



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

**DATE:** Friday, August 16, 2019

**TIME:** 9:00 a.m. – 6:00 p.m.  
Or Until Completion of Business

**LOCATION:** Los Angeles Marriott Burbank Airport  
2500 North Hollywood Way - Hollywood/Burbank Room  
Burbank, CA 91505

**BOARD MEMBERS  
PRESENT:**

Tammy Endozo, LVN Member, Board President  
Dr. Bernice Bass de Martinez, Public Member,  
Vice-President  
Aleta Carpenter, Public Member  
John Dierking, Public Member  
Kenneth Maxey, Public Member  
Dr. Carel Mountain, Education Member  
Donna Norton, LVN Member  
Paul Sellers, PT Member  
Cheryl Turner, Public Member

**BOARD MEMBERS  
NOT PRESENT:**

Paula Amezola de Herrera, Public Member

**STAFF PRESENT:**

Elaine Yamaguchi, Executive Officer  
Vicki Lyman, Assistant Executive Officer  
Jay Prouty, Enforcement Program Manager (Discipline Unit)  
Candace Raney, Enforcement Chief  
Vicky Saavedra, Budget Analyst  
Marie Cordeiro, Supervising Nursing Education Consultant  
Faye Silverman, Nursing Education Consultant  
Margarita Valdes, Nursing Education Consultant  
Dr. Cindy Fairchild, Nursing Education Consultant  
Kenneth Swenson, DCA Senior Staff Counsel Attorney III

**9:00 a.m. OPEN SESSION**

**Agenda Item 7 Call to Order, Roll Call, and Establishment of Quorum**

The meeting was called to order by Board President Tammy Endozo at 9:07 a.m., Friday, August 16, 2019, at Los Angeles Marriott Burbank Hotel, 2500 North Hollywood Way - Hollywood/Burbank Room, Burbank, CA 91505.

**Agenda Item 8 Pledge of Allegiance**

Mr. Sellers led the Pledge of Allegiance.

**Agenda Item 9 Introduction of Board Members and Board Staff/Chair's Remarks**

Board Members introduced themselves. A quorum was confirmed. Elaine Yamaguchi, Executive Officer, introduced herself and staff present. Kenneth L. Swenson, DCA Senior Staff Counsel Attorney III, introduced himself.

**Agenda Item 10 Board Meeting Minutes – Review and Approval**

A. May 17, 2019

Motion: Approve May 17, 2019 Board meeting minutes.

Moved/Seconded: John Dierking/Cheryl Turner

<b>Member Name</b>	<b>Vote</b>
<b>Tammy Endozo</b>	<b>Yes</b>
<b>Dr. Bernice Bass de Martinez</b>	<b>Yes</b>
<b>Paula Amezola De Herrera</b>	<b>Absent</b>
<b>Aleta Carpenter</b>	<b>Yes</b>
<b>John Dierking</b>	<b>Yes</b>
<b>Kenneth Maxey</b>	<b>Yes</b>
<b>Dr. Carel Mountain</b>	<b>Yes</b>
<b>Donna Norton</b>	<b>Yes</b>
<b>Paul Sellers</b>	<b>Yes</b>
<b>Cheryl Turner</b>	<b>Yes</b>

**Public Comment:**

None

**Board Discussion:**

None

**B. June 21, 2019**

Motion: Approve June 21, 2019 minutes with the correction of Ms. Turner’s vote on measure SB 53.

Moved/Seconded: Cheryl Turner/Aleta Carpenter

<b>Member Name</b>	<b>Vote</b>
<b>Tammy Endozo</b>	<b>Yes</b>
<b>Dr. Bernice Bass de Martinez</b>	<b>Yes</b>
<b>Paula Amezola De Herrera</b>	<b>Absent</b>
<b>Aleta Carpenter</b>	<b>Yes</b>
<b>John Dierking</b>	<b>Yes</b>
<b>Kenneth Maxey</b>	<b>Yes</b>
<b>Dr. Carel Mountain</b>	<b>Yes</b>
<b>Donna Norton</b>	<b>Yes</b>
<b>Paul Sellers</b>	<b>Yes</b>
<b>Cheryl Turner</b>	<b>Yes</b>

**Public Comment:**

None

**Board Discussion:**

- Ms. Turner made a correction regarding the motion to oppose measure SB 53, her vote should have been a no.

