

**STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF REGISTERED NURSING
BOARD MEETING MINUTES**

DATE: November 17, 2021

START TIME: 9:05 a.m.

LOCATION: **NOTE:** A physical meeting location was not being provided pursuant to the provisions of Government Code section 11133.

The Board of Registered Nursing held a public meeting via a teleconference platform.

Wednesday, November 17, 2021 - 9:00 am - 5:00pm Board Meeting

9:05 am	1.0	Call to Order/Roll Call/Establishment of a Quorum Dolores Trujillo, President called the meeting to order at 9:05 am. All Members present, except for Vice President Mary Fagan. Quorum established at 9:07 am.
	Board of Registered Nursing:	Dolores Trujillo, President, RN, Direct Patient Care Member Dr. Mary Fagan, Vice President, Ph.D., R.N., NEA-BC, Nurse Services Administration Member Elizabeth A. Woods, RN, FNP, MSN, Advanced Practice Member Imelda Ceja-Butkiewicz, Public Member Susan Naranjo, Public Member Jovita Dominguez, BSN, RN, Nurse Educator Member
	BRN Staff Representatives:	Loretta Melby, RN, MSN, Executive Officer Reza Pejuhesh, DCA Legal Attorney
9:08 am	2.0	General Instructions provided for the Format of a Teleconference Call
9:10 am	3.0	Public Comment for Items Not on the Agenda; Items for Future Agendas
	Public Comment for Agenda Item 3.0:	No public comment.

9:12 am

4.0

Closed Session:

The Board met in closed session pursuant to Government Code section 11126, subdivision (a)(1), to conduct the annual performance evaluation and consider the salary of its Executive Officer.

Closed session began at 9:12 am.

The meeting reconvened at 12:00 pm.

12:00 pm

5.0

**Review and Vote on Whether to Approve Previous Meeting Minutes
➤ August 4-5, 2021**

MOTION: **Dolores Trujillo:** Motion to accept August 4-5, 2021 meeting minutes

SECOND: **Imelda Ceja-Butkiewicz**

Public Comment on
the Agenda Item
5.0:

No public comment.

VOTE:

Vote	DT	SN	JD	MF	EW	IC-B
	Y	Y	Y	AB	Y	Y
Key: Yes: Y No: N Abstain: A Absent for Vote: AB						

Motion Passed

****Board President, Dolores Trujillo reordered the agenda to discuss
Agenda Item 7.0.****

12:03 pm

7.0

Report of the Administrative Committee

Dolores Trujillo, RN- Board President

Public Comment for
Agenda Item 7.0:

Garrett Chan: Expressed concerns about the article that was read by Dolores Trujillo regarding Registered Nursing and asked the Board to consider other ideas as well.

**BJ Bartleson, Vice President, Nursing and Clinical Services,
California Hospital Association:** Thanked President Trujillo for sharing the article as it brings up many current issues that the RN profession is facing. Appreciated the author of the article stating how to participate and how to get involved with the BRN.

12:25 pm

7.1 Executive Officer Report

Presented by: Loretta Melby - MSN, RN, Executive Officer

Loretta Melby gave her report and provided a BRN fund condition update.

The BRN has 4 regulatory packages that are currently with the Office of Administrative Law (OAL). The packages can be accessed on the BRN website under the proposed regulations section. (The packages include California Code of Regulations, Sections 1423, 1427, 1432, 1450, 1456, and 1484)

The BRN is continuing to work on BreEZe enhancements and working on automatic approvals for California graduates. Public Health Nurse (PHN) certification automatic approval will be included in the upcoming enhancements and processing times should improve.

Emergency Medical Services Authority (EMSA) Out-of-State Authorization which was set to expire 12/31/2021 was extended through 3/31/22.

The BRN Annual Workforce Survey will be ready for publication in December 2021.

Public Comment for
Agenda Item 7.1:

Dr. Fozia Ferozali, President, Chamberlain University (Sacramento Campus): Stated that her school was one of the first to test the automatic approval through the new IT enhancements and reported that it is a major improvement compared to the old process. Expressed excitement about the upcoming automatic PHN approval and thanked the Executive Officer and the Board for such great improvements that will provide great service to future students.

12:45 pm

6.0

BRN Future Priorities and Proposals for Review and Possible Action

12:45 pm

6.1

Discussion and Possible Action – to consider using outside vendor (NURSYS through NCSBN) for license verification process

Presented by: Loretta Melby, BRN and Nur Rajwany, NCSBN

Loretta Melby provided information on the updates the BRN has made to processes but also explained that the BRN still receives complaints, regarding licensure timeframes and licensing programs. Licensing verifications: the cost and the time they take to process, have been an issue over the past years. NCSBN, through their NURSYS program could provide a solution for improvement.

Nur Rajwany from NCSBN presented and the Board discussed the possibility of license verifications being processed through NCSBN.

