



EXECUTIVE COMMITTEE MEETING MINUTES

June 13, 2024

**2535 Capitol Oaks Drive, Ste. 205
 Sacramento, CA 95833
 via WebEx Webinar**

Board Members Present:

Dr. Mountain, Board President, Chair
 Mr. Dierking, Board Vice President

Staff Present:

Ms. Yamaguchi, Executive Officer
 Dr. McLeod, Lead Nursing Education Consultant
 Ms. Brown, Licensing Manager
 Mr. Hall, Licensing Supervisor
 Ms. Wood, Chief, Enforcement Division
 Mr. Prouty, Discipline Manager
 Mr. Delgado, Enforcement Supervisor
 Mr. Weiler, Admin Manager
 Ms. Ball, Board Administrative Analyst (moderator)

DCA Staff Present:

Mr. Swenson, Attorney III, Board General Counsel

1. Call to Order & Committee Roll Call – Dr. Mountain, Chair.

Dr. Mountain called the meeting to order at 2:15 p.m.

Committee members introduced themselves.

2. Introduction of Staff and Counsel – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi introduced board staff. Mr. Swenson introduced himself.

3. Operations Update – Mark Ito, Assistant Executive Officer.

Mr. Weiler shared updates on administrative items such as member per diem processing and member travel processing contact(s). He shared an update on the Accounts Receivable Audit which is currently on hold due to the auditor being out of the office on extended leave. He shared an update on the Board's current recruitment efforts across the board and other HR projects being processed.

Committee Discussion:

Mr. Dierking asked whether or not the per diem and travel information will be shared with all members. Mr. Weiler confirmed that all members will be advised.

4. Enforcement Division Report – Antoinette Wood, Chief, Enforcement Division.

Ms. Wood shared that the division was able to get back to less than one thousand cases; though seeing an increase in the number of new cases, they are able close the cases quicker. She shared that she is in the recruitment process for hiring two managers and two analysts and is confident in seeing a continued case load of less than a thousand open cases once these positions have been filled.

Ms. Wood shared an update on Operation Nightingale, specifically that the Board is in a holding pattern as it waits on outside agencies to complete their investigations and take action so BVNPT can determine how it will handle those cases.

Committee Discussion: None.

5. Education Division Update – Judith McLeod, Lead Nursing Education Consultant.

Dr. McLeod shared that the NECs have been working on many curriculum changes, meeting weekly and prioritizing this workload to meet the July 1 deadline of the new Federal Title IV requirements. There are now three new programs in the proposed programs process, including a new PT program.

Committee Discussion: None.

6. Licensing Division Update – Shelley Brown, Licensing Manager.

Ms. Brown shared that there is a new Licensing Technician who started in May and that there is a new Licensing Analyst scheduled to start at the beginning of July. The recruitment for another Analyst closed earlier in the week and will begin the interview process soon. There is one additional Licensing Technician vacancy to recruit for.

Committee Discussion: None.

7. Legislation and Regulations – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi shared the Disciplinary Guidelines Regulations package's public comment period closed at the beginning of June and no public comment was received. The package is now being prepared to continue the approval process. She thanked Ms. Schieldge and Ms. Wood for their continued work on this package.

Ms. Yamaguchi continued to update the committee on the Federal Title IV Rulemaking, sharing that the DCA led an interdepartmental project to coordinate bill

language to extend the period of time for full implementation; this will allow for a safer and more successful implementation.

8. Board Schedule – Elaine Yamaguchi, Executive Officer

Ms. Yamaguchi shared that the next Board Meeting is scheduled for August 15 and 16 in Sacramento. The 15th will be a strategic plan work day with board members and staff. The 16th will be a regular business meeting.

Ms. Yamaguchi asked the committee their thoughts on whether to hold another training day in November or wait until February. The November business meeting will have a few additional items, such as potentially finalizing the strategic plan and the Executive Officer Review.

