

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

DRAFT

DATE: April 8, 2021

3:05 pm

START TIME: 3:00 pm

LOCATION: **NOTE:** Pursuant to the provisions of Governor Gavin Newsom’s Executive Order N-29-20, dated March 17, 2020, a physical meeting location was not provided.

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

3:05 pm

10.0

Call to Order/Roll Call/Establishment of a Quorum

Dolores Trujillo, Chairperson, called the meeting to order at 3:05 pm. Quorum established.

**Legislative
Committee:**

Dolores Trujillo, RN, Committee Chair
Imelda Ceja-Butkiewicz, Public Member
Jovita Dominguez, BSN, RN, Nurse Educator Member
Susan Naranjo, Public Member

**BRN Staff
Representatives:**

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

10.1

Approval of Minutes

Review and Vote on Whether to Approve Previous Meeting Minutes:

- October 15, 2020

MOTION: **Dolores Trujillo:** Motion to approve the previous meeting’s minutes.

SECOND: **Imelda Ceja-Butkiewicz**

Public Comment for Agenda Item 10.1: No Public Comment.

VOTE:

	DT	ICB	SN	JD
	Y	Y	A	A

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

Motion Passed

3:12 pm

10.2

Public Comment for Items Not on the Agenda; Items for Future Agendas

Public Comment for Agenda Item 10.2:

Saskia Kim, CNA (California Nurses Association): Provided information on AB 1120 from Assemblymember Irwin. She stated that this bill is being re-introduced and resembles a previous bill, AB 1122 that the Board opposed in 2019, which was regarding patients receiving infusion therapy from phlebotomists, i.e. non-nurses. She stated that this procedure is beyond the scope of a phlebotomist and is a disruption of the workflow when nurses can use the device themselves and for company profit. She respectfully requested for the Board to add AB 1120 onto the bill list on future agendas for consideration by the Board.

3:15 pm

10.3

Discussion of Bills of Interest to the Board of Registered Nursing (Board) and Possible Action Regarding Adoption or Modification of Positions on Bills Introduced During the 2020-2021 Legislative Session:

DIRECT IMPACT BILLS

[AB 29](#) (Cooper) State bodies: meetings.

MOTION: **Dolores Trujillo:** Motion to oppose the bill.

SECOND: **Jovita Dominguez**

COMMITTEE MEMBER DISCUSSION: **Imelda Ceja-Butkiewicz:** Requested that the Board watch this bill, as it was just introduced.

Motion rescinded

COMMITTEE DISCUSSION: **Imelda Ceja-Butkiewicz:** Inquired about any feedback received from other DCA Boards.

Loretta Melby: Stated that the other boards have concerns about the impact that it will have to them as well. She reported that some boards opposed, and some supported but the overall discussion was regarding whether or not they would be able to support that.

Imelda Ceja-Butkiewicz: Requested that she would like to hear from the public before taking a vote.

Loretta Melby: Stated to Imelda Ceja-Butkiewicz that Dolores Trujillo had not made a new motion and no member had seconded that motion for public comment.

Reza Pejuhesh: Advised that the language of the statute ambiguous to the way it actually plays out. There are competing concerns when it comes to this issue, i.e. a trade-off: on the one hand this bill will promote notice to the public and transparency, which is good. On the flipside it takes away flexibility from the board, and can place additional burden on board staff and people involved in the process approving materials as “it’s quite a big push to get them out the door for the public and board members.”

He then read the statute, reading, “Any writings and materials that are provided to the members of the state body need to be provided to the public at least on the same day as it’s provided to the board members, or 72 hours before the meeting, whichever is earlier.” He stated that he was not quite clear on how this is to be applied.

AMENDED MOTION: **Dolores Trujillo:** Motion to watch the bill.

SECOND: **Susan Naranjo**

Public Comment for AB No public comment.

29:
VOTE:

	DT	ICB	SN	JD
	Y	Y	Y	Y

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

Motion Passed

AB 225 (Gray) Department of Consumer Affairs: boards: veterans: military spouses: licenses.

MOTION: **Dolores Trujillo:** Motion to recommend watching the bill.

SECOND: **Jovita Dominguez**

Public Comment for AB No public comment.

225:
VOTE:

	DT	ICB	SN	JD
	Y	Y	A	A

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

Motion Passed

AB 269 (Patterson) Nursing: Licensure: renewal fees: reduced fee.