Board Discussion: **Dolores Trujillo:** Asked if the Board would lose positions with this proposal.

Loretta Melby: Explained that the Board currently has 1.5 positions allocated to licensing verifications, but that resource would be redirected to improving licensing processing times.

Imelda Ceja-Butkiewicz: Asked how much this proposal would cost the BRN.

Loretta Melby: Responded that the cost would go directly to NCSBN. Registered nurses would pay a fee of \$30 to NCSBN via NURSYS and there would be no cost to the BRN.

MOTION: **Imelda Ceja-Butkiewicz:** Motion to approve the proposal and have the BRN contract with NCSBN to use NURSYS for licensing verifications.

SECOND: **Elizabeth Woods**

Public Comment for
Agenda Item 6.1:

GK: Stated that they are not a nurse, but this is a long time coming, and that as a former employee of the BRN this should be more opportunities for BRN staff to get work done.

VOTE:

Vote	DT	SN	JD	MF	EW	IC-B
	Y	Y	Y	AB	Y	Y
Key: Yes: Y No: N Abstain: A Absent for Vote: AB						

Motion Passed

1:09 pm

6.2 Discussion and Possible Action to Revise Previously Board-Approved Proposed Regulatory Text to Amend California Code of Regulations, Title 16, Section 1427 (Clinical Facilities)

Presented by: Heather Hoganson, DCA Legal Regulations Unit

Loretta Melby provided information regarding the changes.

MOTION: **Dolores Trujillo:** Motion to accept the revision to amend and adopt previous Board approved proposed regulatory text to amend California Code of Regulations, Title 16, Section 1427.

SECOND: **Imelda Ceja-Butkiewicz**

Public Comment for
Agenda Item 6.2: No public comment.

VOTE:

Vote	DT	SN	JD	MF	EW	IC-B
	Y	Y	Y	AB	Y	Y

Key: Yes: Y | No: N | Abstain: A | Absent for Vote: AB

Motion Passed

1:18 pm

6.3 Board Strategic Plan 2018 to 2021– (No Presentation, Information in Materials)

Board Discussion: **Imelda Ceja-Butkiewicz:** Asked if they could go over the areas that were not met from the previous Strategic Plan.

Loretta Melby: Provided information on where the BRN did not meet its goals.

**Public Comment
for Agenda Item**

6.3: BJ Bartleson, Vice President, Nursing and Clinical Services, California Hospital Association: Stated that she would like to have more information about the strategic processes and results.

1:34 pm

6.4 Nurse Practitioner Advisory Committee (NPAC) Updates

6.4.1 Discussion and Possible Action to Initiate Rulemaking for Implementation of Assembly Bill 890 (Reg. Sess. 2019-2020) by Amending California Code of Regulations, title 16 , sections 1480 (Definitions) and 1481 (Categories of Nurse Practitioners), and Adding Sections 1482.3 (Requirements for Certification as a “103” Nurse Practitioner), 1482.4 (Requirements for Certification as a “104” Nurse Practitioner), 1485.3 (Scope of Practice for 103 Nurse Practitioners), 1485.4 (Scope of Practice for Independent Nurse Practitioner (104)) and Attestation to Address the Minimum Standards to Transition to Practice Independently as Outlined in Business and Professions Code (BPC) Sections 2837.101, Subdivision (c), 2837.103, and 2837.104

Loretta Melby provided background.

Presented by: Heather Hoganson, DCA Legal Regulations Unit

Betty Woods: Shared concerns over various letters that have been received regarding the issues within the rulemaking for this agenda item.

Concerns included the 4,600 hours required for new graduates of a Nurse Practitioner program, not current NPs, the naming convention of “certifying” NP, and fear that that could be confused with “board certification.” Additional concerns included the regulations not having additional requirements for transition to practice, she believed the current practice should remain, shared concerns over the clinical field requirement, as there are many fields of nursing, and that the “primary care” definition does not acknowledge specialty care as a lot of NPs practice in specialty care. Lastly that a Nurse Practitioner should be called a Nurse Practitioner, she doesn’t believe that using “Advanced Practice RN” or “INP” doesn’t really tell the public who they are seeing. Asked if these concerns listed in these letters have been incorporated.

Heather Hoganson: The definition of “primary care,” was not adjusted. The obligation of “primary care” for tending to the public has not changed in definition. The categories that exist are already in regulation, this is not changing anything regarding those, but language stating that the certification will come from the BRN will be added to avoid confusion. The 4,600 hours are being defined as “direct patient care” hours, after certification from the BRN.

Elizabeth Woods: Explained that currently practicing NPs may have been working for years, and may have already met the 4,600 hour “direct patient care” requirement.

Heather Hoganson: Explained that the current NP certification process is not changing. After the NP applies the “103” certification, they would then enter into the transition to practice and begin the 4,600 hour or three full-time equivalent years, but it must be completed within the 5 years prior to seeking certification and the hours must be performed in California.

