

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 present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

**Board of Registered Nursing
1747 North Market Blvd., Suite 150
Sacramento, CA 95834
December 12, 2011
10:00 a.m. to 12:00 p.m.**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on December 12, 2011, or must be presented at the hearing. 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 or oral 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 2715 of the Business and Professions Code, and to implement, interpret or make specific Sections 144 and 901 of said Code, the Board is considering changes to Division 14 of Title 16 of the California Code of Regulations as described in this Notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Adopt Article 10, "Sponsored Free Health Care Events – Requirements for Exemption."

This regulatory proposal implements, interprets, and makes specific Business and Professions Code Section 901, which was enacted by Assembly Bill 2699 (Bass, Chapter 270, Statutes of 2010). The statute provides an exemption from licensure regulation requirements for health care practitioners, including registered nurses, who are licensed in another state or states and who provide nursing care, on a voluntary basis, at sponsored health events to uninsured or underinsured persons. The statute became effective January 1, 2011, and will remain in effect until January 1, 2014, unless reauthorized.

The proposal includes the sponsoring entity registration and record keeping requirements; applicant request for authorization requirements; termination of authorization to practice criteria and process, and appeal process; and disclosure requirements. The sponsoring entity Registration of Sponsoring Entity Under Business & Professions Code Section 901 form (901-A(09/2011)) and applicant Request for Authorization to Practice Without a License at a Registered Free Health Care Event (901-B(09/2011)) are incorporated by reference.

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.

Impact on Jobs/New Businesses:

The Board has determined that this regulatory proposal will not have a significant 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.

Cost Impact on Representative Private Person or Business:

The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known is the \$50.00 applicant registration fee, and fingerprinting cost of \$56 to \$96. The fingerprint cost includes a Department of Justice fee of \$51 and print “rolling” fee of \$5 to \$45.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses; instead, the impact of the rulemaking is to offer free health care to uninsured or under-insured Californians by volunteer registered nurses coming from out-of-state.

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 either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

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 made available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and any documents incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the person designated in the Notice under Contact Person or by accessing the Board's website, www.rn.ca.gov.

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

All the information upon which the proposed regulations are 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
Address: 1747 North Market Blvd., Suite 150
Sacramento, CA 95834
Telephone No.: 916-574-7684
Fax No.: 916-574-7700
E-Mail Address: alcidia.valim@dca.ca.gov

The backup contact person is:

Name: Geri Nibbs
Address: 1747 North Market Blvd., Suite 150
Sacramento, CA 95834
Telephone No.: 916-574-7682
Fax No.: 916-574-7700
E-Mail Address: geri.nibbs@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.rn.ca.gov.