Dr. Mountain asked to have the members polled on this topic brought up at the August meeting to get feedback and desired training topics from the full board. Ms. Yamaguchi agreed to include this topic in August.

9. Board Member Accountability – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi shared a current version of the member votes log and expressed no concerns. Staff is pleased with participation and attentiveness of members. Dr. Mountain thanked the Discipline Unit for the updated formatting and including a summary with the voting packets. She shared that it comes in handy and allows for a better understanding of the packet.

Ms. Yamaguchi shared that Ms. T. Brown has resigned from the Board.

10. Next Executive Committee Meeting: TBD July 2024.

Next Executive Committee Meeting is scheduled for July 11, 2024 from 2:00 – 4:00 p.m. or until the completion of business.

11. Suggestions for Future Agenda Items.

No items were suggested.

12. Adjournment.

Dr. Mountain adjourned this meeting at 2:35 p.m.

Prepared by: _____ Date: _____

Elaine Yamaguchi

Executive Officer

Approved by: _____ Date: _____

Dr. Carel Mountain, Education Member

Board President

EXECUTIVE COMMITTEE MEETING MINUTES

July 11, 2024

2535 Capitol Oaks Drive, Ste. 205
Sacramento, CA 95833
via WebEx Webinar

Board Members Present:

Dr. Mountain, Board President, Chair
Mr. Dierking, Board Vice President

Staff Present:

Ms. Yamaguchi, Executive Officer
Dr. McLeod, Acting Supervising Nursing Education Consultant
Ms. Brown, Licensing Manager
Mr. Hall, Licensing Supervisor
Ms. Wood, Chief, Enforcement Division
Mr. Prouty, Discipline Manager
Mr. Delgado, Enforcement Supervisor
Mr. Weiler, Admin Manager (moderator)

DCA Staff Present:

Mr. Swenson, Attorney III, Board General Counsel
Ms. Schiedge, Attorney IV, Board Regulations Counsel

1. Call to Order & Committee Roll Call – Dr. Mountain, Chair.

Dr. Mountain called the meeting to order at 2:07 p.m.

Committee members introduced themselves.

2. Introduction of Staff and Counsel – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi introduced board staff. Mr. Swenson introduced himself. Ms. Schiedge introduced herself.

3. Operations Update – Mark Ito, Assistant Executive Officer.

Ms. Yamaguchi shared Mr. Ito and Rochelle Lee have been evaluating the demands and needs for the successor lease. Ms. Yamaguchi was happy to report the new security system and locks are installed which provides the ability to track entry through the badge access system.

Mr. Weiler shared administrative staffing updates given the addition of the new HR Liaison, Liz Shelley, who started last week and is already taking over many of the personnel action packages. Mr. Weiler stated he is currently recruiting to refill the Board Admin Analyst position vacated by Rebecca Ball. Lastly, Mr. Weiler advised there are about a dozen personnel packages throughout the various divisions at different phases of movement which he continues to work with DCA's Office of Human Resources.

Committee Discussion: Mr. Dierking asked if the May budget revision impacted position authority and the ability to become fully staffed. Ms. Yamaguchi explained options were explored, such as a Budget Change Proposal or utilizing blanket positions, but ultimately and unfortunately Licensing needed to have three positions reallocated to Education to make their limited term positions permanent.

4. Enforcement Division Update – Antoinette Wood, Chief, Enforcement Division.

Ms. Wood shared the division was doing well and there are a couple of vacancies she is working on filling. Ms. Wood was excited to announce a new Probation Manager, Rachel Vierra, who was formerly a Probation Monitor. Ms. Wood highlighted this as a promotional opportunity. Ms. Wood advised she planned to backfill Vierra's Probation Monitor vacancy as a Staff Services Analyst / Associate Governmental Program Analyst (AGPA) recruitment as a promotional opportunity. Ms. Wood advised she has two new analysts and a new manager starting soon in the Intake & Enhanced Screening Unit.

Ms. Wood shared an update on Operation Nightingale. Ms. Wood advised BVNPT's cases remained open pending the outcome of similar investigations by other boards. Ms. Wood advised other Nightingale investigations are on-going.

