



**Board of Vocational Nursing and Psychiatric Technicians**  
**Department of Consumer Affairs**  
**Board Meeting Minutes**  
 Friday 11/17/2023  
<https://youtu.be/N2tCyZ0IAKg?si=Slz6r1UpE6r2HUjM>

**DATE:** Friday November 17, 2023

**BOARD MEMBERS  
 PRESENT:**

- Dr. Mountain, President, Education Member
- Mr. Dierking, Vice President, Public Member
- Ms. Carpenter, Public Member
- Mr. Hill, Psychiatric Technician Member
- Mr. Maxey, Public Member
- Ms. Moore, Psychiatric Technician Member (joined in progress)
- Ms. Guzman, Licensed Vocational Nurse Member
- Ms. Sonson, Public Member

**STAFF PRESENT:**

- Ms. Yamaguchi, Executive Officer
- Mr. Ito, Assistant Executive Officer
- Ms. Wood, Enforcement Chief
- Dr. McLeod, Lead Nursing Education Consultant
- Ms. Archibald, Intake and Enhanced Screening Unit Manager
- Mr. Weiler, Probation Unit Manager
- Ms. Higashi, Supervising Special Investigator
- Ms. Brown, Licensing Division Manager
- Mr. Hall, Licensing Division Supervisor
- Ms. Arreola, Licensing Division Supervisor
- Dr. Fairchild, Nursing Education Consultant
- Ms. Devila, Nursing Education Consultant
- Ms. Gomez, Nursing Education Consultant
- Ms. dela Rosa, Nursing Education Consultant
- Ms. Silverman, Nursing Education Consultant
- Ms. Barrett, Nursing Education Consultant
- Dr. Thomson, Nursing Education Consultant
- Ms. Maracino, Education Analyst
- Mr. Gonzalez, Education Analyst
- Mr. Randolph, Education Technician
- Ms. Ball, Administration Analyst

**DCA STAFF PRESENT:** Mr. Swenson, Board General Counsel  
Ms. Schieldge, Board Regulations Counsel

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**Agenda Item 1                      Call to Order, Roll Call, and Establishment of Quorum**

Dr. Mountain called the meeting to order at 9:02 a.m. Dr. Mountain shared housekeeping instructions and information.

**Agenda Item 2                      Introduction of Board Staff**

Ms. Yamaguchi introduced Board staff. Counsel introduced themselves.

**Agenda Item 3                      Review and Approval – Meeting Minutes for August 25, 2023**

A. Board Meeting Minutes for August 25, 2023.

Motion: To approve the August 25, 2023 Board Meeting Minutes.

Moved/Seconded: Mr. Maxey / Mr. Hill.

**Board Discussion:** None.

**Public Comment:** None.

<b>Member Name</b>	<b>Vote</b>
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes
Mr. Maxey	Yes

Motion carried.

**Agenda Item 4                      Fiscal and Budgets Update.**

A. Fund Condition and Budget Updates

Harmony DeFilippo, manager within the DCA budget office reviewed the meeting resource document provided online for this meeting. This resource included updated overviews of the board expenditures, revenue, and fund condition. She reviewed how to read the documents and gave high level overviews of the data provided on each spreadsheet.

Ms. Schieldge asked about the fund condition projections, specifically, if the fee increase recently enacted is the cause of the increased projections. Ms. Yamaguchi confirmed that this is the case, and that board staff plans to reassess and analyze the results in coming years.

**Agenda Item 5                      Education - Recommendation, and Possible Actions.**

A. Dr. McLeod offered to answer any questions about the division report that was provided in the meeting resources. No questions or comments received.

I. Review, Ratification and Approval of Executive Officer Program Decisions for period from July 18, 2023 to October 10, 2023.

Motion: To approve and ratify the EO Program Decisions for the period from July 18, 2023 through October 10 2023 listed in the report dated November 7, 2023.

Moved/Second: Mr. Dierking/Ms. Moore.

**Board Discussion:** None.

**Public Comment:** None.

<b>Member Name</b>	<b>Vote</b>
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes
Mr. Maxey	Yes

Motion carried.

B. Reconsideration of Provisional Approval; Request to Admit Students.

I. Downey Adult School Vocational Nursing Program

Dr. Fairchild had no additional information or edits to the report provided in the meeting materials packet.

