



Agenda Item 9.0

Report of the Enforcement/Investigation/Intervention Committee (EIIIC)

BRN Board Meeting | November 19-20, 2025

Report of the
Enforcement/Investigations/Intervention Committee
November 19-20, 2025

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Agenda Item 9.1

Discussion and Possible Action: Request to Change the Executive Officer Reviews of the IEC Recommendations as Directed at the August 2025 Board Meeting to Routine EO Audits; Presentation of Intervention Program Statistical Data

BRN Board Meeting | November 19-20, 2025

BOARD OF REGISTERED NURSING
Agenda Item Summary

AGENDA ITEM: 9.1

DATE: November 19-20, 2025

ACTION REQUESTED: **Discussion and Possible Action:** Request to change the Executive Officer reviews of the IEC recommendations as directed at the August 2025 Board meeting to routine EO audits: presentation of Intervention Program statistical data.

REQUESTED BY: Patricia Wynne, Esq., Chairperson

BACKGROUND:

During the Board meeting on Thursday August 22, 2024, the Board made a motion that directed Board executive management to provide an update to the EIIC regarding Intervention Program participants. Specifically, the Board requested information on recommendations by the IECs that to demonstrate that they are able to practice safely as a condition of completion, that they work in direct patient care and/or have access to passing narcotics. The motion also directed the EO to review any extensions in the program beyond the three years to ensure there was supporting evidence to justify the recommendations.

Following the direction, the EO received 22 participant reviews for evaluation in November 2024. Between November 2024 and February 2025, an additional 8 reviews were submitted. The EO has continued to review all IEC recommendations falling under the scope of the August 2024 Board motion. Since the most recent Board meeting, only one new review has been submitted for EO evaluation. Additionally, the EO has provided training during open session to each of the current IECs to support consistent and informed decision-making in alignment with the Board's motion.

Given the changes in the volume and the nature of the reviews, the EO is now requesting that the Board consider transitioning this review responsibility to the Intervention Program Manager consistent with [BPC 2770.8 \(f\)](#) and to consider directing the EO to conduct routine audits of the program and the IEC recommendations to ensure ongoing compliance and oversight.

August 2024 - Board Motion Data

The below reflects data related to the approved Board motion from Aug. 22, 2024, through Oct. 31, 2025.

Successful Completion(s)	Totals
Petitioned for successful completion	120
Granted successful completion	112
Reviews sent to the Executive Officer (EO)	57
EO approved IEC recommendation(s)	28
EO referred to a re-reviewing IEC	29
Intervention Program New Applicant(s)	Totals
Petitioned for acceptance	89
Granted acceptance	55
Denied or withdrew request for acceptance	15

Program Length		Totals
Intake date greater than three (3) years		7
Program sobriety date greater than three (3) years		1
Program Milestones		Low - High / Average
Intake date to IEC acceptance date		5 – 203 / 67 (days)
Intake date to successful completion		3 – 7.6 / 3.5 (years)
Program sobriety date to successful completion		3.0 - 4.5 / 3.2 (years)

Definitions:

- Intake date – The date that the recovery vendor conducted the initial intake interview of the IP applicant.
- IEC acceptance date – The date that the IEC accepts the applicant as a participant into the IP.
- Successful completion – the date that the IEC deemed the participant completed based on Uniform Standards.
- Program sobriety date – The first documented negative urine test after participant begins random drug testing with the Board's recovery vendor. A personal sobriety is not the same as the program sobriety date. The personal sobriety date is the date that the participant reports is their first date of sobriety.

	Nov 2024	Dec 2025	Jan 2025	Feb 2025	Mar 2025	Apr 2025	May 2025	Jun 2025	Jul 2025	Aug 2025	Sept 2025	Oct 2025
Beginning total IP participants	191	173	170	169	164	160	157	155	150	140	142	142
Intake(s) completed regardless of IEC acceptance or denial	2	5	6	4	2	3	8	6	2	5	3	3
Successful completion(s)	18	5	7	7	5	6	6	6	10	3	2	5
Termination(s) for other than successful completion(s)	2	3	0	2	1	0	4	5	3	0	1	0
Ending total IP participants	173	170	169	164	160	157	155	150	140	142	142	140
IP participants seen by an IEC	56	48	33	28	44	39	44	27	46	27	35	36

RESOURCES:

NEXT STEPS: Place on agenda

FISCAL IMPACT, IF ANY: None

PERSON(S) TO CONTACT: Loretta Melby
Executive Officer
California Board of Registered Nursing
Loretta.Melby@dca.ca.gov



Agenda Item 9.2

Discussion and Possible Action: Enforcement Division Update

BRN Board Meeting | November 19-20, 2025

BOARD OF REGISTERED NURSING

Agenda Item Summary

AGENDA ITEM: 9.2

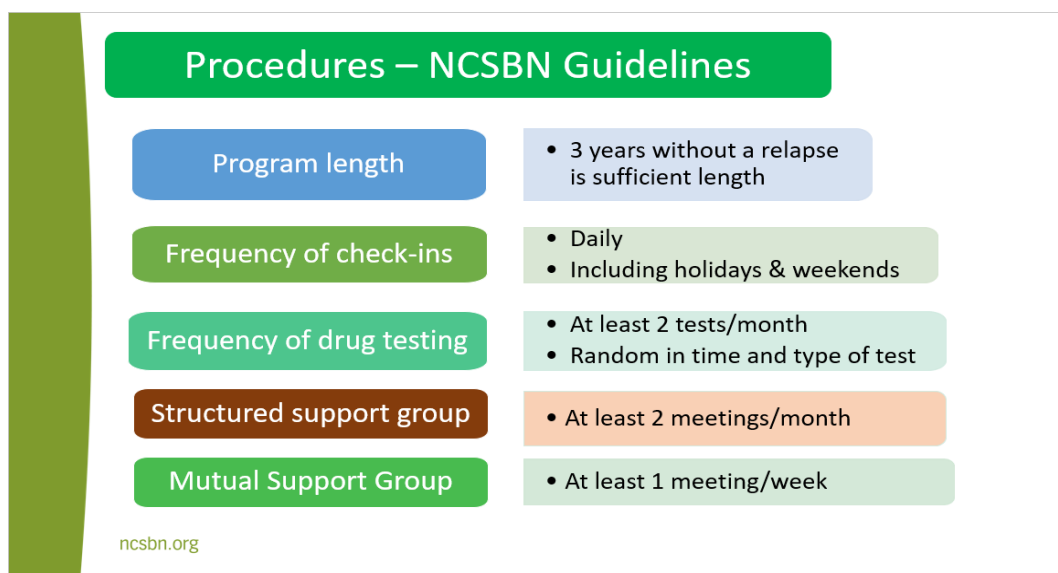
DATE: November 19-20, 2025

ACTION REQUESTED: Information Only: Enforcement Division Update

REQUESTED BY: Patricia Wynne, Esq., Chairperson

General Information

At the August 2022 Board meeting, the Board voted to join the National Council of State Boards of Nursing (NCSBN) five-year pilot study (study) to test substance use disorder (SUD) monitoring program guidelines for alternative to discipline (ATD) programs for nurses. This study will track participant outcomes from entry into the program through program completion and up to two years immediately following their successful completion through 2027. Data will be provided to NCSBN biannually throughout the study period. Phase I data collection began in 2022 with a focus on program participation. Phase II includes recidivism data. NCSBN has entered Phase II of the data collection. This information will be used to compare programs that align or do not align with NCSBN's evidence-based guidelines. The results will support, refine, and augment evidence-based guidelines for ATD and monitoring programs to foster uniformity and facilitate nurses' safe return to practice.



