

## **TITLE 16: BOARD OF REGISTERED NURSING**

NOTICE IS HEREBY GIVEN that the Board of Registered Nursing (Board) is proposing to take the action described in the Informative Digest. Any person interested may submit written statements or arguments relevant to the proposed action to the Board. Written comments may be sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice and must be received by the Board at its office not later than 5:00 p.m. on July 29, 2013.

The Board does not intend to hold a hearing in this matter. If an interested party wishes that a hearing be held, he or she must make the request in writing to the Board no later than 5:00 p.m. on July 12, 2013.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 2708.1 and 2715, 2761(a)(4) and 2761(f) of the Business and Professions Code, and to implement, interpret or make specific Sections 2715, 2761(f), 2765, and 2811 of said Code, the Board is considering changes to Division 14 of Title 16 of the California Code of Regulations as follows:

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Amend Section 1419(c), of Title 16, Division 14, Article 2, to increase the fine level of traffic infractions that the registered nurse is required to report at the time of license renewal.

Current law requires that registered nurses renew their licenses biennially. As a condition of renewal, the registered nurse must disclose whether, since the last renewal, he or she has been convicted of any violation of the law, except for traffic infractions under \$300 not involving alcohol, dangerous drugs, or a controlled substance. The purpose of the mandatory reporting requirement is to identify renewal applicants who have been convicted of a violation/crime that might be grounds for license discipline by the Board.

Since adoption of the regulation in 2009, the fines for traffic infractions have increased, thus resulting in renewal applicants reporting violations, such as illegal turns, texting while driving, and running a red light, which would not be grounds for license discipline. The proposed regulation will increase the level of reportable traffic infraction fines from \$300 to \$1000.

The benefit of raising the fine level is threefold: 1) decreases burden for license renewal applicants, who will no longer be required to report traffic violations that would not be grounds for license discipline, 2) increases Board effectiveness and efficiency due to decrease in the number of renewals requiring special handling, and 3) enhances consumer protection, the Board's primary function, as a result of staff being able to focus on other enforcement-related activities, including ongoing backlogs.

The Board has evaluated this regulatory proposal and determined that it is not inconsistent nor incompatible with existing state regulations.

## **FISCAL IMPACT ESTIMATES**

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 - 17630 Require Reimbursement: None

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

## **EFFECT ON SMALL BUSINESS**

The Board has determined that the proposed regulations would not affect small businesses. The regulatory proposal affects registered nurse renewal applicants only; therefore, businesses will not be impacted.

## **RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:**

Impact on Jobs/Businesses: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation: The benefit of raising the fine level is threefold: 1) decreases burden for license renewal applicants, who will no longer be required to report traffic violations that would not be grounds for license discipline, 2) increases Board effectiveness and efficiency due to decrease in the number of renewals requiring special handling, and 3) enhances consumer protection, the Board's primary function, as a result of staff being able to focus on other enforcement-related activities, including ongoing backlogs.

## **CONSIDERATION OF ALTERNATIVES**

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost effective to affected private

persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

### **INITIAL STATEMENT OF REASONS AND INFORMATION**

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

### **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the person designated in this Notice under Contact Person or accessing the Board's website, [www.rn.ca.gov/regulations/proposed](http://www.rn.ca.gov/regulations/proposed).

### **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulation is based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

### **CONTACT PERSON**

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Alcidia Valim  
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The backup contact person is:

Name: Geri Nibbs  
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Website Access: Materials regarding this proposal can be found at [www.rn.ca.gov/regulations/proposed](http://www.rn.ca.gov/regulations/proposed).