



**Board of Vocational Nursing and Psychiatric Technicians
Department of Consumer Affairs
Public Board Meeting Minutes**

DATE: Friday, November 22, 2019

TIME: 9:00 a.m. – 5:00 p.m.
Or Until Completion of Business

LOCATION: Department of Consumer Affairs Headquarters, 1625 North Market Street, Hearing Room – South, Room 102, Sacramento, CA 95834

BOARD MEMBERS

PRESENT: Tammy Endozo, LVN Member, Board President
Bernice Bass de Martinez, Public Member, Vice-President
Paula Amezola de Herrera, Public Member
Aleta Carpenter, Public Member
John Dierking, Public Member
Kenneth Maxey, Public Member
Carel Mountain, Education Member
Paul Sellers, PT Member
Cheryl Turner, Public Member

BOARD MEMBER ABSENT: Donna Norton, LVN Member

STAFF PRESENT: Elaine Yamaguchi, Executive Officer
Vicki Lyman, Assistant Executive Officer
Jay Prouty, Enforcement Program Manager (Discipline Unit)
Jen Johnson, Licensing/Evaluations Manger
Ivan Brent, Supervising Program Technician II
Candace Raney, Enforcement Chief
Vicky Saavedra, Budget Analyst
Marie Cordeiro, Supervising Nursing Education Consultant
Margarita Valdes, Nursing Education Consultant
Cindy Fairchild, Nursing Education Consultant
Amy Nguyen, Human Resources Liaison
Jessica Gomez, Nursing Education Consultant
Tim Matsumoto, Retired Annuitant
Jeffery Durham, Retired Annuitant

Geralyn Maracino, Education Analyst
Arlene Nunez, Program Technician I
Catherine Reed, Office Technician
Christopher Perlot, Office Technician
Alisha Small, Office Assistant
Kenneth Swenson, DCA Senior Staff Counsel Attorney III

9:00 a.m. OPEN SESSION

Agenda Item 7 Call to Order, Roll Call, and Establishment of Quorum

The meeting was called to order by Board President Tammy Endozo at 9:14 a.m., Friday, November 22, 2019, at the Department of Consumer Affairs, 1625 North Market Boulevard, Hearing Room – South, Room 102 Sacramento, CA 95834

Agenda Item 8 Pledge of Allegiance

Mr. Sellers led the Pledge of Allegiance.

Agenda Item 9 Introduction of Board Members and Board Staff/Chair's Remarks

Board Members introduced themselves. A quorum was confirmed.

Agenda Item 10 Introduction of Board Staff

Elaine Yamaguchi, Executive Officer, introduced herself and staff present. Kenneth L. Swenson, DCA Senior Staff Counsel Attorney III, introduced himself.

Agenda Item 11 Board Meeting Minutes – Review and Approval

A. Meeting minutes from August 16, 2019

Motion: Approve August 16, 2019 Board meeting minutes, with the correction of the date from August 23rd to 16th.

Moved/Seconded: Dr. Bass de Martinez/Ms. Turner

Member Name	Vote
Ms. Endozo	Yes
Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes

Mr. Maxey	Absent
Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	Yes
Ms. Turner	Yes

Motion carried.

Public Comment:

None

Board Discussion:

None

B. Meeting minutes from October 30, 2019

Motion: Approve October 30, 2019 minutes

Moved/Seconded: Dr. Bass de Martinez/Ms. Carpenter

Member Name	Vote
Ms. Endozo	Yes
Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes
Mr. Maxey	Absent
Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	Yes
Ms. Turner	Yes

Motion carried.

Public Comment:

None

Board Discussion:

None

Agenda Item 12 Education Committee – Reports, Recommendations, and Possible Actions

A. Committee Report

Dr. Mountain presented the Education Committee report. Committee will meet in January 2020.

Public Comment:

None

Board Discussion:

None

Agenda Item 13 Education Division - Reports, Recommendations, and Possible Actions Regarding Vocational Nursing and Psychiatric Technician Programs.

A. Education Division Report

Ms. Cordeiro presented the Education Report. She reported that the four new Skype director's forums were a success and there will be more Skype forums next year.

Public Comment:

None

Board Discussion:

Dr. Bass de Martinez commended the group for their work on the Skype project.

B. Consideration of Placement on Provisional Approval

1. Curam College, Sacramento

The Board received the report from Ms. Gomez, NEC.