At the May 29, 2025, Board meeting the Board voted to direct staff to investigate the feasibility of a nurse support group management solution and bring a proposal to the next Enforcement Intervention and Intervention Committee (EIIC) meeting. This item is included on today's agenda for the EIIC meeting.

At the May 29, 2025, Board meeting, the Board voted to allow oral fluid testing as an acceptable method of random drug testing for probationers and the Intervention Program participants, at the discretion of the probation monitor or Intervention Program manager. The implementation of this process is dependent on the Vault contracts. Oral fluid testing has been implemented in the Intervention Program. To implement the Probation oral fluid testing the contract with Vault will need to be amended. Board staff continue to work to implement this process.

The Board of Registered Nursing (BRN) continues to recruit qualified registered nurses (RN) with professional and educational backgrounds as Expert Practice Consultants (EPC) to review investigative case materials, prepare written opinions, and evaluate whether a RN deviated from the standards of nursing practice. The BRN is in critical need of EPC RNs and Advance Practice Registered Nurses (APRN) in the following areas:

- Long Term Care/Skilled Nursing Facility/Geriatric
- Dialysis
- Corrections (NPF)
- Hospice
- Advice Nurse
- Urgent Care
- PACU/Recovery Room
- OP/Ambulatory/Clinic (NPF)

For more information about the Expert Practice Consultant program, please visit the BRN website: <http://rn.ca.gov/enforcement/expwit.shtml> or email us at Expert.BRN@dca.ca.gov.

Complaint Intake Unit (CIU)

The CIU continues to utilize the updated Complaint Prioritization and Referral Guidelines ([CPRG](#)) to triage cases in collaboration with the DOI and BRN Investigations. In accordance with CPRG, CIU is triaging all category 2H cases with DOI prior to investigation referral.

Discipline Unit

As of September 30, 2025, 17% of our cases have been pending at the Office of the Attorney General (OAG) for over a year.

Probation Unit

The Probation Unit is currently working on enhancements to the BRN website and collaborating with DCA to prepare video presentations on the Probation process and the worksite monitor's role and responsibilities. The presentation and the Frequently Asked Questions document have been completed and are in the final approval process before being posted to our website.

Currently, monitors have an average of 53 active cases.

Board of Registered Nursing Enforcement Process Statistics

Table A – Complaint Intake

Complaint Intake	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025	FY 2025/26 FYTD as of 10/1/2025
Public Complaints	3682	4214	4674	5,330	1,416
Convictions/Arrest	971	1128	1215	1,360	289
Applicants	3086	2605	1816	1,627	387
Total Received	7739	7947	7705	8,317	2,092
Complaints Pending	1324	1599	1800	2,060	2,129
>1 year	379	330	433	587	619
Convictions/Arrests Pending	1020	842	785	875	841
>1 year	427	290	185	173	176
Applicants Pending	151	130	96	91	99
>1 year	12	10	9	11	15
Expert Review Pending Referral	22	29	0	16	44
>1 year	2	8	0	0	0
Expert Review Pending Receipt	43	20	3	34	37
>1 year	0	0	0	0	0

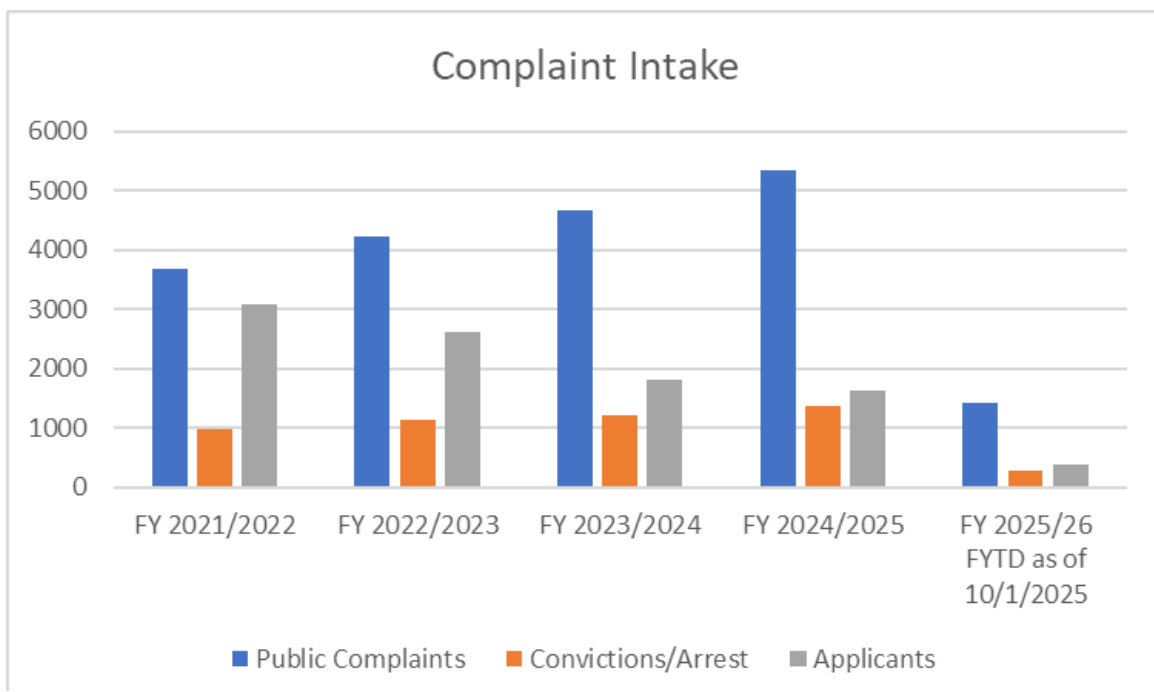


Table B – Citations

Citation and Fine	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025	FY 2025/26 FYTD as of 10/1/2025
Citations Issued	149	149	237	57	149
Informal Conference					
Modified	3	1	1	0	0
Dismissed	2	2	4	0	2
Upheld	0	0	0	0	0
Amount Ordered	\$118,900.00	\$148,750.00	\$24,750.00	\$0.00	\$0.00
Amount Received	\$182,405.00	\$161,505.00	\$56,336.00	\$15,612.50	\$4,741.00
Amount Referred to FTB	\$11,000.00	\$6,250.00	\$57,475.00	\$0.00	\$0.00
Amount Received from FTB	\$7,610.00	\$11,000.00	\$11,531.00	\$0.00	\$0.00