**Agenda Item 11 Education Committee – Reports, Recommendations, and Possible Actions**

**A. Committee Report**

Dr. Bass de Martinez presented the Education Committee report. All committee members were present during the last Education committee meeting. There were recommendations brought to the full Board for consideration of provisional approval of the North West College, Riverside and University of Antelope Valley (formerly Antelope Valley Medical College), Lancaster.

**Public Comment:**

None

**Board Discussion:**

None

**B. Consideration of Provisional Approval**

**1. North West College, Riverside**

The Board received the report from Ms. Silverman, NEC.

Representative:

Dr. Sophia Medina, Director of Nursing, agrees with and accepts the NEC's recommendations.

**Public Comment:**

None

**Board Discussion:**

None

Motion: Accept the Education Committee report for North West College.

Moved/Seconded: Education Committee/Not Required

<b>Member Name</b>	<b>Vote</b>
<b>Tammy Endozo</b>	<b>Yes</b>
<b>Dr. Bernice Bass de Martinez</b>	<b>Yes</b>
<b>Paula Amezola De Herrera</b>	<b>Absent</b>
<b>Aleta Carpenter</b>	<b>Yes</b>
<b>John Dierking</b>	<b>Yes</b>
<b>Kenneth Maxey</b>	<b>Yes</b>
<b>Dr. Carel Mountain</b>	<b>Yes</b>
<b>Donna Norton</b>	<b>Yes</b>
<b>Paul Sellers</b>	<b>Yes</b>
<b>Cheryl Turner</b>	<b>Yes</b>

**Public Comment:**

None

**Board Discussion:**

None

**2. University of Antelope Valley (formerly Antelope Valley Medical College), Lancaster**

The Board received the report from Ms. Silverman, NEC.

Representative:

There were no representative present.

**Public Comment:**

None

**Board Discussion:**

None

Motion: Accept the Education Committee report for University of Antelope Valley.

Moved/Seconded: Education Committee/Not Required

Member Name	Vote
Tammy Endozo	Yes
Dr. Bernice Bass de Martinez	Yes
Paula Amezola De Herrera	Absent
Aleta Carpenter	Yes
John Dierking	Yes
Kenneth Maxey	Yes
Dr. Carel Mountain	Yes
Donna Norton	Yes
Paul Sellers	Yes
Cheryl Turner	Yes

**Agenda Item 12 Education Division – Report, Recommendations, and Possible Actions Regarding Vocational Nursing and Psychiatric Technicians Program**

**A. Education Division Report**

Ms. Cordeiro provided the Board with the Education Division report.

**Public Comment:**

None

**Board Discussion:**

None

**B. Consideration of Provisional Approval**

**1. Pasadena City College, Pasadena**

The Board received the report from Ms. Silverman, NEC.

Representative:

Carla Christensen, Director for the LVN Program, agrees with the NEC's recommendations.

**Public Comment:**

None

**Board Discussion:**

None

Motion: Accept NEC's report and recommendations.

Moved/Seconded: Donna Norton/Dr. Bernice Bass de Martinez

Member Name	Vote
Tammy Endozo	Yes
Dr. Bernice Bass de Martinez	Yes
Paula Amezola De Herrera	Absent
Aleta Carpenter	Yes

<b>Member Name</b>	<b>Vote</b>
<b>John Dierking</b>	<b>Yes</b>
<b>Kenneth Maxey</b>	<b>Yes</b>
<b>Dr. Carel Mountain</b>	<b>Yes</b>
<b>Donna Norton</b>	<b>Yes</b>
<b>Paul Sellers</b>	<b>Yes</b>
<b>Cheryl Turner</b>	<b>Yes</b>

**C. Request to Admit Students by Programs on Provisional Approval**

**1. American Medical Sciences Center, Glendale**

The Board received the report from Ms. Silverman, NEC.

Representative:

Ann Anderson, Director of LVN Program, does not agree with the NEC's recommendations. The program is to be discontinued next year which does not give the program enough time to make changes needed to get pass rates up.

**Public Comment:**

None

**Board Discussion:**

- Ms. Silverman commented the program closes February 29, 2020 and the graduated students will test for the NCLEX.

Motion: Accept NEC's report and recommendations.