Ms. Gomez presented the report on Curam College and recommended the Board grant Curam College a two-year provisional approval, effective November 22, 2019. She also recommended that the program correct the remaining violations and submit appropriate documentation to her no later than December 15, 2019. The program must submit a report in six months and no later than May 22, 2020. They must submit another report within 18 months and no later than May 20, 2021. No additional classes may be added unless they receive prior consent. Additionally, the program will be placed on the November 2021 agenda for reconsideration of provisional approval.

Ms. Gomez stated she requested more information from Dr. Williams, and that he submitted the form without signatures, there were no transcripts and the material was not submitted within the requested timeframe. Ms. Gomez informed the Program Director that the correct information must be submitted prior to the recommendation of a new class.

Public Comment:

Dr. Wayne Williams, President and Program Director for Curam College stated that he agrees with some but not all the NEC's recommendations. He provided his reasoning for the report he supplied the NEC.

Mr. John Vertido, Instructor at Curam College, stated that Dr. Williams continues to work to correct all violations issued by the NEC and the school and classrooms are

well equipped to handle student needs. Curam College is dedicated to student success, increasing pass rates and getting off provisional approval as soon as possible by meeting the benchmarks mandated by state regulations.

Board Discussion:

Ms. Turner asked whether a supplemental report was completed.

Ms. Gomez confirmed that it was.

Mr. Dierking asked if the representative(s) submittal of additional documents changes the NEC’s recommendations.

Mr. Swenson asked Ms. Gomez if the additional information changed her recommendations since the last Education Committee Meeting?

Ms. Gomez stated the recommendation had not changed.

Ms. Turner asked for clarification that the school will not be taking a class for the end of this year and will remain in business under provisional approval with additional oversight by the NEC.

Ms. Gomez stated the information was correct.

Motion: Accept the NEC’s report to move forward with the Education Committee’s recommendation to place Curam College on Provisional Approval.

Moved/Seconded: Education Committee/Not Required

Ms. Endozo recommended that this school be placed on the Agenda for the next Education Committee Meeting.

Member Name	Vote
Ms. Endozo	Yes
Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes
Mr. Maxey	Abstain
Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	Yes
Ms. Turner	Yes

Motion carried.

2. Los Angeles Job Corps, Los Angeles

The Board received the report from Dr. Fairchild, NEC.

Dr. Mountain reported that the Education Committee recommended the Board accept the NEC report’s recommendations.

There was no program representative present.

Public Comment: None

Board Discussion:

Ms. Turner Inquired whether a confirmation letter was received from school representatives.

Dr. Fairchild confirmed that the letter was received prior to the Board Meeting.

Dr. Bass de Martinez asked the NEC if any additional information received changes her recommendations.

Dr. Fairchild stated that it did not change her recommendations.

Mr. Sellers asked if the school has adequate clinical accommodations for the 30 students.

Dr. Fairchild confirmed that it does not have enough space for the OB and Pediatrics.

Once the program has a confirmed director it will evaluate all clinical sites for the program.

Motion: Accept the Education Committee recommendation for Los Angeles Job Corps, Los Angeles.

Moved/Seconded: Education Committee / None Needed

Member Name	Vote
Ms. Endozo	Yes
Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes
Mr. Maxey	Yes
Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	Yes
Ms. Turner	Yes

Motion carried.

C. Request to Admit Students by Programs on Provisional Approval

1. Angeles Institute, Artesia

Dr. Fairchild, NEC gave the school report and presented her recommendations.

Brandy Coward, Director of Nursing, agrees with the NEC’s recommendations.

Public Comment:

None

Board Discussion:

None

Motion: Accept NEC’s report and recommendations.

Moved/Seconded: Mr. Dierking / Mr. Maxey

Member Name	Vote
Ms. Endozo	Yes

Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes
Mr. Maxey	Yes
Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	Yes
Ms. Turner	Yes

Motion carried.

2. Integrity College of Health, Pasadena

The Board received the report from Ms. Gomez, NEC.

Ms. Gomez presented the school report and recommendations. She stated that on November 12, 2019, Marie Cordero received an email from Bureau of Private and Post-Secondary Education (BPPE), stating the application to continue as a school was denied November 8, 2019. The school has the option to contest the denial in writing within 60 days to the BPPE. If no appeal is received, the denial is upheld by BPPE; therefore, the recommendation is to deny adding the class.

Bella Massey: Director of Education for Integrity of Health, Program Director, Alice Sorrell-Thompson, and Leanne Roman, CEO and President of Legacy Education were present as representatives for the program.