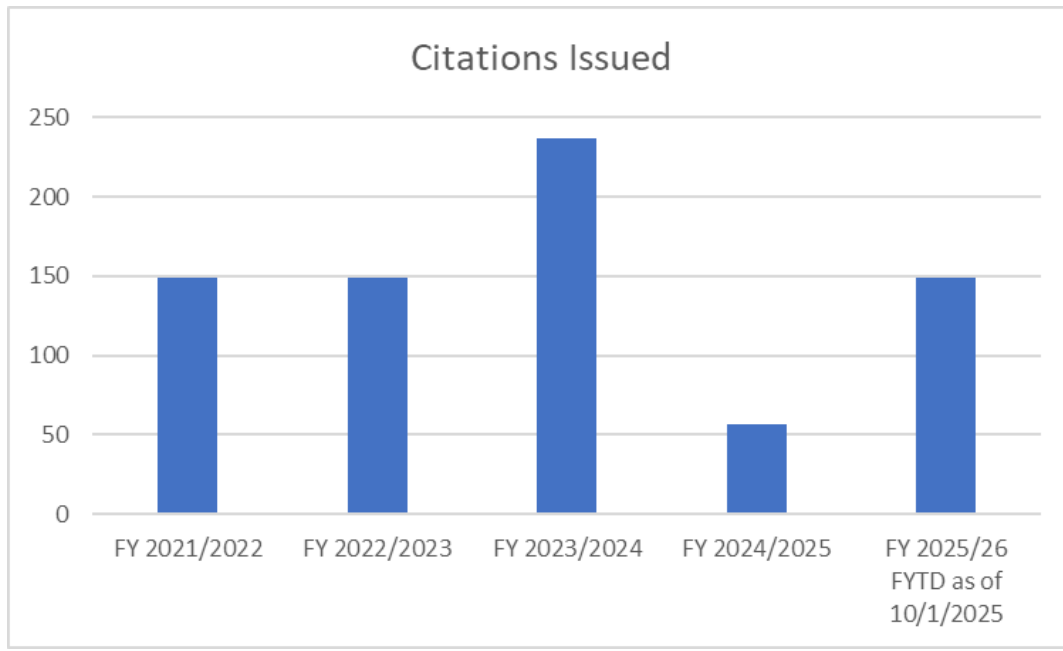


Table C – Discipline

Discipline	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025	FY 2025/26 FYTD as of 10/1/2025
AG Referrals					
Cases	1240	1185	1271	1342	382
Cases Pending					
< 1 Year	529	677	602	740	676
> 1 Year	46	56	76	122	114
> 2 Year	2	7	9	14	13
Cases Pending >1 Year W/O Pleading Filed	13	12	23	19	8
Cases Pending Hearing	133	116	161	217	244
Average Days at AG	321	325	313	352	
Pending Board Vote	24	69	40	99	76

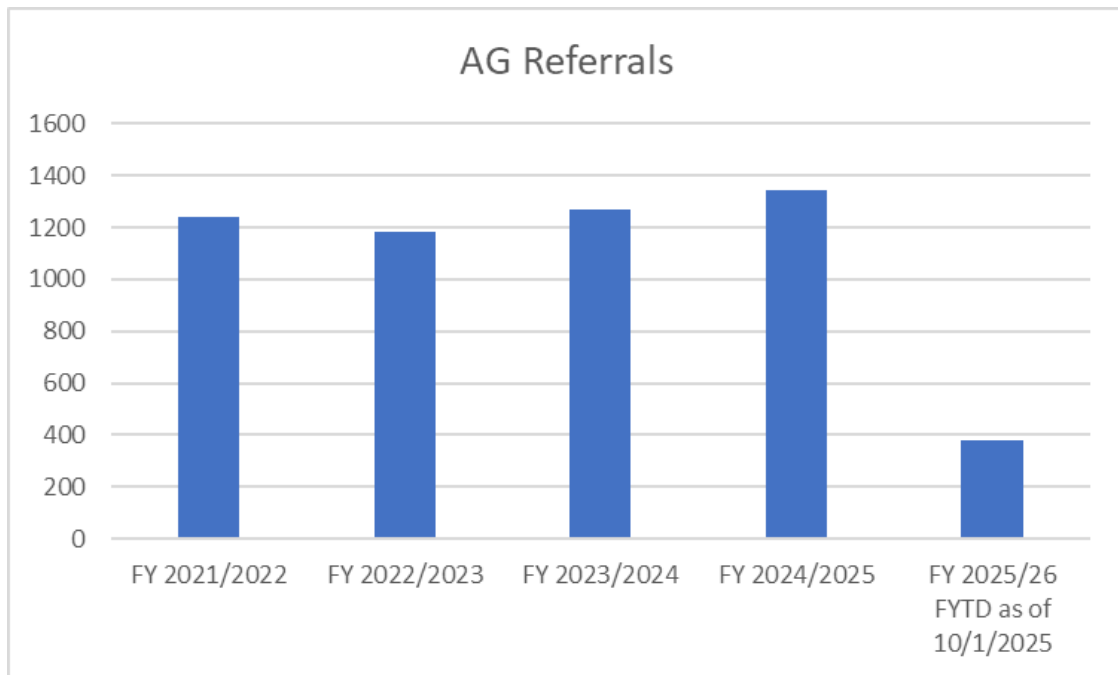
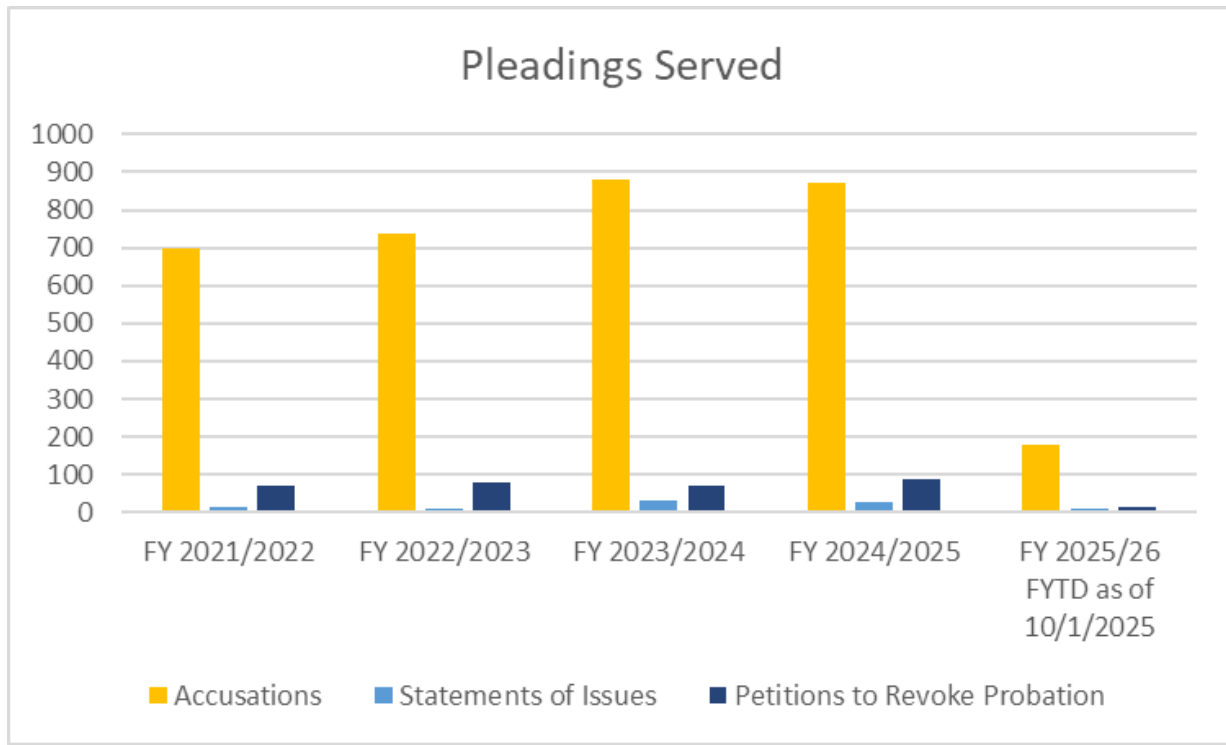