Loretta Melby: Provided additional information regarding the pathways for “103” certification and provided information on the three ways to become a nurse practitioner in California. Explained the first 3 years a NP works under the guidance of a physician surgeon and operates under standardized procedures. This process is not changing. If they wish to become a “103” NP 4,600 hours or 3-year equivalent in California is required, after which an attestation would be signed and sent to the BRN. After becoming a “103” that NP can work without standardized procedures within a healthcare facility. The law does not allow for a reduction or grandfathering of those hours, but it does allow for a consideration of a reduction for the additional 3 years, if a terminal degree has been awarded, for the “104” NP.

Elizabeth Woods: Asked a clarifying question regarding the 4,600 hours and if it includes already practicing NPs.

Loretta Melby: Responded that it does not. The law states that the Board may consider providing credit for hours completed prior to January 2023 of the initial 3-year period.

Reza Pejuhesh: Provided additional clarification that the 4,600 hours need to be completed after graduation and after certification and must take place in California. He added that they could use hours obtained prior to January 2021 if those hours met the transition to practice requirements. Additionally, he shared concerns over the feedback that was detailed in the letters to the BRN regarding this agenda item and issues that members of the NPAC brought forward.

Imelda Ceja-Butkiewicz: Asked if the issues from NPAC were brought forward by the MDs or NPs.

Reza Pejuhesh: Stated he wasn't directly quoting anyone, just discussing issues brought up by the NPAC.

Imelda Ceja-Butkiewicz: Stated that she was not ready to accept the rulemaking changes and revisions. Nor was she ready to accept the drafted regulatory language and not ready to make a motion to proceed. Asked if it was possible to have a stakeholders meeting.

Reza Pejuhesh: Stated that the BRN doesn't represent Nurse Practitioners. The BRN represents the health and safety of the public and protecting the public and provided additional information on how to best proceed.

Loretta Melby: Explained the structure of the NPAC and how this language was developed. Also added that the BRN held 2 interested parties meetings before this regulatory language was introduced, and that this is the beginning language for the regulations, as this has not entered into the regulatory process. If Board Members pass this agenda item through, it would still need to go through the entire regulatory process, with additional hearings and public comments.

Reza Pejuhesh: Added that if the Board did not wish to advance the text, if they could provide input as to what additional information or text they would like to see, would be helpful.

Heather Hoganson: Explained that the Board didn't need to adopt the language, but if they could approve the language to initiate the process it would allow a formal process to begin.

Betty Woods: Expressed that she wants more work done on the language within these draft regulations.

Imelda Ceja-Butkiewicz: Asked to hear public comments.

Heather Hoganson: Stated that the Board could add to section 1482.3 on the requirements for certification as a 103 nurse practitioner a new subsection "C", that would say within 90 days of certification by the BRN a 103 nurse practitioner shall have a written plan for referrals pursuant to section 2837.103 (f) of the code and shall make that referral plan available to patients upon request. Stated she brought this up because some people had questions about referral plans. She continued that regarding the 104 nurse practitioner the BRN could add a written protocol for consultation adding to 1482.4 a new subsection (C) within 90 days of certification by the Board of Registered Nursing a 104 nurse practitioner shall have a written protocol for consultation and a written plan for referrals pursuant to section 2837.104(c) of the code and shall make that referral plan available to patients upon request. Additionally she continued to say the Board could add to section 1487 (The notice to consumers) a sentence within the middle section (b) and section (b) would read to verbally inform all new patients in a language understandable to the patient that a nurse practitioner is not a physician or surgeon, advise patients that they have the right to see a physician and surgeon upon request and the circumstances when they must be referred to see a physician and surgeon. For the purposes of Spanish language speakers, the nurse practitioner will provide standardized phrases like "enfermera especializada" verbally, on signs and literature so Spanish speakers would know they are seeing a NP. This would assist with concerns regarding patient protection, making sure people understood that they weren't seeing a doctor, they were seeing a nurse practitioner and then again adding to that language in 1487 the notice to consumers an exception if the NPs were working in a CDCR facility so it would add to the very beginning "except when working in facilities under the Department of Corrections and Rehabilitation a nurse a 103 nurse practitioner or 104 nurse practitioner engaged in providing health care services shall do the following."

Public Comment for **Stephanie Dittmer, MD:** Expressed concerns regarding the proposed Agenda Item 6.4.1: draft regulations, stating that they do not do enough to protect patients. Feels that the process is being rushed.

Katrina Reyes, California Academy of Family Physicians: Urged the Board to not take action on the regulations and expressed that she felt that the draft regulations proposed are incomplete and inadequate.

Joey Cachuela, California Medical Association: Expressed concerns regarding the draft regulations.

Flora Haus, American Association of Retired Persons, California Executive Council: Expressed that the spirit and intent of AB 890 was to increase healthcare access for all Californians, and ensuring that Nurse Practitioners can practice independently without the process being overly cumbersome should be the goal.