Ms. Massey does not agree with the NEC's recommendation. She recognizes that financial stability is one of their challenges and continues to work diligently to correct the issues.

Ms. Sorrell-Thompson stated she was made aware of the management agreement when she joined the program. The understanding is that Legacy Education continues to support their program for the current students and graduates. They offer ongoing weekly NCLEX reviews along with tutoring for the current students.

Ms. Roman stated she is familiar with the BPPE regulations. They provided the Board with the contractual agreement for the management of Integrity College of Health-Pasadena. The school doesn't yet have the approval of BPPE, is nationally accredited by ABHES since 2009, and in good standing with the National Accrediting Institution and the federal Department of Education. Prior to BPPE's decision, the NEC was in support of the pre-approval to enroll the next class of 55 students that were pre-approved for enrollment December 4, 2019.

Ms. Roman inquired if it is required to come back for further discussion, or can it be discussed now.

Public Comment:

None

Board Discussion:

Mr. Swenson stated, that based on the change in circumstances and the offer of new and different evidence and information that wasn't available to the NEC, the Board is without jurisdiction to consider these issues. He recommends that this matter be referred to the Education Committee for a full hearing. Additional documents can be submitted to the NEC for analysis to include in the report for the Education Committee and then to the full Board.

Mr. Sellers wanted to know if the NEC knows the nature of the BPPE denial

Mr. Dierking asked if the NEC is withdrawing its recommendations based on the BPPE denial. Mr. Dierking also wanted to know if there is any guidance from Code or Regulations relating to the independent judgment of action of BPPE, or any other Bureau or agency.

Motion: Accept NEC's report and recommendations.

Moved/Seconded: Kenneth Maxey / Bernice Bass de Martinez.

Staff will notify the school when the Education Committee Meeting is scheduled.

Member Name	Vote
Ms. Endozo	Yes
Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes
Mr. Maxey	Yes
Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	Yes
Ms. Turner	Yes

Motion carried.

3. Institute of Technology, Modesto

The Board received the report from Ms. Valdes, NEC.

Cynthia Martin of Institute of Technology, Modesto, agrees with the NEC's recommendations.

Public Comment:

None

Board Discussion:

None

Motion: Accept NEC's report and recommendations.

Moved/Seconded Mr. Dierking/Ms. Turner

Member Name	Vote
Ms. Endozo	Yes
Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes
Mr. Maxey	Absent
Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	Yes
Ms. Turner	Yes

Motion carried.

4. North West College, Riverside.

The Board received the report from Ms. Silverman, NEC.

Ms. Gomez, NEC presented the school report on Ms. Silverman’s behalf. There was a change in the recommendation because Ms. Silverman received additional information that the violations were corrected. The NEC received documents on October 30, 2019, for a revised pediatric clinical site which gives the program the adequate resources for the program. It was confirmed the site was available for students on November 4, 2019. NEC recommends the approval to add a class of cohorts.

Dr. Katherine Cylke, Director of Nursing from North West College – Riverside agrees with the amended NEC report and explained that all eight violations were corrected. Mitchell Fuerst, President of North West College – Riverside, agrees with the amended NEC report.

Public Comment:

None

Board Discussion:

Recommendations: To approve and admit a class of 30 students on December 2, 2019, to graduate on March 5, 2021.

Motion: Accept NEC’s amended report and recommendations.

Moved/Seconded: Ms. Turner/Ms. Carpenter

Member Name	Vote
Ms. Endozo	Yes
Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes
Mr. Maxey	Absent

Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	Yes
Ms. Turner	Yes

Motion carried.

Agenda Item 14 Executive Officer's Report

A. Stakeholder Meeting for Mechanical Ventilator Care Program

Ms. Yamaguchi reported on the ongoing work regarding care for patients on mechanical ventilators. An advisory group of care providers and other stakeholders was convened in November 2019 to discuss a post licensure certification for LVN's and PT's to ensure consistent training on the care of patients on Mechanical Ventilators.

Public Comment:

None

Board Discussion:

None

B. Strategic Plan: Action Plan and Performance Measures

Ms. Yamaguchi presented the strategic plan document for 2020-2025. Wednesday's Board meeting pulled together the committees' roles, objectives and measurements that will be used to achieve the goals set forth in the Strategic Plan. Staff will make corrections, finalize the document and disseminate it. It will be sent to all Board Members.