Table D – Legal Support

Legal Support	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025	FY 2025/26 FYTD as of 10/1/2025
Interim Suspension Orders (ISO)	4	0	0	2	1
PC 23	12	10	9	2	4
Pleadings Served					
Accusations	699	737	881	871	177
Statements of Issues	14	8	33	27	8
Orders to Compel	64	58	123	135	33
Petitions to Revoke Probation	69	80	69	86	15
Withdrawals of Pleadings	20	30	42	62	16
Decisions Adopted					
Surrenders	132	178	169	160	57
Default Revocations	181	243	102	237	0
Ordered Revocations	41	40	170	5	60
Probation	389	420	433	347	117
Public Reprovals	70	90	120	151	38



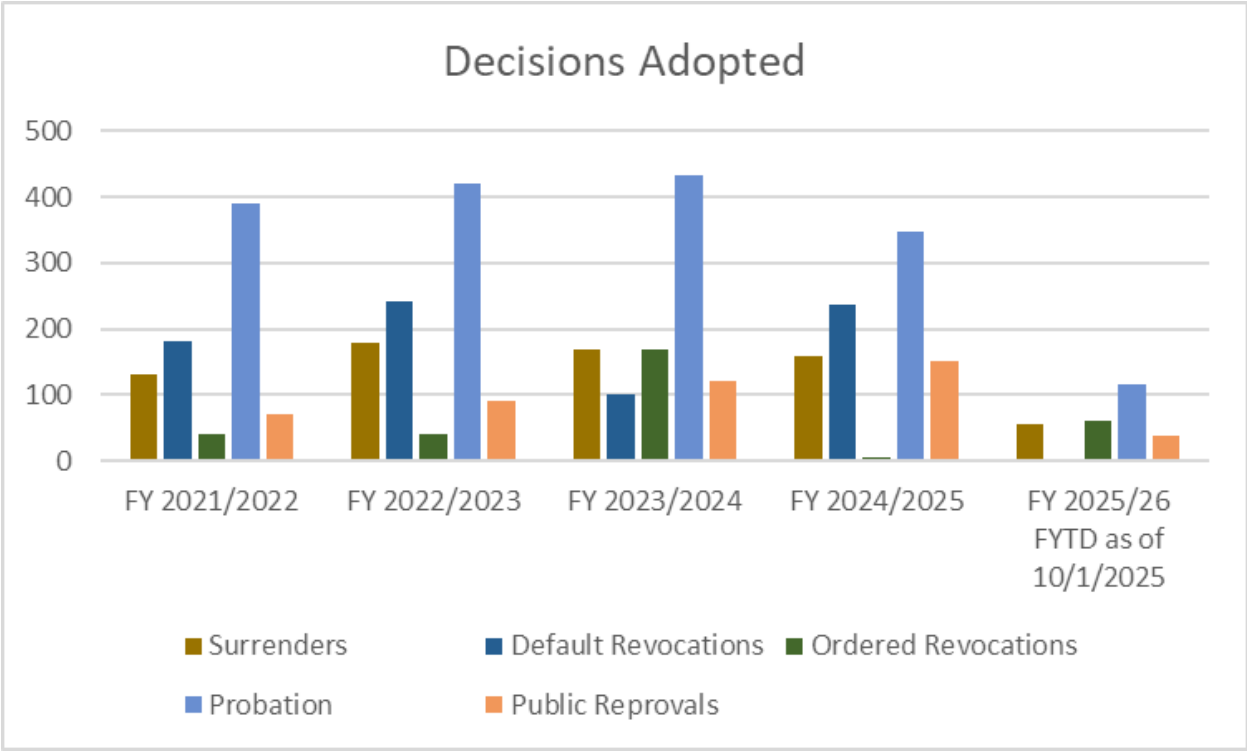


Table E - Probation

Probation	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025	FY 2025/26 FYTD as of 10/1/2025
Active In-State Probationers	627	602	664	677	685
Tolled Probationers	426	841	485	542	569
Revoked	27	47	21	28	8
Surrendered	64	49	47	55	16
Completed	208	223	187	170	46
Subsequent Cases Pending at AG					
<1 Year	53	63	59	60	15
>1 Years	4	4	6	9	8
>2 Years	2	0	1	1	3

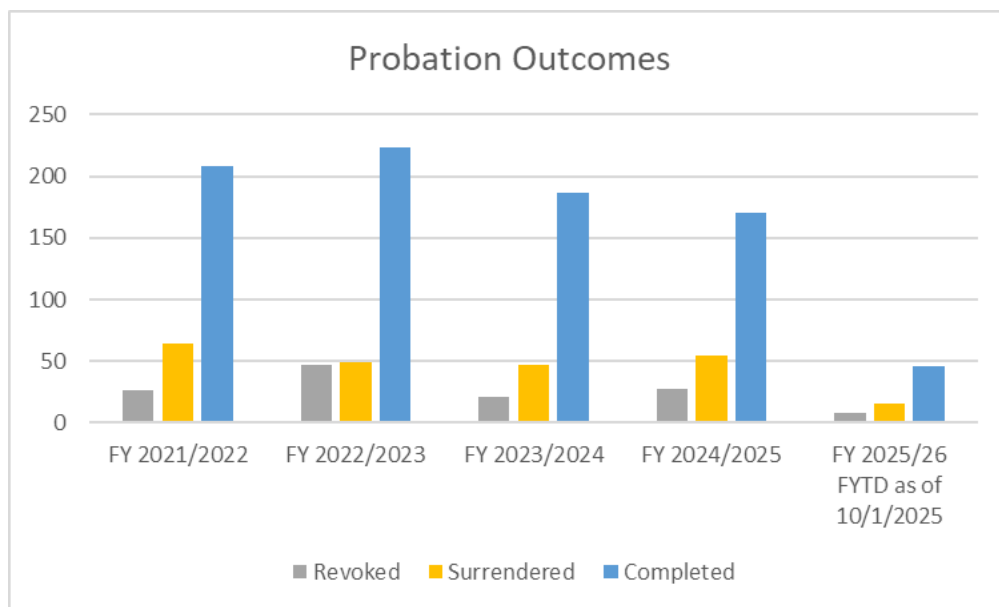
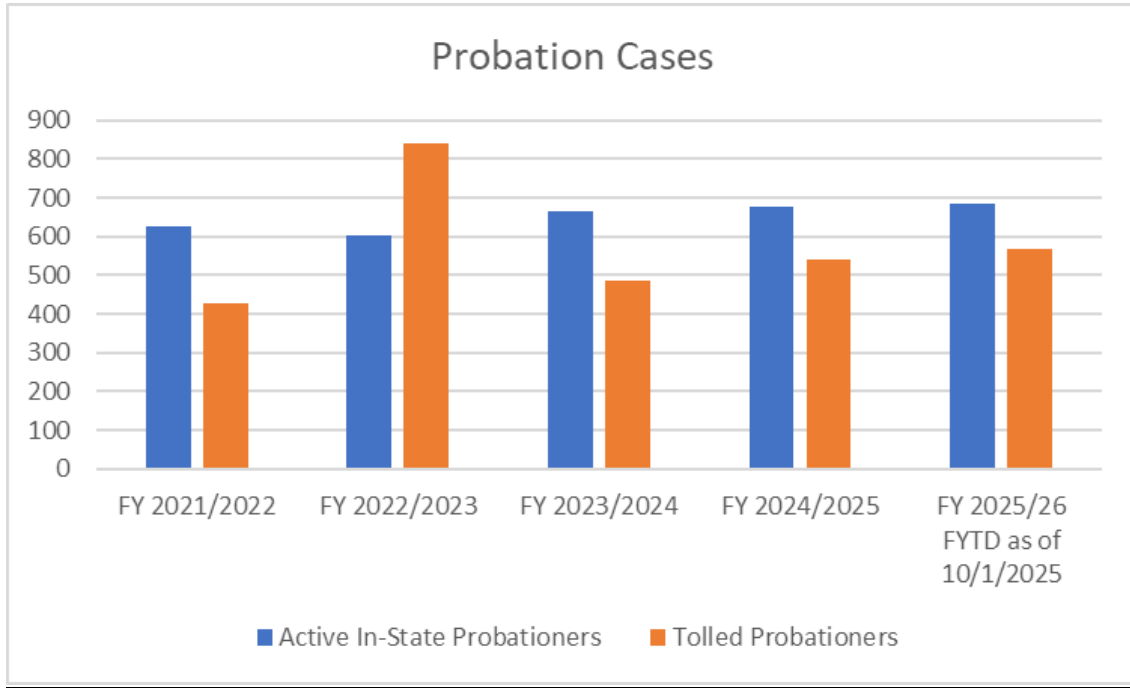