COMMITTEE MEMBER **Reza Pejuhesh:** Stated that “It doesn’t have to do with retired status, but with the age of retirement in the Federal Social security Act. If the bill passes, and the Board likes the idea and wants to draft regulations, the Board could implement a fee reduction for individuals who meet the three (3) requirements:

DISCUSSION:

1. Practicing for 20 years in the state of California.
2. Reached the age of retirement under the Federal Social Security Act.
3. Provide their services free of charge.

He further added that he assumes this bill is geared toward nurses late in their career, who are essentially not quite retired, but practicing nursing for the public good: nurses who provide their services free of charge, and are not earning an income as regular fully-paid working nurses. It doesn’t have to do with “retired license status,” but is more for a nurse having reached a certain age.”

Loretta Melby: Stated that stakeholders discussed this bill, in going through the responses to COVID. “If it passes or not, we could address it at a Board level.”

Asked if nurses need to meet all three criteria to qualify or could they be eligible by meeting just one or two out of the three requirements.

Reza Pejuhesh: Advised that essentially, they will have to meet all three (3) requirements.

AMEENDED MOTION: **Dolores Trujillo:** Motion to support, with amendments.

COMMITTEE MEMBER **Reza Pejuhesh:** Asked what amendments she would like to see.
DISCUSSION:

Dolores Trujillo: Requested that the amendment would be that those nurses can keep their licenses.

Loretta Melby: Stated that as per Reza Pejuhesh’s bill requirements clarification, that is unnecessary; therefore, we will not need to keep the proposed amendment”

Reza Pejuhesh: Advised Dolores Trujillo that her motion for the amendment would not be necessary because licensee status is unaffected.

RE-AMENDED **Dolores Trujillo:** Motion to Support the bill.

MOTION:

SECOND: **Jovita Dominguez**

Public Comment for AB 269: No public comment.

	DT	ICB	SN	JD
	Y	A	Y	Y
<u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

[AB 410](#) (Fong) Licensed registered nurses and licensed vocational nurses: Nurse Licensure Compact.

COMMITTEE MEMBER DISCUSSION: **Loretta Melby:** Provided additional information on how the board will be affected.

MOTION: **Dolores Trujillo:** Motion to oppose the bill.

SECOND: **Imelda Ceja-Butkiewicz**

Public Comment for AB 410: **Kathryn Hughes, California Nurse Alliance:** Expressed that their association is also in opposition and provided details regarding the opposition.

Curtis Lang, California Nurses Association: Stated that their association is also in opposition and provided thorough details for the opposition.

VOTE:

	DT	ICB	SN	JD
	Y	Y	Y	Y
<u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

[AB 562](#) (Low) Mental health services for health care providers: Frontline COVID19 Provider Mental Health Resiliency Act of 2021.

MOTION: **Dolores Trujillo:** Motion to recommend support

SECOND: **Susan Naranjo**

Public Comment for AB 562: **Kathryn Hughes, Nurse Alliance of SEIU:** Expressed that their association is neutral on the bill and provided a brief explanation.

VOTE:	DT	ICB	SN	JD
	Y	Y	Y	Y
<u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

[AB 646](#) (Low) Department of Consumer Affairs: boards: expunged convictions.

MOTION: **Dolores Trujillo:** Motion to recommend to watch the bill

SECOND: **Imelda Ceja-Butkiewicz**

COMMITTEE MEMBER DISCUSSION: **Dolores Trujillo:** Asked Reza Pejuhesh if this bill is already in current practice.

Reza Pejuhesh: Stated that Dolores Trujillo may be thinking of AB 2138, made effective last year. That bill stated that the BRN could not consider certain convictions over 7 years old in deciding whether to grant or deny a licensing application. This bill is slightly different because once someone is already licensed and is convicted, the conviction is posted to the BRN's website. If the impacted nurse has a notice that the conviction was expunged, the BRN would have to remove it from the website.

Public Comment for AB 646: No public comment.

VOTE:	DT	ICB	SN	JD
	Y	Y	Y	Y
<u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

[AB 657](#) (Bonta) State civil service system: personal services contracts: professionals.

COMMITTEE MEMBER **Dolores Trujillo:** Asked if the clinical psychologists contracted with the board would be affected.
DISCUSSION

Gurpreet Kaur: Confirmed that the contracts would be affected but the Medical Board is corresponding with the author for a possible amendment, to remove the DCA boards and bureaus from the bill's purview.