Margaret Parsons: Expressed concerns regarding the vague language within the draft regulations.

BJ Bartleson, Vice President, Policy and Advocacy, California Hospital Association: Expressed that full practice authority for nurse practitioners is critical, and that currently practicing NPs need to be allowed to seek independent practice and that transition to practice needs to be applied to new NP grads only.

Marco Lizarraga, La Cooperativa Campesina de California: Expressed dismay regarding the fact that language his organization has provided to the NPAC was not included in the proposed drafted regulations.

Sergio, La Casa del Diabetico: Expressed concerns that verbal disclosures are not enough when a patient is attempting to receive care and that patients should receive something in writing that they are not receiving services from a doctor. Also requested that the regulations ensure that the NP has adequate training and testing.

Neftali Nevarez, Physician Rheumatologist: Expressed concerns with this regulatory process and doesn't believe this process is transparent.

Kathy Hughes, RN, Executive Director of the Nurse Alliance of SEIU: Expressed concerns over saying NPs don't receive mentoring or have plans in place for referrals and stated that it undermines the NP practice. Had additional concerns regarding the shortage of primary care providers.

Alejandro Solis: Expressed concerns regarding communication between medical staff and patients who may need a translator.

Andrew Pederson, Governor's Office: Asked that the Board work to allow nurse practitioners to practice the full extent of their education and training without unnecessary bureaucratic hurdles and that the final regulations to be true to the intent of AB 890 and ensure that qualified

NPs are able to start addressing the provider gap in California as soon as possible.

William Arroyo: Stated he had issues with the regulation package.

Sandra Hernandez: (provided a public comment in Spanish)

Crosstalk amongst Board Members as to whether or not a motion would be brought forward. Members Ceja-Butkiewicz and Woods restated the issues they had brought up previously. Loretta Melby reexplained the process the NPAC went through to draft the language for these regulations.

Susan Naranjo: Expressed that if there wasn't going to be a vote that the Board would really need to provide guidance to staff on what to do next. Stated she understood that there are two sides and that they are unlikely to come together, but she is really concerned about patient protection and she feels that should be the focus for today.

Loretta Melby explained the regulatory process and that this is not the final stop for these regulations, or the last time public comment will be heard.

Additional crosstalk amongst Board Members, EO Melby and Ms. Hoganson regarding issues already discussed and amendments already stated.

MOTION: Dolores Trujillo: Motion to initiate the rulemaking process with the draft as provided and with the edits provided to sections 1482.3, 1482.4 and 1487.

SECOND: Jovita Dominguez

VOTE:

Vote	DT	SN	JD	MF	EW	IC-B
	Y	Y	Y	AB	N	N
Key: Yes: Y No: N Abstain: A Absent for Vote: AB						

Motion Passed

3:38 pm 6.5

Nurse-Midwifery Advisory Committee (NMAC) Updates

NMAC voted to adopt the disciplinary guidelines and update pertinent sections. SB 1237 has been fully implemented and will not pursue any regulatory changes at this time.

Public Comment for No public comment.
Agenda Item 6.5:

**** Agenda Item 7.0 was presented after Agenda Item 5.0****

3:41 pm

8.0 Report of the Nursing Practice Committee

Elizabeth Woods, RN, FPN, MSN, Chairperson

Elizabeth Woods paid tribute to Jeanette Wackerly, outgoing Supervising Nursing Education Consultant, who retired after 31 years of State Service.

8.1 Discussion and Possible Action Regarding the Continuation and the Role of the Nursing Education Workforce Advisory Committee (NEWAC)

Loretta Melby provided information about the NEWAC and asked the Board if they wished to consider changes to its structure as advisory committees are now reviewed on an annual basis.

MOTION: **Elizabeth Woods:** Motion to continue the NEWAC (original focus and charter), meet twice a year, once in spring and once in fall. Decrease the membership to 15 members. Allow the Executive Officer to continue to appoint members. BRN Staff would also check with current membership to see if they would like to continue in their current role.

SECOND: **Dolores Trujillo**

Public Comment for
Agenda Item 8.1:

BJ Bartleson, Vice President, Policy and Advocacy, California Hospital Association: Expressed gratitude to hear that the NEWAC continues to be involved. Believes that a smaller number membership is more practical. Believes that the most important member is Health Impact. Suggested that the professional nursing working organization should assist with policy making.

Saskia Kim: Encouraged the combination of education and practice. Had concerns about the suggested change of structure that would change the union (CNA, SEIU, UNAC) membership from 3 to 2 members.

AMENDED MOTION: **Elizabeth Woods** amended the motion to change from 15 members to 16 members. This will return the union membership to 3 members. All other portions of the motion remain the same.

