempts to correct systematic problems would not be supported and that an unhealthy pattern that the program had endured for years would continue.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Absent
Ms. Moore	Abstain
Ms. Sonson	Yes

Motion carried and passed with six affirmative votes, one abstention, and one member absent.

G. Consideration of Recommendation to Rescind Pattern of Admission

I. Unitek College, San Jose Vocational Nursing Program

Ms. Gomez reported that she received an email this morning and would like to amend her report and change her recommendations. Ms. Gomez reported that the program has had a revolving door with their faculty and after the email this morning mentioning them loosing another faculty member, she can tell the program has not gotten a handle of losing staff. She explained the program lost three staff since the time the report has been written by Ms. Gomez. Ms. Gomez would like to add to the report consideration of provisional approval.

Motion: To approve the Unitek College Vocational Nursing Program Report, as revised, and adopt the revised NEC recommendations regarding the consideration of recommendation to rescind pattern of admission and to put on provisional approval.

Motion / Second: Ms. Sonson / Ms. Moore

Comments from program:

Sindhu Sebastian, Program Director, and Janice Holt mentioned they are open to any questions that the board may have.

Board Discussion:

Dr. Mountain asked what the cost is for a student to complete the program. The program responded that the price is \$38,000. Dr. Mountain stated it was surprising that the program lost three faculty members in a short period of time. Ms. Sebastian responded that the latest faculty member resigned and was moving home. Dr. Mountain asked the program whether they have faculty support who could come in. Dr. Mountain mentioned that having worked in nursing education for a long time, staff leaving is a red flag that staff don't feel supported. The program responded they have a support program, and the ones who left relocated out of state. The program advised they had a preceptor program and recognize that many of its faculty are novices in nursing instruction. The program reported that it offers certified nurse educator training and has faculty who are vocational nurses who are now in the BSN program, for which the college pays as part of the retention.

Dr. Olaby echoed Dr. Mountain's concern about staff retention. Dr. Olaby asked if the program has considered what kind of leadership they have and what strategies are in place. The program responded that they recognize the salary has always been an issue in academia, especially for people transitioning from health care in the Bay Area. The program is looking at pay and creating different pay levels based on experience, a float pool where faculty can pick up shifts at other campuses, and various positions to gain more knowledge.

Dr. Russell opined having an organizational chart would help the program. He also asked what the consequences are for charging \$38,000 without having sufficient faculty. He asked the program at what point do they stop accepting students given the limited staffing. The program responded that the Director and the campus team have addressed the resignation. Also, the float pool exists for emergencies and when people call out will be in place to ensure enough cover is provided and the students don't suffer.

Ms. Moore asked how the program will ensure that the curriculum evaluation process is adequately documented and meets the requirements of 16 CCR section 2526? The program responded that they have updated the faculty meeting minutes policy and held a pack meeting at the campus with the director and the curriculum. All items of discussion are reflected in the minutes.

Ms. Moore asked how the program ensures that all the clinical hours are adequately supervised and that the facilities meet the learning needs. The program stated they have a team to support all clinical sites. The Program Director will visit each site and review the program's clinical objectives. The program uses a course key to log all hours and it announces site visits to clinical locations.

Ms. Moore asked Ms. Gomez about risk assessments given the program's turnover rate and identified violations. Ms. Moore asked if she recommend additional monitoring and/or conditions beyond rescinding the admissions pattern to ensure student outcomes are not compromised. Ms. Gomez responded this is why she changed her recommendation this morning to provisional so that there could be continued supervision over the program. She stated most of the complaints received concerned the faculty and instructors.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Absent
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed with seven affirmative votes and one absence.

H. Consideration of Remove Program from the approved program List

I. California Healthcare Skills Vocational Nursing Program

Dr. Thomson submitted the report and recommended to remove the program from the approval list of vocational nursing programs.

Motion: To approve the California Healthcare Skills Center Vocational nursing program report and adopt the NEC recommendations regarding the consideration of removal from the approved program list.

Motion / Second: Ms. Sonson / Ms. Moore

Comments from program:

Edith Amadi, Program Director, stated she addressed the Board in May of 2025 at which time the Board granted a two-year provisional approval to Healthcare Skills Center due to a low pass rate. After that decision, the program lost most of its potential students while waiting for class approval from the Board, which is why the program only has five students remaining. The program requested that Board allow it to continue working with the students to ensure they are successful in the program and achieve the desired pass rate. Ms. Amadi advised the class is halfway through the program and is doing well academically. She stated the Board provided the program with a list of requirements during the two-year provisional period, and they have meticulously followed the process; however, Dr. Thomson subsequently added items to the list and the program has done its best to fulfill them. Ms. Amadi requested the opportunity to complete the approved program so its students can take the NCLEX. If the program is halted abruptly, as recommended, this would result in emotional, academic, and financial hardship for students and the school.