Loretta Melby: Confirmed and stated that it would greatly affect the BRN's and other boards'/bureaus' contracts.

Reza Pejuhesh: Stated that there is an administrative cost when a contract is established due to the time and amount of work. Reducing the contract to a year would increase the cost and amount of work.

MOTION: **Dolores Trujillo:** Motion to recommend for the Board to watch the bill.

SECOND: **Imelda Ceja-Butkiewicz**

Public Comment for AB No public comment.

657:

VOTE:

	DT	ICB	SN	JD
	Y	Y	Y	Y
Key: Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

AB 810 (Flora) Healing arts: reports: claims against licensees.

COMMITTEE MEMBER **Dolore Trujillo:** Asked if this fee is assessed on the licensees from \$50.00 to \$100.00
DISCUSSION:

Gurpreet Kaur: As per the bill, the fine assessed would be: not less than \$50 or more than \$500.

MOTION: **Dolore Trujillo:** Motion to support the bill

SECOND: **Imelda Ceja-Butkiewicz**

Public Comment for AB No public comment.

810:

COMMITTEE MEMBER **Imelda Ceja-Butkiewicz:** Inquired on how many of the nurses are not reporting.
DISCUSSION:

Loretta Melby: Stated that she will ask Shannon Johnson to

provide that information during the Board meeting.

Gurpreet Kaur: Reported that she received information from the BRN Administrative Unit, and it was determined that the BRN has not had to issue citations related to uninsured licensees who failed to report certain settlements, judgements and arbitrations based on BreEZe data. Therefore, it's not something that the BRN has had to implement.

VOTE:

	DT	ICB	SN	JD
	Y	Y	Y	Y
<u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

AB 852 (Wood) Nurse practitioners: scope of practice: practice without standardized procedures

MOTION: **Dolores Trujillo:** Recommendation to support this bill

SECOND: **Jovita Dominguez**

COMMITTEE MEMBER DISCUSSION: **Dolores Trujillo:** Asked if this was a clean-up bill.

Reza Pejuhesh: Confirmed.

Imelda Ceja-Butkiewicz: Inquired about a similar bill that was already opposed.

Loretta Melby: Informed Imelda Ceja-Butkiewicz that this is a clean-up bill from the nurse-practitioner bill (AB 890).

Imelda Ceja-Butkiewicz: Asked if the Board supported that bill.

Loretta Melby: Stated that it was not a full support. She provided a brief background, stating that, "When the Board took their positions, it was in opposition, unless amended due to the proposed makeup of the committee.

Imelda Ceja-Butkiewicz: Inquired about the position taken on the bill and why wouldn't the Board take a similar position on a similar bill.

Loretta Melby: Reported that when reviewing the minutes regarding AB 890, the issue that was opposed has already been addressed. The bill has been passed and we worked hard to get the committees established. "This is the language that has been

introduced to clean up areas that were missed, and areas impacted by existing regulation and law needed to move forward.”

VOTE:

	DT	ICB	SN	JD
	Y	A	Y	A
<u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

MEETING CHANGE:

In the interest of time, the Legislative Chair will make a motion, agreeable to all, on each of the remaining bills with one public comment period. A vote on these motions will follow. Bills without a consensus for a motion will be discussed and voted-on separately.

Members are in agreement.

[AB 858](#) (Jones-Sawyer) Employment: health information technology: clinical practice guidelines: worker rights.

MOTION: **Dolores Trujillo:** Motion to support the bill.

[AB 938](#) (Davies) Maintenance of the codes.

MOTION: **Dolores Trujillo:** Motion to watch the bill.

[AB 1015](#) (Rubio) Board of Registered Nursing: workforce planning: nursing programs: clinical placements.

MOTION: **Dolores Trujillo:** Motion to support the bill.

[AB 1102](#) (Low) Telephone medical advice services.

MOTION: **Dolores Trujillo:** Motion to watch the bill.

[AB 1105](#) (Rodriguez) Hospital workers: COVID-19 testing.

MOTION: **Dolores Trujillo:** Motion to support the bill.

[AB 1236](#) (Ting) Healing arts: licensees: data collection.

MOTION: **Dolores Trujillo:** Motion to watch the bill.

[AB 1407](#) (Burke) Nurses: implicit bias courses.

COMMITTEE MEMBER **Imelda Ceja-Butkiewicz:** Asked if the fee of \$2,500 is required
DISCUSSION: by the student.