SECOND: **Dolores Trujillo**

VOTE:

Vote	DT	SN	JD	MF	EW	IC-B
	Y	Y	Y	AB	Y	Y

Key: Yes: Y | No: N | Abstain: A | Absent for Vote: AB

Motion Passed

4:14pm

9.0 Report of the Education/Licensing Committee

Presented by: Jovita Dominguez, BSN, RN, Chair

9.1 Discussion and Possible Action Regarding Education/Licensing Committee Recommendations on Consent Agenda Items

9.1.1 Education/Licensing Committee Recommends Approval of Minor Curriculum Revisions, Acknowledgement of Program Progress Reports (16 CCR § 1426), and Acceptance of Clinical Facility Approvals (16 CCR § 1427) (Consent)

9.1.2 Education/Licensing Committee Recommends Continuing Approval of Prelicensure Nursing Programs (BPC § 2788; 16 CCR §§ 1421 & 1423) (Consent)

- San Joaquin Delta College Associate Degree Nursing Program
- California State University Sonoma Baccalaureate Degree Nursing Program

9.1.3 Education/Licensing Committee Recommends Continuing Approval of Advanced Practice (Nurse Practitioner) Nursing Programs (BPC § 2788; 16 CCR §§ 1421 & 1423) (Consent)

- California State University Sonoma Nurse Practitioner Nursing Program

9.1.4 Education/Licensing Committee Recommends Initial Approval of Advanced Practice (Nurse Practitioner) Nursing Programs (BPC § 2835; 16 § CCR 1485) (Consent)

- University of Massachusetts Global (formerly Brandman University) Advanced Practice Degree Nursing Program
- California Baptist University Advanced Practice Degree Nursing Program
- California State University San Marcos Advanced Practice Degree Nursing Program
- Fresno Pacific University Advanced Practice Degree Nursing Program

9.1.5 Education/Licensing Committee Recommends Approval of Substantive Changes to an Approved Advanced Practice (Nurse Practitioner) Nursing Program (16 CCR § 1483.2) (Consent)

- Loma Linda University Advanced Practice Degree Nursing Program
- United States University Advanced Practice Degree Nursing Program
- West Coast University Advanced Practice Degree Nursing Program

9.1.6 Education/Licensing Committee Recommends Approval of Clinical Practice Experience Required for Nurse Practitioner Students Enrolled in Non-California Based Nurse Practitioner Education Programs (16 CCR § 1486) (Consent)

- College of St. Scholastica, 1200 Kenwood Ave., Duluth, MN 55811
- Spring Arbor University, 106 E. Main St., Spring Arbor, MI 49283
- Vanderbilt University, Nursing, 461 21st Ave. South Nashville, TN 37240

Discussion and Possible Action Regarding Education/Licensing Committee Recommendations to Accept “Present” Agenda Items

9.2.1 Education/Licensing Committee Recommends Acceptance of Program Progress Report for East Los Angeles College Associate Degree Nursing Program and enrollment of 30 students twice per year to restart in January 2022 (Present)

9.2.2 Education/Licensing Committee Recommends Acceptance of the Initial Self-Study for New Prelicensure Programs (BPC § 2788; 16 CCR §§ 1421, 1423) (Present)

- Westmont College Baccalaureate Degree Nursing Program

9.2.3 Education/Licensing Committee Recommends Acceptance of the Initial Self-Study for New Prelicensure Programs (BPC § 2788; 16 CCR §§ 1421, 1423) (Present)

- University of the Pacific Entry Level Master’s Degree Nursing Program

9.2.4 Education/Licensing Committee Recommends Acceptance of Changes to an Approved Program (Major Curriculum Revisions)

- College of the Sequoias Associate Degree Nursing Program LVN Advanced Placement (Enrollment increase) (16 CCR §§ 1426 & 1432) (Present)

9.2.5 Education/Licensing Committee Recommends Acceptance of Changes to an Approved Program (Major Curriculum Revisions)

- College of the Sequoias Associate Degree Nursing Program (Enrollment increase) (16 CCR §§ 1426 & 1432) (Present)

9.2.6 Education/Licensing Committee Recommends Acceptance of Changes to an Approved Program (Major Curriculum Revisions)

- Imperial Valley College Associate Degree Nursing Program (Enrollment increase) (16 CCR §§ 1426 & 1432) (Present)

9.2.7 Education/Licensing Committee Recommends Acceptance of Changes to an Approved Program (Major Curriculum Revisions)

- Monterey Peninsula College Associate Degree Nursing Program (Enrollment increase) (16 CCR §§ 1426 & 1432) (Present)

9.2.8 Education/Licensing Committee Recommends Acceptance of Changes to an Approved Program (Major Curriculum Revisions)

- Sacramento City College Associate Degree Nursing Program (Enrollment increase) (16 CCR §§ 1426 & 1432) (Present)

9.2.9 Education/Licensing Committee Recommends Acceptance of Changes to an Approved Program (Major Curriculum Revisions)

- San Joaquin Delta College Associate Degree Nursing Program (Enrollment increase) (16 CCR §§ 1426 & 1432) (Present)