Table F – Total Case Processing Time

Total Case Processing Time	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025	FY 2025/26 FYTD as of 10/1/2025
Average Days to Complete	644	685	680	707	291
> 540 Days*	44%	57%	58%	62%	56%
< 540 Days*	56%	43%	42%	38%	44%

* DCA's goal is for Disciplinary cases to be processed within 540 days of receipt for all healing arts boards.

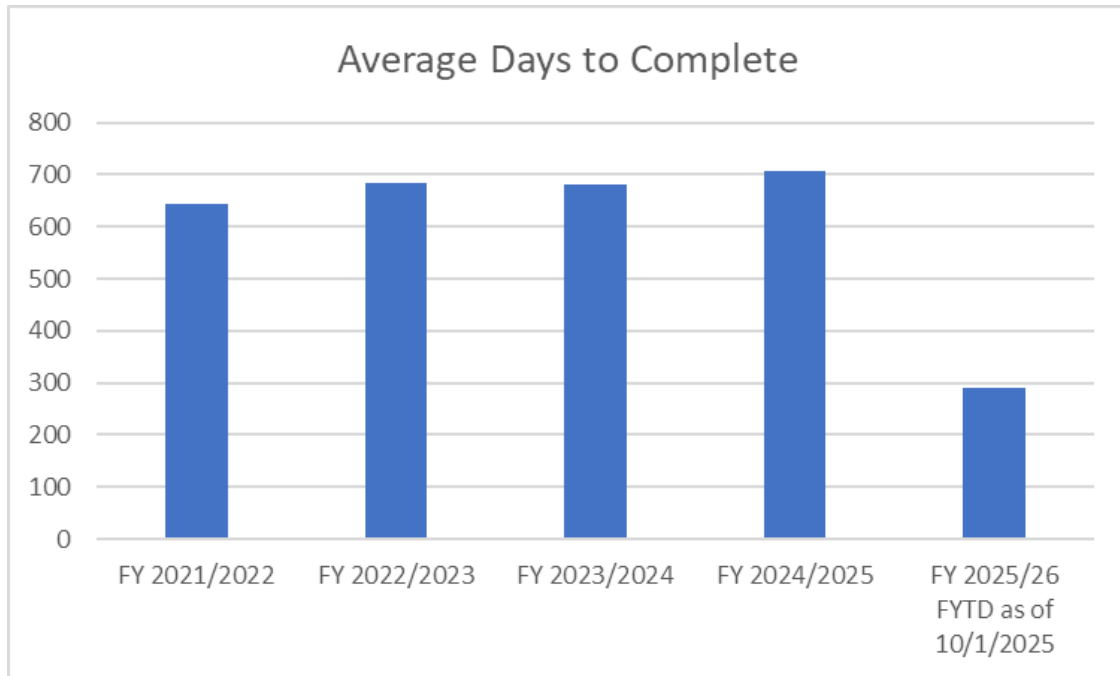


Table G – Performance Measure 4

	Case Volume	Intake	Investigation	Pre-AG Time	Post AG Time	Cycle Time
<i>FY 2025/26 as of 9/30/2025</i>	1525	14	118	4	353	657
<i>FY 2024/25</i>	1000	5	330	20	352	707
<i>FY 2023/24</i>	1064	6	351	13	313	682
<i>FY 2022/23</i>	934	7	341	12	325	685
<i>FY 2021/22</i>	759	9	334	10	325	677

If you would like more information on our enforcement statistics, please go to
https://www.dca.ca.gov/data/enforcement_performance.shtml

NEXT STEPS:

Continue to Monitor

PERSONS TO CONTACT:

Shannon Johnson, Enforcement Division Chief
Shannon.Johnson@dca.ca.gov
(916) 515-5265

ENFORCEMENT PROCESS STATISTICS

REFERENCE GUIDE

Table A

Complaint Intake

- **Public Complaints**
 - The total number of complaints received from the public, other state agency, or anything other than a conviction or applicant.
- **Convictions/Arrests**
 - The total number of complaints received due to an arrest and/or subsequent conviction. These are reported by Criminal Offender Record Information (CORI) from the California Department of Justice (DOJ).
- **Applicants**
 - The total number of applications received from Board of Registered Nursing (BRN or Board) licensing, in where the applicant disclosed a previous criminal history or discipline by another state board.
- **Complaints Received**
 - The total number of public complaints received. This includes other state agencies and Boards.
- **Complaints Pending**
 - The number of complaints that are pending in the Complaint Intake Unit (CIU).
- **Convictions/Arrests Pending**
 - The number of Convictions/Arrests that are pending in CIU.
- **Applicants Pending**
 - The number of Applicants that are pending in CIU.
- **Public complaints**
 - The number of public complaints that are pending in CIU.
- **Expert review pending referral**
 - The number of cases that are pending to be referred out to an expert practice consultant
- **Expert review pending receipt**
 - The number of cases that are pending being returned by the expert practice consultant to the Board.

Table B
Citation & Fine

- Citations Issued
 - The total number of citations issued.
- Informal Conference
 - The number of informal conferences conducted after an appeal is made by the Respondent. The results of the informal conference would be either modify, dismiss or uphold the citation.
- Amount Ordered
 - The total fine amount that has been ordered from all citations issued during the Fiscal Year (FY).
- Amount received
 - The total fine amount received by the Board during the FY.
- Amount referred to Franchise Tax Board (FTB)
 - The total amount of fines referred to FTB, in an attempt to retrieve the fines through California Income tax.
- Amount received from FTB
 - The total amount of fines received from FTB from California Income tax.

Table C
Discipline

- Attorney General (AG) referrals
 - The total number of cases referred to the AG.
- Cases pending
 - The total number of cases that are pending a final disposition in the disciplinary process.
- Cases pending hearing
 - The total number of cases that are awaiting a hearing before an ALJ.
- Average days at AGO
 - This is the average number of days that cases are at the AGO for prosecution.
- Pending Board vote
 - The total number of cases that are awaiting a vote by the Board (either in queue to be sent out or waiting for the voting period to conclude).