Public Comment:

None

Board Discussion:

None

C. Financial Report

Ms. Yamaguchi presented the Board's current financial condition. The BVNPT budget analyst projects a slightly higher revenue stream than DCA budget provided, which is good news. Fiscal Years 2017-18 and 2018-19 have not been closed, and we do not have final financial reports to work with. This creates a challenge in planning and management.

Public Comment:

None

Board Discussion:

Ms. Turner asked how the AG fees are billed to the Board.

Ms. Yamaguchi replied that the Office of the Attorney General bills our Board by the hour.

Agenda Item 15 Enforcement Division Report

Ms. Raney presented the Enforcement Division Report. The report included updates on two staff members who returned to the Board after seeking promotions elsewhere. This speaks to where we are as a Board today. Ms. Raney presented the statistical overview. Of particular interest is the investigations unit, how the unit continues to show substantial progress in eliminating the backlog.

Public Comment:

None

Board Discussion:

None

Agenda Item 16 Legislative /Regulations Committee - Reports, Recommendations, and Possible Actions.

Mr. Dierking provided the report. The Legislative/Regulations Committee discussed the role of the committee, legislation tracking, the sunset legislation concepts, implementation of AB 2138 and how the Board evaluates licensure for individuals with criminal convictions.

Motion: Accept the 2020 Sunset Legislation concepts and authorize staff to move forward in developing bill language.

Moved/Seconded: Legislative and Regulations Committee

Member Name	Vote
Ms. Endozo	Yes
Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes
Mr. Maxey	Yes
Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	Yes
Ms. Turner	Yes

Motion carried.

Public Comment:

None

Board Discussion:

Motion: Move to direct staff to take appropriate steps to investigate and evaluate a mechanical ventilator care certification program for VNs and PTs.

Moved/Seconded: Legislative and Regulations Committee

Member Name	Vote
Ms. Endozo	Yes
Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes
Mr. Maxey	Yes
Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	Yes
Ms. Turner	Yes

Motion carried.

Public Comment:

Ms. Saskia Kim from the California Nurses Association presented a statement voicing the Association’s concerns.

Board Discussion:

None

Motion: Move to accept the school fee concept and direct the staff to establish the fee ranges and present final bill language to the full Board.

Moved/Seconded: Legislative and Regulations Committee

Member Name	Vote
Ms. Endozo	Yes
Dr. Bass de Martinez	Yes
Ms. Amezola de Herrera	Yes
Ms. Carpenter	Yes
Mr. Dierking	Yes
Mr. Maxey	Yes
Dr. Mountain	Yes
Ms. Norton	Absent
Mr. Sellers	No
Ms. Turner	Yes

Motion carried.

Agenda Item 17 Licensing and Evaluations

A. Licensing and Evaluations Committee

Dr. Bass de Martinez provided the committee report. Points of discussion focused on the function of the committee, review of strategic goals, and an agreement to meet in January 2020.

B. Licensing Division Report

Ms. Johnson and Mr. Brent reported that the Continuing Education (CE) audit started in June, and that the Board has issued 20 citations for non-compliance so far.

Ms. Johnson provided accolades to the Evaluations team on their processing times. The team is currently at two weeks processing times. This is significant because the processing times in June 2019 averaged 40 weeks. The credit card transactions average ten a week.

Mr. Brent provided an update on customer service skills trainings offered to the reception staff.

Ms. Yamaguchi commended the licensing division for the strides that have been made.

Public Comment:

None

Board Discussion:

None

Agenda Item 18 Executive Committee – Report, Recommendations, and Possible Actions

A. Committee Report

Ms. Endozo presented the Executive Committee Report.

Ms. Turner asked about the minutes from August 9, 2019. She wanted it on the record that the Per Diem committee never met and wasn't given the opportunity to bring their findings to the Executive Committee.

Public Comment: None

Board Discussion:

No comment on the September 2019 minutes report.

No further comment from Board members. No motion needed.

Agenda Item 19 Public Comment on Items Not on the Agenda.

Public Comment:

Kary Weybrew, Success Education College of Vocational Nursing provided an update on the presentation given in May 2019 and the work which has occurred.

Board Discussion:

None

Agenda Item 20 Suggestions for Future Agenda Items.

No recommendations for future agenda items.

Agenda Item 21 Adjournment

Ms. Endozo adjourned the meeting at 12:46 pm.

Prepared by: SIGNATURE ON FILE Date: 3/6/2021
Elaine Yamaguchi
Executive Officer

Approved by: SIGNATURE ON FILE Date: 3/6/2021
Tammy Endozo, LVN
Board President