Board Discussion:

Dr. Mountain asked the cost for a student to complete the program. Ms. Amadi answered the cost is approximately \$37,000. Dr. Mountain stated the average pass rate is 30% and at one point it was 14% and expressed concern with students paying \$37,000 given the school's low pass rate. Dr. Mountain asked why no one took notice of the issue previously. Ms. Amadi responded the program's pass rate was reviewed in March and April for the May Board Meeting which was when the program was put on the provisional approval and since then the program was working to correct the issues.

Ms. Moore asked about admissions policies and stated the ATI test score requirements was lowered from 70 to 50. She asked for justification for the change and what support mechanisms are in place for students admitted under this lower threshold. Ms. Amadi

replied they revised their admission policy in May when they admitted the new students. Ms. Amadi stated the ATI test score increased to 55 along with 79% and 72%.

Ms. Moore asked if the program could provide current documentation confirming adequate faculty and clinical resources to meet state mandated instructor-to-student ratios and ensure quality clinical experiences. Ms. Amadi answered the program did send the current faculty and facility spreadsheet to the NEC. The program currently has seven active faculty, and the clinical site has two acute cares, one hospital, two nursing homes and one clinical facility.

Ms. Moore asked Dr. Thomson if, based on her review, does the program have the capacity to provide competent graduates, given the current pass rates and resource documentation. Dr. Thomson stated the program does not because they have never complied since the program began, remaining out of compliance for eight quarters without improvement or accepting responsibility. Dr. Thomson opined extending the program's operation would not benefit its four students as the program itself would be non-compliant.

Dr. Mountain asked Ms. Amadi how many times her students are allowed to take the ATI pre-admissions test. Ms. Amadi responded students can take it up to three times.

Dr. Olaby sought clarification from Ms. Amadi asking if the four students comprised one cohort. Ms. Amadi replied affirmatively. Dr. Olaby asked if there is a plan in place for these students to transfer to another program. Dr. Thomson addressed the question that BPPE has already been notified of the possibility of removing them from the approved program list and that BPPE will meet with the students and ensure they do not suffer additional financial loss and that they can be placed in a program where they can receive quality education and meet their goal of becoming licensed vocational nurses.

Ms. Moore asked Dr. Thomson if any conditions would allow the program to continue operating safely. Dr. Thomson answered she saw no way the program could continue to operate.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Yes
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Absent

Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed with an affirmative vote of seven and one absence.

I. Consideration of Recommendation to Deny Request to Admit students

I. Stanbridge University, San Diego, Vocational Nursing Program

Dr. Fairchild submitted the report for the program's requests for a part time class of 75 students to begin February 9, 2026, graduating January 14, 2028. Dr. Fairchild reported her recommendation was to deny this second class. She explained the program was approved for a class to start on February 18, 2025, and their first class will not graduate until September 25, 2026, which has 45 students. They requested 75 students for the second class. Dr. Fairchild expressed her concerns about 75 students since their class sizes are usually 45 students. She stated when the Riverside campus added a second class, they had 60 students, and it was divided in half. This request was not going to be divided in half as it was a straight 75 students. Dr. Fairchild stated the regulations prohibit the program from starting its second class until the first class finishes and a site visit is completed.

Motion: To approve the Stanbridge University of San Diego Vocational Nursing Program report and adopt the NEC recommendations regarding the consideration of recommendation to deny requests to admit students.

Motion / Second: Ms. Carpenter / Ms. Moore.

Comments from program:

Renee Hypolite, Program Director, deferred to the university's president, Yasith Weerasuriya, who reported the university would like to request the board to consider the three other campuses which have the same curriculum the pass rates are in the mid-nineties and have consistently maintained for many years. He stated the San Diego campus does have the capacity unlike the NEC's report. Mr. Weerasuriya disagreed with disapproval based on the number of requested students.

Board Discussion:

Dr. Russell asked Dr. Fairchild to explain the timeframe and hesitancy regarding the number of students. Dr. Fairchild clarified her recommendation surrounding the requested number of students in that California Code of Regulations, title 16, section requires a board representative to complete an inspection or review before graduation

of the initial class and that a program shall not commence another class without prior board approval.