Moved/Seconded: Kenneth Maxey/Aleta Carpenter

<b>Member Name</b>	<b>Vote</b>
<b>Tammy Endozo</b>	<b>Yes</b>
<b>Dr. Bernice Bass de Martinez</b>	<b>Yes</b>
<b>Paula Amezola De Herrera</b>	<b>Absent</b>
<b>Aleta Carpenter</b>	<b>Yes</b>
<b>John Dierking</b>	<b>Yes</b>
<b>Kenneth Maxey</b>	<b>Yes</b>
<b>Dr. Carel Mountain</b>	<b>Yes</b>
<b>Donna Norton</b>	<b>Yes</b>
<b>Paul Sellers</b>	<b>Yes</b>
<b>Cheryl Turner</b>	<b>Yes</b>

**2. Angeles Institute, Artesia**

The Board received the report from Dr. Fairchild, NEC.

Representative:

Brandy Coward, Director of Nursing Angeles Institute, Artesia, agrees with the NEC's report.

**Public Comment:**

None

**Board Discussion:**

None

Motion: Accept NEC's report and recommendations.

Moved/Seconded: Aleta Carpenter/Kenneth Maxey

<b>Member Name</b>	<b>Vote</b>
<b>Tammy Endozo</b>	<b>Yes</b>
<b>Dr. Bernice Bass de Martinez</b>	<b>Yes</b>
<b>Paula Amezola De Herrera</b>	<b>Absent</b>
<b>Aleta Carpenter</b>	<b>Yes</b>
<b>John Dierking</b>	<b>Yes</b>
<b>Kenneth Maxey</b>	<b>Yes</b>
<b>Dr. Carel Mountain</b>	<b>Yes</b>
<b>Donna Norton</b>	<b>Yes</b>
<b>Paul Sellers</b>	<b>Yes</b>
<b>Cheryl Turner</b>	<b>Yes</b>

**3. Hacienda La Puente Adult Education, La Puente**

The Board received the report from Dr. Fairchild, NEC.

Representative:

Suzanne Zemer, Director of Vocational Nursing Program, agrees with the NEC's report.

**Public Comment:**

None

**Board Discussion:**

None

Motion: Accept NEC's report and recommendations.

Moved/Seconded: Donna Norton/Dr. Bernice Bass de Martinez

<b>Member Name</b>	<b>Vote</b>
<b>Tammy Endozo</b>	<b>Yes</b>
<b>Dr. Bernice Bass de Martinez</b>	<b>Yes</b>
<b>Paula Amezola De Herrera</b>	<b>Absent</b>
<b>Aleta Carpenter</b>	<b>Yes</b>
<b>John Dierking</b>	<b>Yes</b>
<b>Kenneth Maxey</b>	<b>Yes</b>

Member Name	Vote
Dr. Carel Mountain	Yes
Donna Norton	Yes
Paul Sellers	Yes
Cheryl Turner	Yes

**4. Institute of Technology, Clovis**

The Board received the report from Ms. Valdes, NEC.

Representative:

Rod Gardner, President of Institute of Technology, Clovis, agrees with the NEC's recommendations.

**Public Comment:**

None

**Board Discussion:**

None

Motion: Accept NEC's report and recommendations.

Moved/Seconded: Aleta Carpenter/Dr. Bernice Bass de Martinez

Member Name	Vote
Tammy Endozo	Yes
Dr. Bernice Bass de Martinez	Yes
Paula Amezola De Herrera	Absent
Aleta Carpenter	Yes
John Dierking	Yes
Kenneth Maxey	Yes
Dr. Carel Mountain	Yes
Donna Norton	Yes
Paul Sellers	Yes
Cheryl Turner	Yes

**5. Institute of Technology, Modesto**

The Board received the report from Ms. Valdes, NEC. The school withdrew their request to admit students because of changes in staffing and resources.

Representatives:

No representatives available.

**Public Comment:**

None

**Board Discussion:**

None



## **Agenda Item 13 Executive Officer's Report**

### **A. Stakeholder Meeting (RCB-BVNPT)**

Ms. Yamaguchi gave a status update regarding the RCB joint statement.

#### **Public Comment:**

- Juan Botani, a PT and VN asked if the process would be similar to the IV blood withdrawal certification?
- Ms. Yamaguchi stated that it would be the basis for constructing the regulations, and it would be the licensee's choice to pursue the certification.
- Braden Oparowski thanked the Board for talking about the issues raised when the first joint statement was released and hosting stakeholder meetings.
- Erica Drury, Maxim Health Care Services, thanked the Board for their work on the issues. She also asked for the dates for developing regulations and future stakeholder meeting.
- Ms. Yamaguchi replied she hopes to have a stakeholder meeting in mid-fall.
- Mr. Swenson advised that an updated joint statement will be reviewed within the next month and needs Board approval.
- Debbie Dixon, Director of Always Home Nursing in Citrus Heights, thanked the Board for giving this important subject the attention it deserves and looks forward to being involved in the stakeholder's meetings.
- Denise Ordonez, Regional Clinical Vice President of Operations for Premier Healthcare Services, thanked the Board for being able to participate in the stakeholder meeting and allowing providers to assist with the process.