9.2.10 Education/Licensing Committee Recommends Acceptance of Changes to an Approved Program (Major Curriculum Revisions)

- San Joaquin Valley College Associate Degree Nursing Program (Enrollment increase) (16 CCR §§ 1426 & 1432) (Present)

ELC Vote for items 9.1 through 9.2.10:

Jovita Dominguez (Yes), Mary Fagan (Yes), Susan Naranjo (Yes)

Presented by Mary Ann McCarthy, SNEC, ELC Liaison

MOTION: **Dolores Trujillo:** Motion to accept the consent recommendations from 9.1 to 9.2.10 from the ELC Committee.

SECOND: **Elizabeth Woods**

Public Comment for
Agenda Items 9.1
through 9.2.10: No public comment.

VOTE:

Vote	DT	SN	JD	MF	EW	IC-B
	Y	Y	Y	AB	Y	Y
Key: Yes: Y No: N Abstain: A Absent for Vote: AB						

Motion Passed

4:30 pm

9.3 Discussion and Possible Action Regarding Agenda Items That Do Not Have a Recommendation from the Education/Licensing Committee

Presented by: Mary Ann McCarthy, Supervising Nursing Education Consultant

9.3.1 Discussion and Possible Action Regarding Initial Self-Study for New Prelicensure Programs (BPC § 2788; 16 CCR §§ 1421 & 1423) (Present)

- Arizona College Baccalaureate Degree Nursing Program
- Requesting an enrollment increase of 40 students twice a year.

MOTION: **Dolores Trujillo:** Motion to hold this enrollment increase at this time and have this college brought back to the Board at a later time.

SECOND: **Jovita Dominguez**

School Representative: Patrick Robinson, Provost, Arizona College: Presented the self-study to the Board.

AMENDED MOTION: **Dolores Trujillo:** Motion to accept the startup of a new program in Ontario, CA.

SECOND: **Susan Naranjo**

Public Comment for
Agenda Item 9.3.1: **Syed Jaffery:** Stated that he was very hopeful that the Ontario campus will open.

VOTE:

Vote	DT	SN	JD	MF	EW	IC-B
	Y	Y	Y	AB	Y	Y

Key: Yes: Y | No: N | Abstain: A | Absent for Vote: AB

Motion Passed

4:58 pm **Board Meeting adjourned at 4:58 pm, by President, Dolores Trujillo.**

Thursday November 18, 2021 at 9:00 am Board Meeting Day 2

9:02 am **1.0** Call to Order/Roll Call/Establishment of a Quorum
Dolores Trujillo, President called the meeting to order at 9:02 am. All Members present, except for Vice President Mary Fagan. Quorum established at 9:03 am.

Board of Registered Nursing:

Dolores Trujillo, President, RN, Direct Patient Care Member
Dr. Mary Fagan, Vice President, Ph.D., R.N., NEA-BC, Nurse Services Administration Member
Elizabeth A. Woods, RN, FNP, MSN, Advanced Practice Member
Imelda Ceja-Butkiewicz, Public Member
Susan Naranjo, Public Member
Jovita Dominguez, BSN, RN, Nurse Educator Member

BRN Staff Representatives:

Loretta Melby, RN, MSN, Executive Officer
Reza Pejuhesh, DCA Legal Attorney

9:03 am **2.0** **General Instructions provided for the Format of a Teleconference Call**

9:06 am **9.3.2 Discussion and Possible Action Regarding Acceptance of Changes to an Approved Program (Major Curriculum Revisions)**

Presented by: Mary Ann McCarthy, Supervising Nursing Education Consultant

American Career College Associate Degree Nursing Program (Addition of a new campus or location) (16 CCR § 1432) (Present)

Board Discussion with School Representatives regarding clinical placements.

MOTION: **Dolores Trujillo:** Motion to accept the changes as well as accepting the addition of a new campus.

SECOND: **Elizabeth Woods**

Public Comment for Agenda Item 9.3.2: **Cheryl Gilliatt, Chino Valley:** Expressed that there has been a shortage of nurses and we need more nursing care. Gave support for the ACC program.

Valerie Loureiro, Student: Expressed support for the ACC program.

Kiara Nelson, Student: In support of this agenda item.

Alonzo Benberry, Student: Expressed approval for this agenda item.

VOTE:

Vote	DT	SN	JD	MF	EW	IC-B
	Y	Y	Y	AB	Y	Y
Key: Yes: Y No: N Abstain: A Absent for Vote: AB						

Motion Passed

10:04 am

9.3.3 Discussion and Possible Action Regarding Acceptance of Changes to an Approved Program (Major Curriculum Revisions)

Presented by: Mary Ann McCarthy, Supervising Nursing Education Consultant

- o Concordia University Irvine Baccalaureate Degree Nursing Program (Enrollment increase) (16 CCR §§ 1426 & 1432) (Present)

Enrollment increase of a 3rd cohort. 64 students, 3 times per year.