Mr. Weerasuriya told the board members Dr. Fairchild visited the campus in October and spent two hours in the classrooms and the laboratories. Mr. Weerasuriya requested Dr. Fairchild return to see the simulation lab, cadaver lab, virtual reality lab.

Dr. Fairchild replied to Mr. Weerasuriya stating she visited the campus because she was already down in the area. Dr. Fairchild mentioned there were no students present, that she did not look at records, and that she was not looking to see if all the policies and procedures were being followed. The scope of her visit was limited to seeing the campus. She explained a full site inspection was impractical since student folders would not be available until April or May.

Mr. Weerasuriya argued the regulations do not specify the timeframe from April to May. He opined the April to May timeframe was arbitrary given the many students and a great facility with excellent outcomes under their instructional plan. He stated they have mid-nineties pass rates at three other campuses and the program is using the same curriculum. Dr. Fairchild replied that scheduling the site visit will also have to be reviewed and planned alongside her obligations to other programs. Dr. Fairchild recommended a September start date stating an earlier date is impossible. Mr. Weerasuriya reiterated his disagreement with the regulations as arbitrary.

Dr. Mountian asked Dr. Fairchild for clarification if the start date for the second class was governed by regulations. Dr. Fairchild answered affirmatively. Mr. Weerasuriya stated that the regulation was incorrectly applied here opining the regulation itself does not specify a time frame but conceded the regulation specifies the second class cannot start until the first class graduates. Dr. Mountain asked when the first class graduates and was told September 2026. Dr. Mountain explained to Mr. Weerasuriya the April to May timeframe is necessary to give the board a basis to look at how things are, how satisfied the students are, and how things were going. Dr. Mountain stated she understood Mr. Weerasuriya's position but that the regulations have been in place for many years for the safety of students and consumers. Mr. Weerasuriya replied he would like to dispute the regulation.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Absent
Ms. Carpenter	Yes
Dr. Russell	Yes

Ms. Guzman	Yes
Ms. Nieblas	Absent
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed with an affirmative vote of six and two absences.

A. Update, Discussion and Possible Actions.

I. Respiratory Care Board Regulations Regarding Respiratory Tasks and Services

Ms. Yamaguchi reported that the Respiratory Care Board (RCB) met on October 24, 2025, and that they discussed their regulations packages. Many parents, educators, practitioners, and employers attended and spoke. RCB authorized and approved an emergency regulation to delay the full implementation of their regulatory package.

Board Discussion:

Ms. Guzman asked whether there have been any meetings or curriculum design changes for an extended license, such as IV certification, for respiratory curriculum for LVNs. Ms. Yamaguchi mentioned that the Education Division is designing such a program.

Public Comment:

Anna Marie, who identified herself as a respiratory care practitioner for Cypress Healthcare Group, stated that she has attended the last few RCB meetings and told them that there are not enough people to provide care, especially respiratory care practitioners. She said she would provide her assessment once a week as part of the respiratory program, provide care, and then the LVNs would follow the delegation. She recommended RCB and BVNPT work together to address needed changes and come to a compromise. She reiterated there is not enough people to provide care, especially to children.

Sidney Jackson stated he represents the Association of Regional Center Agencies, which consists of 21 regional centers throughout the State of California that provide services to 45,000 individuals. He stated many individuals who will be impacted by the regulations spoke during the public comment at the October RCB meeting, sharing their compelling stories. He said thousands of patients will be impacted, requiring them to move to a more restrictive environment, and will leave thousands displaced from their

current day program settings and from residential settings. He opined the emergency regulations are too narrow. He stated they do not cover the adult licensed community care day programs or adult residential facilities for people with special healthcare needs along with group homes for children. Mr. Jackson stated his organization would be willing to assist with any legislation that may need to be passed. Ms. Guzman asked Mr. Jackson if their numbers include one-to-one care that is provided for patients who have traches in the home. Mr. Jackson answered those patients will be impacted and advised students need an LVN with them during the day school in addition to overnight home care.