#### **Board Discussion:**

- Ms. Norton asked if the curriculum will be changing for the overall education of the LVNs regarding respiratory care.
- Ms. Cordeiro responded that basic respiratory care is taught in all curriculums and they are looking at certifications that would enhance the scope of practice and provide more education for the LVNs. A change in the whole curriculum would be a long process.
- Mr. Dierking asked which agency would oversee certifying respiratory care.
- Ms. Yamaguchi explained any certification of LVNs and PTs will reside with BVNPT.

### **B. Finances**

BVNPT volunteered to be the first Board in DCA to accept credit card payments. The first successful transaction was August 9, 2019. Ms. Yamaguchi reported the Attorney General's office is raising their attorney and paralegal fees as of September 1, 2019. The Budget Office prepared a fund condition that takes into account the AG fee increase and the rent increase. The Board submitted a Budget Change Proposal requesting a funds for one new Nursing Education Consultant and a support position for the Education Division.

### **C. Legislative and Regulations Update**

The Board voted to support AB 613, but it is not expected to move forward this year. The Board voted to oppose SB 53. It is currently in Appropriations and is expected to be approved by the legislature. A letter of opposition was sent to the author. AB 529 prohibits mandatory overtime that PTs are forced to work. This bill will likely not move forward this year.

**D. Draft Sunset Report and Process**

The Sunset Review hearing is expected to occur in March 2020. The report is due to the legislature December 2<sup>nd</sup>. 2, 2019. The Board needs to approve the report by early November. This draft will be uploaded to the cloud by August 30<sup>th</sup> and the Board’s edits/comments must be returned by September 30<sup>th</sup>. After adding the edits, a final draft will be sent out by October 8<sup>th</sup>. The Board is being asked to calendar a Special Board Meeting the week of October 27<sup>th</sup> to finalize the report. A survey will be sent to the Board members to vote on the date of the Special Board Meeting.

Motion: Amend the public calendar to include a Special Board Meeting on or after the week of October 27<sup>th</sup> to approve the Sunset Report.

Moved/Seconded: John Dierking/Paul Sellers

<b>Member Name</b>	<b>Vote</b>
<b>Tammy Endozo</b>	<b>Yes</b>
<b>Dr. Bernice Bass de Martinez</b>	<b>Yes</b>
<b>Paula Amezola De Herrera</b>	<b>Absent</b>
<b>Aleta Carpenter</b>	<b>Yes</b>
<b>John Dierking</b>	<b>Yes</b>
<b>Kenneth Maxey</b>	<b>Not Present</b>
<b>Dr. Carel Mountain</b>	<b>Yes</b>
<b>Donna Norton</b>	<b>Yes</b>
<b>Paul Sellers</b>	<b>Yes</b>
<b>Cheryl Turner</b>	<b>Yes</b>

**E. Proposed Sunset Legislation**

No discussion.

**Public Comment:**

None

**Board Discussion:**

None

**Agenda Item 14 Licensing Division – Report Recommendations, and Possible Actions.**

Ms. Lyman presented the Licensing Division Report. The report included updates on staffing, licensing statistics, CE Audit, online renewals, and phone call statistics.

**Public Comment:**

None

**Board Discussion:**

- Mr. Dierking asked if there are any plans for expanding the number of audits for the CE Audit.

Ms. Lyman stated that staff would analyze the audit response in six months. At that point, staff will present a report to the Board with recommendations for any changes.

**Agenda Item 15 Enforcement Division – Report, Recommendations, and Possible Actions.**

Ms. Raney presented the Enforcement Division Report. The report included updates on staffing and a statistical overview showing strong progress in the Enforcement Unit. The unit managers implemented an ongoing system for program review to identify and analyze challenges and opportunities to continue to strengthen our Enforcement processes.

**Public Comment:**

None

**Board Discussion:**

None

**Agenda Item 16 Executive Committee – Report, Recommendations, and Possible Actions**

**A. Committee Report**

Ms. Endozo presented the Executive Committee Report.

