

MANDATORY REPORTING REQUIREMENTS FOR LICENSED VOCATIONAL NURSES (LVN) & PSYCHIATRIC TECHNICIANS (PT)

Historical Information

Legislation set forth in Senate Bill 358 (Statutes of 2003, Chapter 640), effective January 1, 2004, added sections 2878.1 (LVN) and 4521.2 (PT) to the Business and Professions (B&P) Code establishing mandatory reporting requirements for licensed vocational nurses and psychiatric technicians. As a result of this new legislation, the Board of Vocational Nursing and Psychiatric Technicians (Board) added/amended the California Code of Regulations (CCR) Title 16, Division 25, Chapters 1 and 2, sections 2518.6 through 2523.6 (LVN) and 2576.6 through 2579.8 (PT). **The new regulations take effect October 11, 2007.**

Reporting Requirements

The new mandatory reporting requirements specify that a licensee's failure to report to the Board any known violation of the LVN or PT laws by another LVN or PT constitutes unprofessional conduct and may result in the issuance of a citation and fine or other disciplinary action.

Specifically, an LVN or PT shall report violations to the Board, in writing, within 30 calendar days of becoming aware of the violation. The reporting licensee must also cooperate with the Board in furnishing information or assistance as required.

Reportable Violations

LVNs and PTs must report to the Board unprofessional conduct by another LVN or PT including, but not limited to:

- Incompetence, or gross negligence in carrying out usual nursing functions.
- Use of excessive force upon or the mistreatment or abuse of any patient.
- Failure to maintain confidentiality of patient medical information.
- The commission of any act of dishonesty, when that action is related to the duties and functions of the licensee.
- The knowing failure to protect patients by failing to follow infection control guidelines.
- Illegal possession, prescribing or self-administration of controlled substances.
- Illegal use of drugs/alcohol posing a danger to the public and impairing practice.
- Confinement or committal by a court for addiction.
- Falsified, grossly inconsistent or unintelligible entries regarding controlled substances.

How to Report Violations

To report violations of misconduct, LVNs or PTs may complete the "Licensee Mandatory Reporting Form" available on the Board's website or write to the Board's Enforcement Division at the following address:

**Board of Vocational Nursing &
Psychiatric Technicians
2535 Capitol Oaks Dr., Suite 205
Sacramento, CA 95833
Telephone (916) 263-7827
FAX (916) 263-7857**

For more information regarding the new statutes, regulations, or the disciplinary process, please call the Board's Enforcement Division at the telephone number shown above or visit the Board's website at:

www.bvnpt.ca.gov

REFERENCE:

B&P Code sections:

2878.1 (LVN)

4521.2 (PT)

CCR sections:

2518.6 through 2523.6 (LVN)

2576.6 through 2579.8 (PT)