MOTION: **Jovita Dominguez:** Motion to accept changes to an approved nursing program a substantive change for Concordia University, Irvine baccalaureate degree nursing program enrollment increase

SECOND: **Susan Naranjo**

Public Comment for Agenda Item 9.3.3: **Maria Jean Caterinicchio:** Expressed the need for nurses within the patient care fields in the area.

Mary Steckler: Opposed this increase request.

Alice Martanegara: Stated that an increase in students could adversely affect the clinical rotations in the area. Stated that they can't have students go out of the area to complete their clinical rotations because there being too many students using clinical sites in the area.

Dolores Trujillo: Stated that with clinical sites are impacted, she would like to consider a change, to the motion on the floor.

Cheryl Smythe-Padgham, School Representative: We are requesting for an additional 64 students, starting 24 students in the Spring.

Crosstalk amongst Board Members regarding clinical placements and the need for additional data.

Mary Ann McCarthy: The request has been reduced. 1 cohort of students- 24 students, for the first year. A year from now, Concordia University will come back to the Board, to request 64 students, 3 times per year.

Amended Motion: **Jovita Dominguez:** Motion to approve changes to an approved program to admit a 3rd cohort of 24 students once a year and return to the Board in one year to increase their 3rd cohort to 64 students.

Second to the Amended Motion: **Susan Naranjo**

VOTE:

Vote	DT	SN	JD	MF	EW	IC-B
	Y	Y	Y	AB	Y	Y
Key: Yes: Y No: N Abstain: A Absent for Vote: AB						

Motion Passed

11:10 am

9.3.4 Discussion and Possible Action Regarding Acceptance of Changes to an Approved Program (Major Curriculum Revisions)

Presented by: Mary Ann McCarthy, Supervising Nursing Education Consultant

- Stanbridge University Baccalaureate Degree Nursing Program (Enrollment increase) (16 CCR §§ 1426 & 1432) (Present)

Requesting an enrollment increase on two campuses: Orange County and Los Angeles County.

Crosstalk amongst Board Members regarding clinical sites and clinical placements.

MOTION: **Elizabeth Woods:** Motion to accept changes to the approved program's major curriculum change by accepting the enrollment increase to 30

students, 4 times per year for the Orange County program and to 40 students, 4 times per year for the Los Angeles County program.

SECOND: Imelda Ceja-Butkiewicz

Public Comment for Agenda Item 9.3.4: **Izzy Swindler:** Expressed support of Stanbridge University.

Mary Steckler: Opposed the request of Stanbridge University.

David Batista, AHMC Hospitals: Expressed that the hospitals are scrambling to staff on a daily basis. Stated that hospital systems like AHMC want to continue to be available to students that to go to one of their hospitals.

Alice Martanegara: Suggested that the Board reconsider holding enrollment increases request until next year.

Dr. Brenda Chan, East Los Angeles College: Expressed concerns about the Stanbridge University increase.

Judy Corliss: Stated that she understood the concerns about enrollment increases. Suggested that the Board go to the Legislature about increased simulation and faculty wages issues with community colleges.

VOTE:

	DT	SN	JD	MF	EW	IC-B
Vote	N	Y	N	AB	Y	Y
Key: Yes: Y No: N Abstain: A Absent for Vote: AB						

Motion Passed

11:54 am

9.3.5 Discussion and Possible Action Regarding Acceptance of Changes to an Approved Program (Major Curriculum Revisions)

Presented by: Mary Ann McCarthy, Supervising Nursing Education Consultant

- o Unitek Collage Baccalaureate Degree Nursing Program (Addition of a new campus or location) (16 CCR § 1432) (Present)

Requested 40 students, 3 times per year for a total of 120 students annually for the Sacramento campus.

Discussion between Board Members and School Representatives regarding clinical placements and clinical sites.

MOTION: **Elizabeth Woods:** Motion to accept changes for the approved program in addition of a new campus or location.

SECOND: **Imelda Ceja-Butkiewicz**

Public Comment for Agenda Item 9.3.5: **Kayla Kinsman:** Expressed support for Unitek College.

Randy Asivido: Expressed support for Unitek College.

Joellen Sutterfield: Expressed thanks to the Board. Expressed Support for Unitek College.

VOTE:

Vote	DT	SN	JD	MF	EW	IC-B
	Y	Y	Y	AB	Y	Y
Key: Yes: Y No: N Abstain: A Absent for Vote: AB						

Motion Passed

*****Board President Dolores Trujillo called for meeting to take a break at 12:57 pm.*****

*****The meeting reconvened at 1:30 pm.*****

1:35 pm

9.4

NCLEX Updates

Public Comment for Agenda Item 9.4: No public comment.