Table D
Legal Support

- Interim Suspension Order (ISO) - Granted

- Licenses suspended by an Administrative Law Judge due to the seriousness of the allegations in advance of the filing of an accusation and pending a final determination of the licensee's fitness to practice and provide nursing care.
- Penal Code 23 (PC23) - Granted
 - Licenses suspended from practice as a registered nurse or restricted in how he or she may practice registered nursing ordered by a judge during a criminal proceeding.
- Pleadings served
 - The total number of pleadings that have been served. This includes Accusations, Statements of Issue, Orders to Compel and Petitions to Revoke Probation.
- Withdrawals of pleadings
 - The total number of pleadings that the Board has withdrawn, and no action was taken.
- Decisions adopted
 - The total number of final Decisions that were adopted by the Board. This includes Surrenders, Default Revocations, Ordered Revocations, Probation and

Table E

Probation

- Active in state probationers
 - The total number of current/active in state probationers.
- Tolled probationers
 - The total number of probationers that reside outside of California. These probation cases are placed on hold until the RN returns to California.
- Revoked
 - The total number of probationers that have been revoked.
- Surrendered
 - The total number of probationers that have surrendered their license.
- Completed
 - The total number of probationers that have successfully completed probation.
- Subsequent cases pending at AGO
 - The total number of probationers that have had subsequent discipline and transmitted back to the AG for further disciplinary action.
 - Over 1 year
 - The number of probationary cases that have been pending at the AGO for over 1 years.
 - Over 2 years
 - The number of probationary cases that have been pending at the AGO for over 2 years.

Table F

Total Case Processing Time

- Average days to complete
 - The average days currently taking to complete a case from complaint receipt to final Decision
 - Over 540 days
 - The percentage of cases that BRN **is not** meeting the DCA goal of 540 days for case completion.
 - Under 540 days
 - The percentage of cases that BRN is meeting the DCA goal of 540 days for case completion.
 - **Note** – *DCA's goal for all healing arts boards is to complete on an average of 540 days or less.*

Table G

Performance Measure 4

BRN's Performance Measure 4, FY to date, by month. This is an average of case time from complaint intake to final disposition, broken down by intake, investigation, pre-AG and post AG time.

- Case volume is the total number of cases received in that month.
- Intake is the average time for intake to process and refer to investigation.
- Investigation is the average time for an investigation of the case.
 - This includes desk investigation, BRN investigation and DOI investigation.
- Pre AG time is the average amount of time from the closure of the investigation to AG referral.
- Post AG time is the average time from AG referral to final disposition of the case.
 - This includes the AG time, hearing, Board vote and case processing.
- Average total time is the average of a case from complaint intake to final disposition.

More information on DCA's enforcement reports can be found at <https://www.dca.ca.gov/data/enforcement.shtml>



Agenda Item 9.3

Discussion and Possible Action: Investigations Division Update

BRN Board Meeting | November 19-20, 2025

BOARD OF REGISTERED NURSING
Agenda Item Summary

AGENDA ITEM: 9.3

DATE: November 19-20, 2025

ACTION REQUESTED: Information Only: Investigations Division Update

REQUESTED BY: Patricia Wynne, Esq., Chairperson

General Information

The Office of Organizational Improvement (OIO) continues working with the Investigations Division (Investigations), assessing and mapping workflows, timeframes, and procedures to streamline and improve internal processes. The OIO team works with Subject Matter Experts from each unit and staffing level. Investigations will continue to report on the progress of this project in future meetings.

The Department of Consumer Affairs (DCA) consisting of 36 boards and bureaus that regulate over 3.4 million licenses in more than 250 various professions and occupations is working to align as many processes as possible. In support of that initiative, the BRN initiated a collaborative effort with the Medical Board of California for assessing, mapping, and sharing workflows. This partnership aims to promote alignment, enhance efficiency, and support the identification and sharing of best practices across both organizations.