**B. 2019 Committee Structure**

A draft of the committee structure was provided to the Board, as well as a form for Board members to request Committee assignments. The Executive Committee will appoint members to committees at their September 13<sup>th</sup> meeting. The EO will notify Board members of their assignments afterward.

Motion: Approve the Committee Structure.

Moved/Seconded: Executive Committee/None Needed

<b>Member Name</b>	<b>Vote</b>
<b>Tammy Endozo</b>	<b>Yes</b>
<b>Dr. Bernice Bass de Martinez</b>	<b>Yes</b>
<b>Paula Amezola De Herrera</b>	<b>Absent</b>
<b>Aleta Carpenter</b>	<b>Yes</b>
<b>John Dierking</b>	<b>Yes</b>
<b>Kenneth Maxey</b>	<b>Yes</b>
<b>Dr. Carel Mountain</b>	<b>Yes</b>

<b>Donna Norton</b>	<b>Yes</b>
<b>Paul Sellers</b>	<b>Yes</b>
<b>Cheryl Turner</b>	<b>Yes</b>

**Public Comment:**

None

**Board Discussion:**

- Dr. Bass de Martinez urged Board Members to let the Executive Officer know the committee preference sooner rather than later so that it can be considered during the next Executive Committee meeting.
- Ms. Endozo would like the Board Members preferences submitted to the Executive Officer by September 9, 2019.

**C. Board Administrative Procedures Manual**

The Administrative Procedures Manual will be included in the Board's Sunset Review report. A draft of the Manual was distributed to Board Members for review. Board Members have the option of using their personal email or DCA email. If a Board Member chooses to use their personal email, they must sign the Notice and Acknowledgment Regarding Use of Personal email form and return it to the Executive Officer.

Motion: Accept the Administrative Procedures Manual sent on August 12, 2019.

Moved/Seconded: Executive Committee/None Required

<b>Member Name</b>	<b>Vote</b>
<b>Tammy Endozo</b>	<b>Yes</b>
<b>Dr. Bernice Bass de Martinez</b>	<b>Yes</b>
<b>Paula Amezola De Herrera</b>	<b>Absent</b>
<b>Aleta Carpenter</b>	<b>No</b>
<b>John Dierking</b>	<b>No</b>
<b>Kenneth Maxey</b>	<b>Yes</b>
<b>Dr. Carel Mountain</b>	<b>Yes</b>
<b>Donna Norton</b>	<b>Abstain</b>
<b>Paul Sellers</b>	<b>Yes</b>
<b>Cheryl Turner</b>	<b>No</b>

**Public Comment:**

None

**Board Discussion:**

- Ms. Turner voiced her concerns regarding the manual and the Board not having the opportunity to vote on the per diem structure.
- Ms. Endozo explained that during the June 21<sup>st</sup> Special Board Meeting, the ad-hoc committee was to convene and provide a per diem recommendation to the Executive Committee.

- Ms. Yamaguchi clarified items Board members can and cannot claim on their per diem form.

**D. Strategic Planning**

Board Members were provided a draft of the strategic plan. The Sunset Review Report will include the strategic plan.

Motion: Adopt the Strategic Plan.

Moved/Seconded: Executive Committee/None Required

Member Name	Vote
Tammy Endozo	Yes
Dr. Bernice Bass de Martinez	Yes
Paula Amezola De Herrera	Absent
Aleta Carpenter	Yes
John Dierking	Yes
Kenneth Maxey	Yes
Dr. Carel Mountain	Yes
Donna Norton	Yes
Paul Sellers	Yes
Cheryl Turner	Yes

**Public Comment:**

None

**Board Discussion:**

None

**Agenda Item 17 Public Comment on Items Not on the Agenda.**

**Public Comment:**

None

**Board Discussion:**

None

**Agenda Item 18 Suggestions for Future Agenda Items.**

**Public Comment:**

None

**Board Discussion:**

- Mr. Swenson suggested adding an agenda item about the discussion and possible procedures to disqualify an administrative law judge in petition proceedings.

**Agenda Item 19 Adjournment**

Ms. Endozo adjourned the meeting at 12:05 pm.

Prepared by: SIGNATURE ON FILE      Date: 3/6/2021  
**Elaine Yamaguchi**  
Executive Officer

Approved by: SIGNATURE ON FILE      Date: 3/6/2021  
**Tammy Endozo, LVN**  
Board President