Mariana Pacheco, Director, thanked Dr. Fairchild for her assistance. She thanked the Board for everything they do for the program(s) too.

Motion: To approve the report and adopt the NEC recommendations.

Motion/Second: Mr. Dierking/Ms. Moore.

**Board Discussion:** None.

**Public Comment:** None.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes
Mr. Maxey	Yes

Motion carried.

II. Integrity College of Health Vocational Nursing Program.

Ms. Barrett had no additional information or edits to the report provided in the meeting materials packet.

Alice Sorrell-Thompson, Director, and Vice President for Nursing, Dr. Michelle Welch were in attendance. They accept the recommendations of the NEC.

Motion: To approve the report and adopt the NEC recommendations.

Motion/Second: Ms. Carpenter/Mr. Hill.

**Board Discussion:** None.

**Public Comment:** None.

Member Name	Vote
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes
Mr. Maxey	Yes

Motion carried.

C. Request to Admit Students.

I. Cypress College Psychiatric Technician Program

Ms. Devila shared that on November 15<sup>th</sup> she received an email from the Director, Jaime Ramos, requesting to postpone the class start date by 1 week. The dates provided in the report is a start date of January 22, 2024 with a graduation date of May 22, 2025. New requested dates as starting date of January 29, 2024 with a graduation date of May 29, 2025. This request does not change the recommendation(s) in the report.

Mr. Ramos acknowledged Ms. Devila for her complete report and thanked her for her support and that they accept the recommendations provided in the report.

Motion: To approve the report and adopt the NEC recommendations.

Motion/Second: Ms. Carpenter/Ms. Moore.

**Board Discussion:** None.

**Public Comment:** None.

<b>Member Name</b>	<b>Vote</b>
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes
Mr. Maxey	Yes

Motion carried.

**Agenda Item 6                      Executive Officer’s Report.**

Ms. Yamaguchi shared additional information on the Biennial State Leadership Accountability Act Report, which was mentioned in the written report in the meeting packet. She continued to share updated information related to the Respiratory Care Board (RCB) and legislation that may impact the Board. At this time, staff looks forward to continuing their work with RCB to ensure the safety of licensees and patients.

A. Ms. Yamaguchi discussed the Strategic Plan previously approved by the Board and how the pandemic impacted the plan and the current recommendation for next steps for moving forward. Discussion has begun with DCA’s SOLID unit to include DEI into the plan as we move forward with new discussions.

B. Dr. Mountain offered to discuss anything provided in the Executive Committee Report. No comments received.

**Board Discussion:**

Ms. Carpenter mentioned the legislation updates that were listed in the report; namely SB 544 and the updated criteria for open meetings. Ms. Yamaguchi gave further explanation to these new rules and other aspects of the bill, including details of its sunset.

**Public Comment:**

Denise Tugade from SEIU United Healthcare workers; including LVN and Respiratory Therapists expressed appreciation for the BVNPT for its continued focus and work with RCB and its legislation.

## **Agenda Item 7                      Licensing and Evaluations**

A. Ms. Brown offered to answer any questions from the members based on the report provided in the meeting packet.

**Board Discussion:** None

**Public Comment:** None.

## **Agenda Item 8                      Legislative and Regulations**

### A. 2023-2024 Legislative Season

Following the close of the year's session, Ms. Yamaguchi shared updates on bills that the Board had been watching/had discussed throughout the session.

Ms. Schieldge brought up Senate Bill (SB) 372 (Stats. 2023, Ch. 225). Ms. Yamaguchi thanked her and shared that this bill will likely impact the board, however, the frequency of these inquiries to the board are minor and have not historically been an issue to transition. However, if needed, we should consider determining if there is any regulatory updates/language needed.

### B.I. Update on Rulemaking to Adopt Permanent regulations for AB 1536 – New School Program Approval Process Certificate of Compliance (title 16, California Code of Regulations (16 CCR) sections 2525, 2526, 2537.2, 2580, 2581 and 2590.2).

Rulemaking for the AB 1536 New School Program Approval Process – Ms. Schieldge shared that legal has completed their review and is pending Board Executive Officer approval of the proposed changes.

### B.II. Update on Rulemaking to Amend 16 CCR sections 2524 and 2579.10 (Disciplinary Guidelines and Uniform Standards Regarding Substance-Abusing Licensees).

Ms. Schieldge is working through her review and updates to this package.