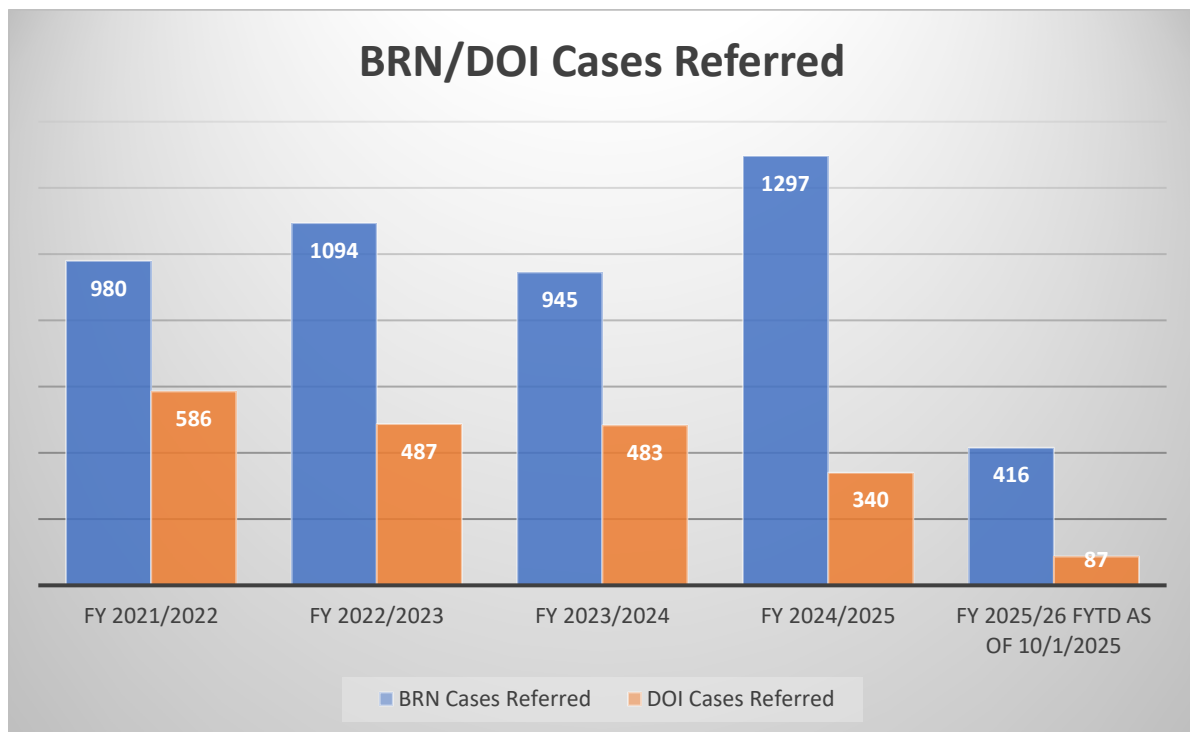
Investigations

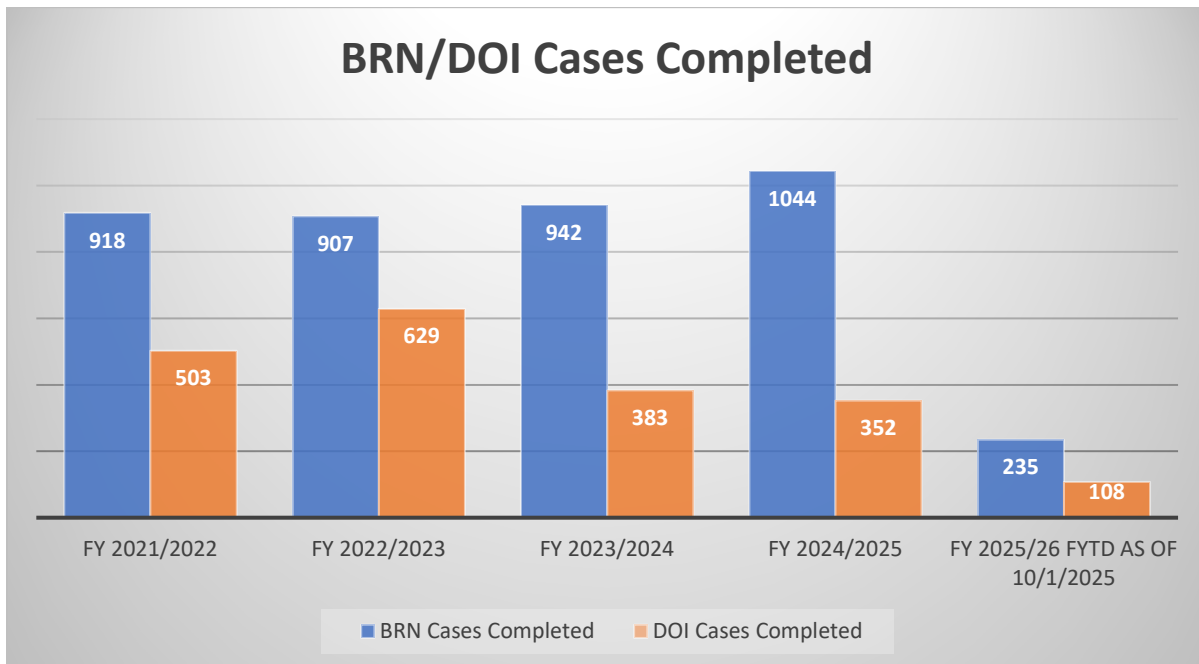
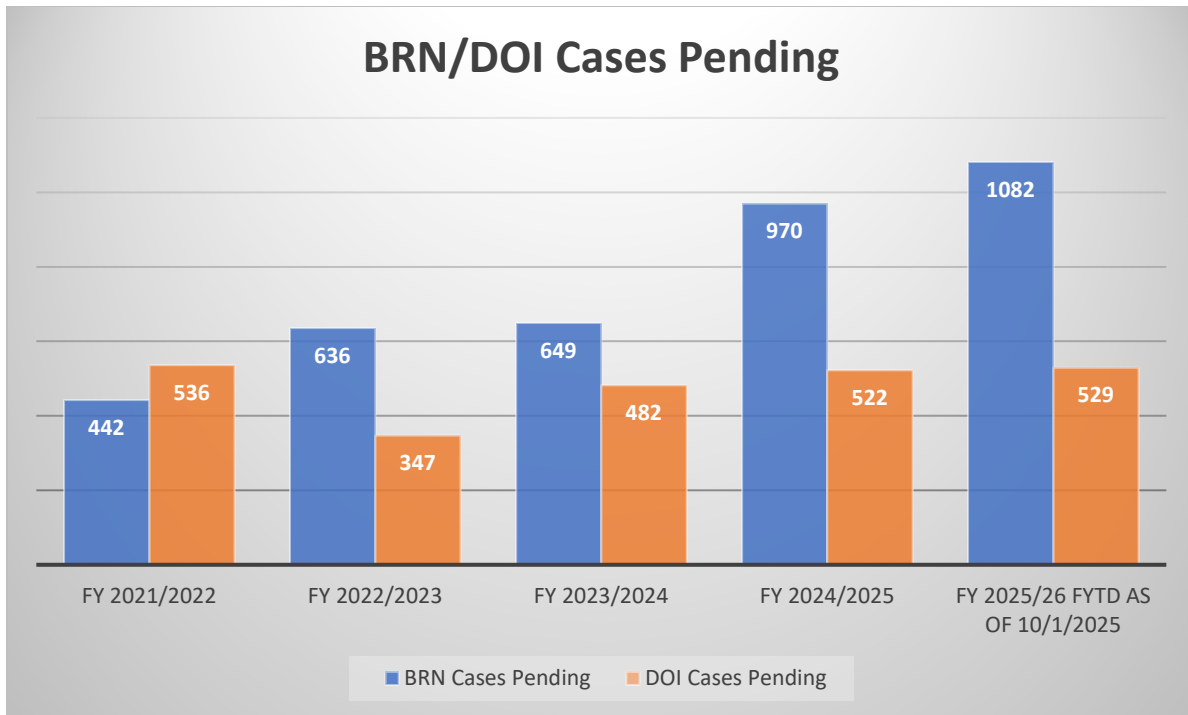
On June 10, 2025, Investigations launched the Enhanced Triage and Preliminary Case Work Pilot (Pilot). The Board worked closely with the DCA to develop the Pilot in which the Associate Governmental Program Analyst (AGPA) is assigned more than 30 investigations at a time to perform preliminary case work and enhanced triage prior to formal assignment to the Special Investigators (SI). The Pilot, originally scheduled to conclude on October 8, 2025, was extended by an additional 120 days to allow for the continued collection and analysis of data. This extension ensures that future decisions are evidence based and supported by measurable outcomes.

As of October 3, 2025, the full time SIs have an average of 29 active cases. Due to the high caseloads, the Supervising Special Investigator's and the Deputy Chief continue to actively work cases. Investigations continues to identify and explore multiple options to address the high caseload.

Table A – Investigations

Investigations	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025	FY 2025/26 FYTD as of 10/1/2025
BRN Cases Referred	980	1094	945	1297	416
BRN Cases Pending	442	636	649	970	1082
BRN Cases Completed	918	907	942	1044	235
DOI Cases Referred	586	487	483	340	87
DOI Cases Pending	536	347	482	522	529
DOI Cases Completed	503	629	383	352	108





If you would like more information on our investigations statistics, please go to https://www.dca.ca.gov/data/enforcement_performance.shtml

NEXT STEPS:

Continue to Monitor

PERSONS TO CONTACT:

Nichole Bowles, Investigations Division Deputy Chief
(916) 597-7345

INVESTIGATIONS PROCESS STATISTICS

REFERENCE GUIDE

Investigations

- BRN cases referred
 - This is the total number of cases that were referred to BRN Investigations.
- BRN cases pending
 - Total number of cases pending with BRN Investigations.
- BRN cases completed
 - The total number of cases that have been completed by BRN Investigations.
- DOI cases referred
 - This is the total number of cases that were referred to DOI.
- DOI cases pending
 - Total number of cases pending with DOI
- DOI cases completed
 - The total number of cases that have been completed by DOI.

Table A

Investigations statistical data FY to date. See guide above for reference.



Agenda Item 9.4

Discussion and Possible Action: Intervention Program Update

BRN Board Meeting | November 19-20, 2025

BOARD OF REGISTERED NURSING
Agenda Item Summary

AGENDA ITEM: 9.4

DATE: November 19-20, 2025

ACTION REQUESTED: Information Only: Intervention Program Update

REQUESTED BY: Patricia Wynne, Esq., Chairperson

Intervention

Management has been attending all Intervention Evaluation Committee (IEC) meetings, providing education and support to IEC members and participants, and identifying possible gaps in the regulation for the Intervention Program. Beginning August 26th, the Executive Officer began attending open session of the IEC to provide education to the members related to the IP and the role of the Board and its committee. The open session of the IECs are now recorded and are available in the archive section of the board's website [here](#).