Amber King with Leading Age California, which represents nonprofit providers of care services and housing for older adults, including continuing care retirement communities, skilled nursing facilities, residential care facilities for the elderly, and home and community services, agreed with the Board's position and does not want to be segregated from providing basic respiratory tasks and services. She opined the regulations passed by RCB have disproportionately impacted long-term care communities, such as assisted living communities and skilled nursing facilities who rely heavily on LVNs. She explained they do not always have an RN available around the clock and rely on LVNs, particularly at night. In addition, she stated these regulations have limited or eliminated their ability to accept new residents by requiring existing residents to be transported to the emergency department for these services when the appropriate staff are unavailable. Her organization urges the RCB and the BVNPT to meet and address these urgent issues, as they are currently impacting access to care for the state's growing older adult population.

Jennifer identified herself as the parent of a disabled child who has a tracheostomy and uses a ventilator that breathes for him at night. She stated her son can live at home with her family because he has access to private duty nursing care. He can attend school with his peers and participate in activities because an LVN attends class with him. She stated her family cares about the LVN scope of practice as it affects disabled people and their civil rights. She stated she wants them to be able to access care in the community so they can live the lives they want. She further stated disabled people who are dependent on tracheostomy and ventilator care have a right to live in their own homes, and Medi-Cal has an obligation to pay for it. She opined RCB's regulations were put in place without a budget or plan and wanted to know what happens to patients who lose access to their caregivers. She desired a solution that preserves access to care for disabled people who depend on that level of care. She stated she wanted to bring all the stakeholders together to discuss the tasks that LVNs are currently doing in homes, community-based settings, schools, and the places where disabled people live.

II. Committees, Upcoming Meetings, Member Training Calendar 2027

Ms. Yamaguchi stated an email was sent asking whether the board would be opposed to changing our meeting schedule in 2027 from four meetings a year to three, and from meeting on Thursdays and Fridays to meeting on Tuesdays and Wednesdays. She stated there was a draft calendar in the members' packets she would like the board to approve.

Motion: To approve the 2027 Member Training Meeting Calendar.

Motion / Second: Ms. Sonson / Dr. Russell.

Board Discussion: None.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Absent
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Absent
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed with six affirmative votes and two absences.

III. NCSBN Annual Report Program

Ms. Yamaguchi reported that the National Council of State Boards of Nursing (NCSBN) put together a new national nursing education database which is looking at the characteristics impacting the nursing education programs in the U.S. She advised it will allow boards to view other states' databases. NCSBN would love to have BVNPT aboard and asked the Board to approve joining.

Motion: To approve becoming a part of the NCSBN annual report program.

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

Board Discussion:

Ms. Carpenter asked Ms. Yamaguchi if this would impact reciprocity with other states. Ms. Yamaguchi responded that she does not think so. Dr. Russell asked if there is a financial cost. Ms. Yamaguchi responded there is no cost.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Absent
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Absent
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed with an affirmative vote of six and two absences.

B. Executive Committee Report

Ms. Carpenter stated the report is online and the Board members have access. The Committee will meet on December 1, 2025.

Board Discussion: None.

Public Comment: None.

Agenda Item 8

Licensing and Evaluations

Ms. Brown reported she is currently in the process of filling a vacant licensing analyst position and she made a conditional offer for a vacant licensing technician position.

Board Discussion: None.

Public Comment: None.

Agenda Item 9

Legislative and Regulations

A. Legislative and Regulations Committee Report

Ms. Carpenter provided an update on the Legislative and Regulations Committee. She advised it did not meet prior to this Board Meeting.

B. 2026 Rulemaking Calendar

Ms. Yamaguchi reported there was no new rulemaking items to add so the rulemaking calendar is very similar to last year's which covers the work to finish school citations and fines, retired licensees, and the school approval standards.

Motion: To approve the 2026 Rulemaking Calendar.

Motion / Second: Ms. Carpenter / Ms. Moore.

Board Discussion: None.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Absent
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Absent
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed affirmatively with a vote of six and two absences.

C. Final Report on Bills

There was no discussion on this item.

D. Discussion and Possible Action to Seek Legislation to Amend Business and Professions Code sections 2892.8 and 4545.4 Regarding Retired Licenses.

There was no discussion on this item.

E. Decision and Possible Actions Code to Seek a Legislative Proposal to Amend Business and Professions Code Regarding New Program Approvals.

Ms. Yamaguchi reported that the attached packets include suggested amendments to the Business and Professions Code regarding our new program approval processes. She stated that in the absence of any staffing increase this budget year, the Board must look very critically at ways to clarify and make more efficient some of the work that Education Division performs. One amendment would consist of a biennial official program application period biannually in that the Board would analyze the prior two

years' patterns and numbers to assess an appropriate pattern or duration of a new program application period. She said this would better align the staff's work and encourage programs to ensure that their letters of intent are complete when they are submitted.