### B.III. Update on Rulemaking to Amend 16 CCR section 2503 (Delegation of Certain Functions).

Ms. Schieldge shared that this package is pending staff submission to legal. Ms. Schieldge is confident this package will move quickly due to the non-complex nature of the package as a whole.

**Board Discussion:** None.

### **Public Comment:**

Nani Mingo, LVN, commented regarding LVN's working in schools. She suggested to take into consideration that experienced LVN's may be qualified to work in schools due to their professional background in numerous medical specialties.

**B. IV Sunset Report.**

Ms. Yamaguchi shared an update on the progress of the report. She shared an overview of the process that will need to be executed in the coming weeks, including a full approval by the Members, which will require the Board to meet in December for a special meeting.

**B.V. Discussion and Possible Action to Approve the Board’s 2024 Rulemaking Calendar.**

The draft 2024 Rulemaking Calendar was provided in the meeting packet for Board consideration. Each year, the Board must submit to the Office of Administrative Law (OAL) a calendar of rulemaking packages they plan to initiate in the coming year. Ms. Schieldge went through the calendar and shared all the regulations currently listed on the calendar. Some have been started and some are still in concept; the purpose of the calendar is to give the OAL and public an idea of the Board’s rulemaking strategic plan for the year.

Motion: To approve the 2024 Rulemaking Calendar as set forth in the meeting materials.

Motion/Second: Ms. Carpenter/Mr. Hill.

**Board Discussion:** None.

**Public Comment:** None.

<b>Member Name</b>	<b>Vote</b>
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes
Mr. Maxey	Yes

Motion carried.

**Agenda Item 9                      Enforcement**

A. Ms. Wood shared that the Enforcement Division is currently holding on their next PSA, as the Education Division is working on the Boards next scheduled PSA. The



Division has also seen an increase in the number of cases coming in.

B. Mr. Maxey shared an update on behalf of the Enforcement Committee. This included topics such as the Disciplinary Guidelines and cost saving actions the division has implemented successfully. The committee is dedicated to continuing to seek cost savings when it will not negatively affect the work of the division or consumers. The division is currently undergoing a compaction issue due to recently contracted raises; the impact on the division is currently unknown but is being tracked.

**Board Discussion:**

Dr. Mountain asked if there have been any trends noted in the increase of cases. Ms. Wood shared that there is just an increase, nothing specific as a trend.

**Public Comment:** None.

**Agenda Item 10                      Board Meeting Logistics 2024-2025**

Ms. Yamaguchi shared that due to Sunset, the board will need to schedule a December 2023 Special Meeting, offered dates to consider, and what the members can expect in coming days to schedule this meeting.

Ms. Yamaguchi went over the proposed 2024-2025 meeting calendar as provided in the meeting packet. These dates are quarterly; special meetings may need to be scheduled based on the Sunset Report, legislation, et al. This calendar is through 2025 to align with the sunset of the new Bagley-Keene Open Meeting Act requirements.

Motion: To adopt the proposed meeting dates for calendar year(s) 2024 and 2025.

Motion/Second: Mr. Dierking/Ms. Carpenter.

**Board Discussion:** None.

**Public Comment:**

Nani Mingo commented on Item 9; missed the end of the item. Would it be possible for a licensee to be granted full removal of a notice attached to their license after completion of a successful probation.

Mr. Swenson advised that this comment is not germane to the current agenda item and recommended this attendee be referred to an appropriate contact at the Board. Ms. Wood said she will contact Ms. Mingo after the meeting.

<b>Member Name</b>	<b>Vote</b>
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes
Mr. Maxey	Yes

Motion carried.

**Agenda Item 11                      Public Comment on Items Not on the Agenda**

No public comments received.

**Agenda Item 12                      Suggestions for Future Agenda Items**

No suggestions received.

**Agenda Item 13                      Closed Session**

Motion: To retire to closed session and not reconvene in open session; the meeting will adjourn at the completion of closed session.

Motion/Second: Mr. Dierking/Ms. Carpenter.

**Board Discussion:** None.

**Public Comment:** None.

<b>Member Name</b>	<b>Vote</b>
Dr. Mountain	Yes
Mr. Dierking	Yes
Ms. Sonson	Yes
Ms. Carpenter	Yes
Ms. Guzman	Yes
Ms. Moore	Yes
Mr. Hill	Yes
Mr. Maxey	Yes

