



<b>DATE</b>	August 1, 2024
<b>TO</b>	Board Members
<b>FROM</b>	Elaine Yamaguchi Executive Officer
<b>SUBJECT</b>	Executive Officer’s Report: August 2024

Greetings, Board Members.

The August 2024 Board Meeting will be in-person in Sacramento, with a Strategic Plan workday on Thursday the 15<sup>th</sup>, and a regular business meeting on Friday the 16<sup>th</sup>. Please be sure to make your travel arrangements soon.

**Budget and Finance**

We have attached the Board’s most current Fund Condition report and have invited our colleagues from the DCA Budget Office to provide updates and answer questions.

**Strategic Plan**

Our consultants from SOLID have prepared the environmental scan from the interviews and surveys conducted earlier this year and provided sample worksheets to help move forward. The management team met to discuss this scan and broad ideas for future goals. We sent the environmental scan and the worksheets to the Board members in advance, to allow ample time to review. They will be posted on the BVNPT website with the agenda materials.

**Sunset Review: AB 3255 (Berman)**

The Sunset bill, AB 3255 (Committee) was approved on the Assembly Floor on May 24, 2024, by a vote of 71-0-9. It was approved by the Senate Business, Professions and Economic Development Committee on July 1, 2024, by a vote of 13-0-0. It is now awaiting hearing in Senate Appropriations.

The bill text is attached. It contains some of the technical clean-ups we had requested and was amended to authorize the Board to develop a cite and fine system for the schools. The Legislative staff has begun to finalize the “mirror” language for the Psychiatric Technician Law.

**Federal Title IV Rulemaking: SB 164**

The Higher Education Act of 1965 governs the administration of federal higher education programs, and Title IV authorizes federal financial assistance programs for students. Under BVNPT’s laws and regulations, approved school programs must require a minimum of 1530 hours. New federal regulations provide that, if a school

program exceeds the 1530 hours, they lose eligibility for Title IV funding, effective July 1, 2024. A significant number of the current school programs require well over 1530 hours.

Over the past three months, more than 50 schools have revised their existing curricula and worked with their NECs to bring the number of instructional hours down to 1530 hours to maintain eligibility for Title IV funding. The approval of these curricula revisions have been handled through the Executive Officer approval and Board ratification process.

The Department of Consumer Affairs led an interdepartmental effort to provide a legislative solution. With the support of the Administration and the Legislature, Chapter 41 of the Statutes of 2024 (SB 164 (Budget)) was chaptered on June 29, 2024. This language extends the implementation period until January 1, 2027, enabling the schools and BVNPT to make permanent changes while preserving educational quality at all stages.

Alongside the California-specific legislation, a federal court in Texas also issued a preliminary injunction on the implementation of this rule change, and the U.S. Department of Education has requested clarification before filing a response.

In light of the SB 164 (Budget)) provisions effectively extending the implementation period and/or the preliminary injunction, there are already requests from schools who changed their curricula to change back.

#### **Transition to NURSYS.com for License Verification**

Attached, please find a memo and supporting materials following up on the NCSBN presentation at the May meeting and recommending Board action.

#### **Respiratory Care Board Proposed Regulatory Action**

Attached, please find a memo and supporting materials for discussion and possible action regarding the Respiratory Care Board (RCB)'s proposed legislation and regulations. The Board discussed the RCB's proposed rulemaking and approved the submission of comments in December 2022. That rulemaking was withdrawn after that comment period, and RCB gathered information, consulted stakeholders, and requested legislation to extend the original timeframe authorized in their sunset bill, SB 1436 (Committee). The RCB sent notification for a hearing on August 7, 2024, on the language put forth in 2022. In light of this, we submitted the same comment letter from 2022, with a cover letter thanking RCB for meeting with us to discuss possible changes in the proposed language.

**Discussion of Board Training Days**

The staff would like some input and suggestions from the Board to help shape future training and development days. Recently, the Board has held sessions dealing with Diversity Equity and Inclusion, the work of the Nursing Education Consultants, Licensing, and Enforcement, as well as administrative functions. In the past, the Board has invited guest speakers from DCA, the Business, Consumer Services and Housing Agency, the Administration, the Legislative staff and others. Please think about information and discussions that would enhance your work as a Board Member.

**Board Meeting Logistics**

At the November Board Meeting, staff will present a proposed master calendar for 2026. The schedule for 2025 was approved last year. The Board may wish to discuss locations for meetings, as well as the dates.

**Closing**

Please don't hesitate to call or email with any questions or suggestions, or if you need help with anything. We're looking forward to the meeting.