Motion: To authorize the Executive Officer to seek the following legislative amendment to BPC section 2881.2 authorizing the board to establish biennial application dates to cycle new school or program approvals.

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

Board Discussion: None.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Absent
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Absent
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed with six affirmative votes and two absences.

Umbrella Motion: To withdraw the previous motion authorizing the Executive Officer to seek the following legislative amendment to BPC section 2881.2 authorizing the board to establish biennial application dates to cycle new school or program approvals.

Motion / Second: Dr. Russell / Ms. Sonson.

Board Discussion: None.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Absent
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes

Ms. Nieblas	Absent
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed with six affirmative votes and two absences.

Motion: To approve all recommendations in memorandum agenda item 9.E.

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

Board Discussion: None.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Absent
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Absent
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed with six affirmative votes and two absences.

F. Decision and Possible Actions Code to Seek a Legislative Proposal to Amend Business and Professions Code Regarding Respiratory Care Scope of Practice

Ms. Yamaguchi reported that many professions, including healing arts practitioners, have a clause in their practice acts known as a Good Samaritan Act. If a practitioner encounters someone who needs emergency aid, they can assist and be held harmless and not criminally liable for that aid unless there is gross incompetence or abuse. She recommended the board review its Good Samaritan language and make a few minor changes to expand the scope to the workplace. She advised another aspect would describe and reinforce the definition of what constitutes an emergency, including difficulty breathing. Ms. Butu, General Counsel for the Board, clarified that the proposed language is for civil liability related to providing emergency care whether outside the workplace as an LVN or on duty as an LVN. She stated the proposal does not have anything to do with licensee discipline either under RCB's law or the Vocational Nurse Practice Act in that it is only for civil liability.

Motion: To approve proposed language and recommendations for agenda item 9.F.

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

Board Discussion: None.

Dr. Russell asked why this is an issue. He referenced a recent aircraft accident on Highway 50 in Sacramento where bystanders were asked to help lift a helicopter to remove a victim underneath the wreckage. He opined anybody who innocently tries to help someone in distress, inside or outside a facility, should be thanked for helping rather than doing nothing because they are afraid of being sued. Ms. Yamaguchi responded, in her opinion, the simple fact is that an LVN would need to stop and wait for an EMT, an RN, or a Respiratory Care Practitioner to help patients. She advised because we live in such a litigious society, this waiver of civil liability would help.

Ms. Moore asked how communication between the BVNPT and RCB can be structured to clarify permissible LVN respiratory tasks across different care settings. Ms. Yamaguchi responded that she expects RCB is aware of this proposal, and that if it moves forward, she would include them in the conversation. If this is enacted, she said the board would be doing substantial outreach to our licensees, care facilities, and stakeholders.

Ms. Moore asked what legal protections exist for LVNs performing critical respiratory tasks and emergencies and how would Ms. Yamaguchi propose that the amendments to BPC 2861.5 address the current gaps. Ms. Butu answered that Business and Professions Code 2861.5 refers to providing emergency care when not at work as an LVN. She clarified what the Executive Officer has put before the Board is to expand that to include emergencies that occur not just outside of work but also inside of work and protection for civil liability.

Public Comment: None.

Member Name	Vote
Dr. Mountain	Yes
Dr. Olaby	Absent
Ms. Carpenter	Yes
Dr. Russell	Yes
Ms. Guzman	Yes
Ms. Nieblas	Absent
Ms. Moore	Yes
Ms. Sonson	Yes

Motion carried and passed with six affirmative votes and two absences.

Agenda Item 10 Enforcement

A. Enforcement Division Report

Ms. Wood, Enforcement Chief, shared her report was given to the members prior to the Board Meeting. Ms. Wood reported one AGPA position open in the Probation Unit, and she recently hired an Enforcement Operations Analyst who reports directly to her. She stated she also hired a Supervising Program Technician III.

Board Discussion: None.

Public Comment: None.

B. Investigation Division Report

Ms. Higashi, Supervising Special Investigator, shared her report was given to the members prior to the Board Meeting.

Board Discussion: None.

Public Comment: None.