Initial education provided:

08/26/2025 – IEC #3
09/12/2025 – IEC #12
09/17/2025 – IEC #10
09/24/2025 – IEC #4
10/08/2025 – IEC #1
10/15/2025 – IEC #11
10/29/2025 – IEC #5
11/03/2025 – IEC #7
11/05/2025 – IEC #9

At the February 28-29, 2024, Board meeting, the Board voted to allow board staff to begin drafting regulatory language for revision and/or additions to the [California Code of Regulations \(CCR\), Title 16, Article 4.1 Intervention Program Guidelines](#).

The new Intervention vendor Premier Health Group continues to work with DCA and eight (8) healing arts boards, including the Board of Registered Nursing, to transition into their role of administering the IP incorporating all common laws as well as the individual legal requirements of each healing arts board.

Historically, IEC's have met four (4) times per year. To provide more support to the participants, board staff have requested the IEC to increase the frequency of meetings to six (6) times a year. This request was brought to each IEC and schedules were considered and voted on. Beginning in 2026, IEC's are scheduled to meet six (6) times per year. There are currently five (5) vacancies, one (1) Physician and four (4) RN's.

The Board continues to recruit IEC members with knowledge and experience in substance use disorder (SUD) treatment, recovery, and mental health. At the February 28-29, 2025, Board meeting, the Board voted to allow Board staff to reestablish up to five (5) additional IECs and established a subcommittee of Board members to interview potential IEC member appointees. On August 14-15, 2025, interviews for IEC member vacancies were conducted by the Board's subcommittee.

APPOINTMENTS:

In accordance with Business and Professions Code section [2770.2](#), the Board of Registered Nursing is responsible for appointing persons to serve on an Intervention Evaluation Committee (IEC). Each IEC is composed of three registered nurses, one physician and one public member who possess knowledge and expertise in substance use disorder or mental health.

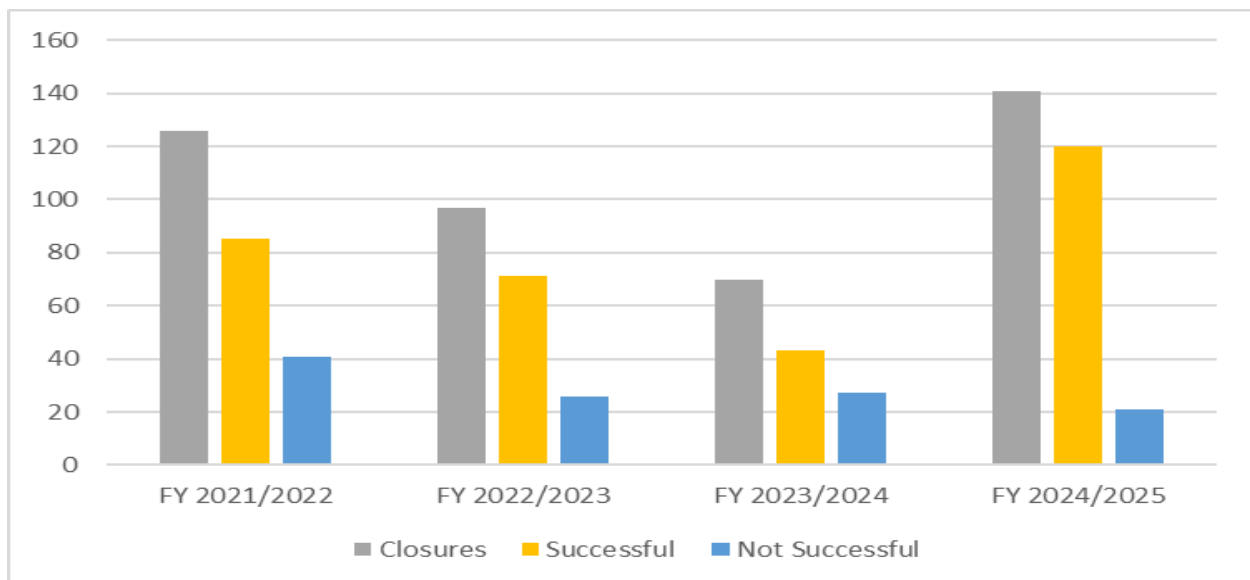
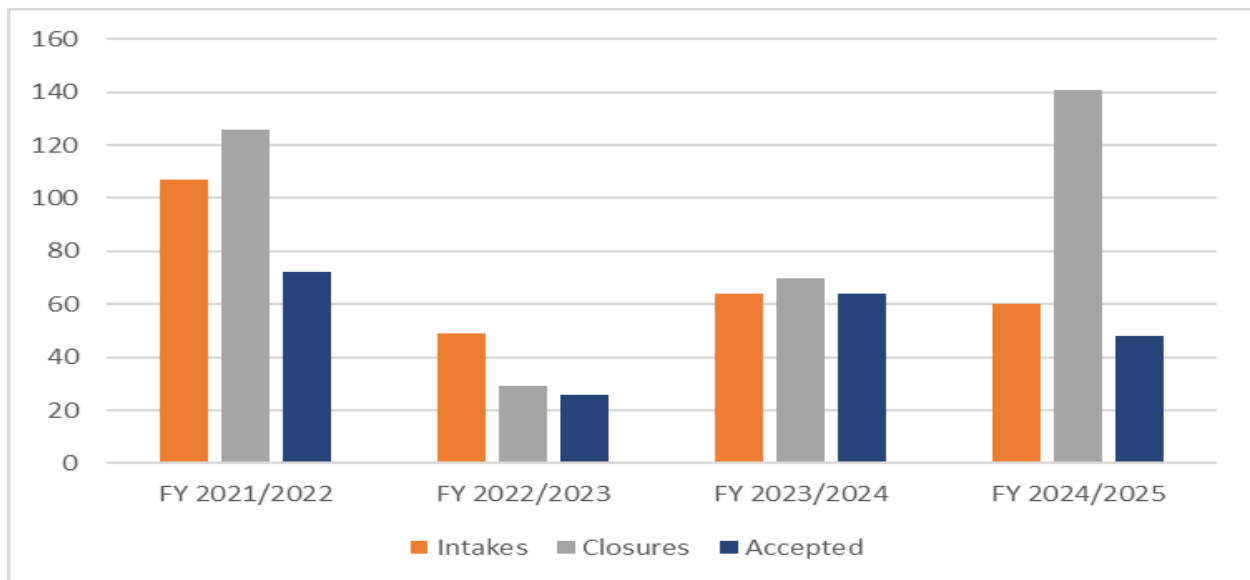
Name	Member Type	IEC	Appointment Type	Term Expiration
Dr. Allan Schneider, MD	Physician	12	Appointment	11/30/2029
Dr. Gwen Rudolph	Nurse	7	Appointment	11/30/2029

If approved for appointment, the Intervention Program will have 3 nurse vacancies.

Intervention Program Statistics

Table A

	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025
Total Participants	284	236	231	150
Intakes	107	49	64	60
Closures	126	97	70	141
Successful	85	71	43	120
Not Successful	41	26	27	21
RNs Referred*	1013	1213	2770	2689
Accepted	72	26	64	48



To apply for an IEC position, you can find the application on our website at <https://rn.ca.gov/intervention>.

If you would like more information on our enforcement statistics, please go to https://www.dca.ca.gov/data/enforcement_performance.shtml.

NEXT STEPS:

Continue to Monitor

PERSONS TO CONTACT:

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