Loretta Melby: Provided additional clarification stating that the cost of a major curriculum change is \$2500 for the nursing program/school. The BRN is discussing on how to implement it, i.e. as a major or minor curriculum revision. It should not be a major curriculum change. More internal discussion to follow about this bill's effect on licensing, pre-licensing programs, endorsement and CEU requirements. Further clarification from the author of the bill may also be required regarding the need for regulatory changes.

MOTION: **Dolores Trujillo:** Motion to support, if amended (to make the required implicit bias coursework a graduation, rather than a licensing requirement) and the Board will provide a letter of support with proposed amendment.

[AB 1532](#) (Assembly B&P Committee) Nursing.

MOTION: **Dolores Trujillo:** Motion to support.

MEETING RE-ORDERED:

Loretta Melby re-ordered the meeting to first discuss the direct impact bills, then indirect impact bills.

[AB 114](#) (Maienschein) Medi-Cal benefits: rapid Whole Genome Sequencing. **(REMOVED)**

[AB 278](#) (Flora) Medi-Cal: podiatric services. **(LISTED IN ERROR)**

[AB 285](#) (Holden) State Department of Education: state school nurse consultant. **(REMOVED)**

[AB 1422](#) (Gabriel) Nurse-to-patient ratios.

MOTION: **Dolores Trujillo:** Motion to support the bill.

AMENDED MOTION: **Dolores Trujillo:** Motion to oppose the bill.

Motion rescinded as lacking consensus. This bill will be discussed separately.

[SB 93](#) (Skinner) COVID-19 pandemic emergency: contact-tracing: childcare.

MOTION: **Dolores Trujillo:** Motion to support the bill.

[SB 112](#) (Skinner) Budget Act of 2021. **(NO MOTION)**

[SB 441](#) (Hurtado) Health care workforce training programs: geriatric medicine.

MOTION: **Dolores Trujillo:** Motion to support the bill.

[SB 465](#) (Eggman) Mental health workers: supervision. **(REMOVED)**

[SB 213](#) (Cortese) Workers' compensation: hospital employees.

MOTION: **Dolores Trujillo:** Motion to support the bill.

[SB 395](#) (Caballero) Healthy Outcomes and Prevention Education Act: excise tax: electronic cigarettes: Health Careers Opportunity Grant Program.

MOTION: **Dolores Trujillo:** Motion to watch the bill.

[SB 637](#) (Newman) Health facility reporting: equipment and staffing.

MOTION: **Imelda Ceja-Butkiewicz**: Motion to support.

[AB 450](#) (Gonzalez) Interdepartmental Committee on Emergency Medical Services.

(REMOVED: AMENDED AND NO LONGER APPLICABLE)

Public Comment for Legislative Bills: **Saskia Kim**: Provided a brief overview of five (5) bills

AB 1422: CNA (California Nurses Association) in opposition of the bill

AB 1407: Appreciate the Board's support

AB 858: CNA sponsored this bill

SB 213: CNA supports this bill

SB 637: CNA supports this bill

Kathryn Hughes, CA Nurse Alliance SEIU:

SB 213: in opposition of this bill

AB 1422: in support of this bill

COMMITTEE
DISCUSSION: None

MOTION: **Dolores Trujillo**: Motion to approve the motions on the above discussed bills.

SECOND: **Imelda Ceja-Butkiewicz**

	DT	ICB	SN	JD
	Y	Y	Y	Y
<u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

Dolores Trujillo: Motion to oppose AB 1422.

Motion did not have a second

MOTION: **Imelda Ceja-Butkiewicz:** Motion to support AB 1422.

SECOND: **Susan Naranjo**

VOTE:

	DT	ICB	SN	JD
	N	Y	Y	N
<u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Failed

MOTION: **Imelda Ceja Butkiewicz:** Motion to watch AB 1422.

SECOND: **Susan Naranjo**

VOTE:

	DT	ICB	SN	JD
	Y	Y	Y	Y
<u>Key:</u> Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

10.4 Adjournment

Dolores Trujillo adjourned the meeting at 5:50 pm.

Submitted by:

Accepted by:

Gurpreet Kaur
Legislative and Regulatory Analyst
Legislative Committee
California Board of Registered Nursing

Dolores Trujillo, RN, President
Chair
Legislative Committee
California Board of Registered Nursing