C. Enforcement Committee Report

Ms. Wood reported the Enforcement Committee did not meet since the last Board Meeting and would probably not be having another meeting until after this board meeting since there. Ms. Wood stated she will be looking at the Disciplinary Guidelines making sure everything is appropriately updated.

Board Discussion: None.

Public Comment: None.

Agenda Item 11

Psychiatric Technicians Ad-hoc Committee

A. Psychiatric Technicians Ad-hoc Committee Report

Ms. Yamaguchi reported since this committee does not have a second member there was no meeting since last Board Meeting.

Board Discussion: None.

Public Comment: None.

- I. Meeting with California Association of Psychiatric Technicians
- II. Presentation at California Psychiatric Technician Educators (CAPTE) Conference
- III. Coalition-Building

Ms. Yamaguchi updated that the committee has been working to develop a network. Ms. Yamaguchi was invited to speak at the California Psychiatric Technicians' Educators conference last month and was assisted by NEC Tara Devila. She reported it was an interesting conversation with the educators on building a better pipeline. Ms. Yamaguchi complimented the outstanding efforts of Nicholas Gonzales, Education Analyst, who reached out to many different organizations including several of our partner boards.

Board Discussion: None.

Public Comment: None.

Agenda Item 12

Public Comment on Items Not on the Agenda

Dr. Mountain opened the floor for public comment to items not on the agenda.

Board Discussion: None.

Public Comment:

Mr. Lim identified himself as a nurse. He described the difficulties when patients do not receive appropriate orders for home healthcare services by their primary care physicians and wanted to know who he could speak to regarding discharge planning.

Fernando Lugo stated he appreciates the Board's work and is observing to ensure alignment with the standards expected of licensees.

Christina Curry identified herself as a licensed vocational nurse and a licensed vocational nurse educator for the Sacramento City Unified School District. She stated they were informed by their NEC that, as of February 2026, all LVN instructors will be required to hold a BSN degree. She asked how are LVNs expected to obtain a BSN by February of 2026 even if the fastest program completes prerequisites, ensuring admissions, and finishing a degree takes much longer than a year. She asked if the Board considered the practicality of this timeline as most of the LVN instructors she works with have been approved by BVNPT's NECs for the next four years. She asked if these existing approvals will be revoked early or will there be justification for overriding them. She asked if the Board would provide a realistic transition grace period for current LVN instructors who may need to meet new educational requirements. She said changes in work requirements could disrupt programs, staffing, and students. She

stated her goal is to ensure students receive quality education and are always treated fairly and consistently and sudden regulatory changes without notice, data, or reasonable timelines create instability for schools, instructors, and, most importantly, students who depend on them.

Andrew identified himself as a licensed Psychiatric Technician of ten years and stated he was associated with an exam preparation service called PsychPrep. He stated the platform provides a place for students to take AI-based exam preparation and offers a community to help students improve their confidence and reduce exam failures. He opined this service aligns with BVNPT's mission of consumer protection and also supports the state's behavioral health workforce pipeline. He asked for the board's support in identifying resources, guidance, or partnerships that can further their shared mission.

Sidney Jackson, who provided public comment for agenda item 7.A.I, reiterated his prior comment during this agenda item. He restated that the Association of Regional Center Agencies provides services to 45,000 individuals throughout the state, and the new RCB regulations passed on October 1, 2025, regarding the LVN scope of practice will negatively impact thousands of the individuals they serve,. Mr. Jackson stated he wanted to make sure that we reflect his views in the meeting minutes and that his organization is included as a stakeholder in any upcoming meetings between the RCB and BVNPT.

Agenda Item 15

Suggestions for Future Agenda Items

Board Discussion: None.
Public Comment: None.

Mr. Sidney Jackson from the Association of Regional Center requested an agenda item for the next meeting that the board consider looking at the LVN scope of practice in relation to RCB's new regulations and consider legislative action that can be taken to remedy the issue impacting thousands requiring respiratory care.

Christina Curry stated she would like the board to consider whether LVNs can continue teaching and to consider reasonable timelines for LVNs who do not have degrees or may have to attain a degree.

Agenda Item 16

Closed Session

This agenda item was taken out of order at the discretion of Dr. Mountain. The Board went into closed session at the beginning of the meeting to allow time to correct

technical difficulties with webcasting the meeting's open session.

Dr. Mountain adjourned the meeting at 2:00 p.m.

Prepared by: _____ Date: _____

Elaine Yamaguchi Executive Officer

Approved by: _____ Date: _____

Dr. Carel Mountain, Education Member Board President