1:37 pm

9.5

Licensing Update

Public Comment for Agenda Item 9.5: **Kathy Hughes, RN, Executive Director of the Nurse Alliance of SEIU:** Asked about the executive order that waived some licensing requirements for traveling nurses.

Loretta Melby: Stated that (EMSA) out-of-state authorization was extended through March 31, 2022.

*****Item 11.0 was reordered by President Trujillo to be heard.*****

1:41 pm

11.0

Report of the Legislative Committee

Presented by: Dolores Trujillo, President

11.1 Legislative Update and Discussion of Bills Relevant to the Board of Registered Nursing from the 2020-2021 Legislative Session

Gurpreet Kaur, BRN Legislative Analyst reported that there were no updates to BRN tracked legislation at this time.

Public Comment for
Agenda Item 11.1: No public comment.

1:53 pm

10.0

Report of the Enforcement/Intervention Committee

Imelda Ceja-Butkiewicz, Chairperson

10.1 Information Only: Enforcement Update

Public Comment for
Agenda Item 10.1: No public comment.

10.1.1 Update of DOI/BRN Pilot Project

Public Comment for
Agenda Item
10.1.1: No public comment.

2:00 pm

9.6

Discussion and Possible Action Regarding Amendment of California Code of Regulations, Title 16, Section 1426 (Required Curriculum for Prelicensure Nursing Programs) to 1) Modify or Decrease Proportion of Clinical Hour Requirement That Must Be in Direct Patient Care; 2) Allow Nurses With Licensure in Another State to Satisfy Specific Non-Nursing Curriculum Requirements Through Possession of an Advanced Degree or Other Qualifications

Presented by: Loretta Melby, Executive Officer

Board Discussion: **Imelda Ceja-Butkiewicz:** Questioned whether or not nurses are tested with microbiology exams before they take on patient care.

Loretta Melby: Stated that the NCLEX exam has to be passed first before obtaining a license to practice direct patient care.

Jovita Dominguez: Expressed the need for further training with labs.

Public Comment
Agenda Item 9.6: **Kathy Hughes RN, Executive Director of the Nurse Alliance of SEIU:** Would be very interested in a possible regulatory change to address the problems with getting nurses from out of state to California without undermining our current education system.

BJ Bardleson: Expressed the need to fix the endorsement process based on evidence and science. This discussion could be held in the NEWAC committee.

Alice Benjamin: Expressed that other states have been able to practice without a lab component, and that the BRN should be able to update practices without sacrificing education.

Judy Corless: Stated that when taking the NCLEX there may not be questions about microbiology except that you may need to know the theory of it. This may be the theory of other states that you know the theory of it to be competent without taking a lab.

Alice Martanegara: Stated that the reason why students take microbiology with a lab in prelicensure in California is to understand the mode of spread of infection. Stated that microbiology is important to understand the origin of infectious diseases.

Board Discussion: **Elizabeth Woods:** Questioned how clinical hours are to be determined.

Loretta Melby: Stated there is nothing that determines how many hours need to be in each category for clinical hours. We have no minimum standard.

Elizabeth Woods: Questioned if all categories are necessary if they do not plan on practicing in that area.

Loretta Melby: Stated that students need to be minimally diverse in all of the areas to be a holistic nurse.

Jovita Dominguez: Expressed that more clinical hours at the bedside with a patient is preferred over simulation.

Loretta Melby: Stated that the BRN needs to work establish minimum direct patient care that the schools have the ability to support.

Additional Public
Comment Agenda
Item 9.6

Alice Martanegara: Stated that simulation is very important if done correctly.

Alice Benjamin: Stated that simulation is where you lose the human touch. Believes that schools should focus on clinical experience with patients. Believes that simulation should not exceed 50%.

Saskia Kim, California Nurses Association: Expressed the need a minimum number of standard clinical hours that are required. Stated that simulation cannot replace direct patient care.

Kathy Hughes, RN, Executive Director of the Nurse Alliance of SEIU Stated that it is important to establish minimum hours for patient care.

KT Waxman, Director DNP Program, UCSF: Believes that we need to move away from hours and move toward competency-based education systems that include simulation. Stated that simulation has a lot of evidence that it works.

3:39 pm

12.0

Closed Session

The Board went into Closed Session at 3:39 pm.

12.1

Disciplinary Matters

The Board convened in closed session pursuant to Government Code section 11126, subdivision (c)(3) to deliberate on disciplinary matters, including stipulations and proposed decisions.

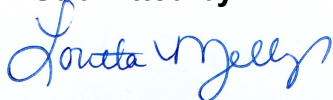
5:18 pm

13.0

Adjournment

Dolores Trujillo, President, adjourned the meeting at 5:18 pm.

Submitted by:




Loretta Melby, MSN, RN

Executive Officer

California Board of Registered Nursing

Accepted by:



Dolores Trujillo, RN

President

California Board of Registered Nursing