Committee Discussion: None.

5. Education Division Update – Judith McLeod, Acting Supervising Nursing Education Consultant.

Dr. McLeod shared two more schools applied for proposed programs and submitted letters of intent. Dr. McLeod stated a psychiatric technician program decided to withdraw their application because they felt they weren't ready to proceed and will reapply in six months once they are ready to continue with the process. Dr. McLeod stated Summit El Cajon, which is an approved program, will be voluntarily requesting to be removed from the list in August as they are closing for the next year to get some problems under control.

Dr. McLeod shared it has been a great experience working with Licensing and Enforcement and hopes that will continue.

Committee Discussion: Dr. Mountain shared her disappointment about losing a potential psychiatric technician school but respected their desire to have everything ready to reapply.

6. Licensing Division Update – Shelley Brown, Licensing Manager.

Ms. Brown shared interviews were conducted this week for a vacant AGPA position. Ms. Brown advised there are two Licensing Technician vacancies being recruited. Ms. Brown stated a new Equivalency Analyst started in July.

Committee Discussion: None.

7. Legislation and Regulations – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi shared the Disciplinary Guidelines Regulations package was signed by Director Kirchmeyer. She expressed her appreciation to Ms. Wood and Ms. Schieldge for working on this process.

Ms. Schieldge advised the package was filed with the Office of Administrative Law who needs to conduct their review and expects to hear back from them on August 14, 2024. Once approved, it is anticipated to go into effect October 1, 2024, but that date is tentative at this point.

Ms. Yamaguchi continued to update the committee on the Federal Title IV Rulemaking sharing that a federal court in Texas issued a temporary injunction. She explained DCA was able to include legislation in the Budget Act, SB 164, which was signed into law that provides additional years to create better guidelines and define regulations to get schools up to the new standard. She expressed her appreciation for the NEC team continuing to work with schools.

Ms. Yamaguchi provided an update on the Sunset Bill which is waiting to be heard in at Senate Appropriations. The authority to cite and fine school programs was included language in the Sunset Bill. She stated she believed the Sunset Bill showed a good and growing relationship with legislative staff.

Committee Discussion: Mr. Dierking asked how we engage with stakeholders and provide an opportunity for participation in the rulemaking process. Ms. Yamaguchi provided recent historical examples of NECs working with stakeholders. Ms. Schieldge explained how public outreach occurs for proposed action and the means to receive public comment. She noted that no public comment was received for the Disciplinary Guidelines project.

8. Board Schedule – Elaine Yamaguchi, Executive Officer

Ms. Yamaguchi shared that the next Board Meeting is scheduled for August 15 and 16 at the Evergreen campus in Sacramento. The first day will be a board member

workday for the strategic plan. She advised SOLID prepared documents and worksheets for each topic to be covered to solicit ideas and suggestions to create a framework.

Ms. Yamaguchi explained based on new Bagley-Keene meeting requirements a discussion should occur to determine if we want to continue meeting in-person or hybridize or do an entirely virtual meeting.

Committee Discussion: Dr. Mountain stated it can be hard for board members who do not live in Sacramento to always need to travel to Sacramento for meetings. She stated she likes to have meetings in Sacramento. Ms. Yamaguchi advised it is more expensive to have board meetings outside of Sacramento and given the Governor's mandate to reduce unnecessary expenditures, that presents challenges to off-site meetings.

9. Board Member Accountability – Elaine Yamaguchi, Executive Officer.

Ms. Yamaguchi shared a current version of the member votes log. She expressed no concerns and staff is pleased with participation and attentiveness of members.

Ms. Yamaguchi shared that Ms. T. Brown has resigned from the Board. An LVN and a general public member seats are vacant.

Ms. Yamaguchi advised Ms. Carpenter, Mr. Dierking, and Mr. Maxey are in their grace period and DCA will need to work with appointing authorities.

Ms. Yamaguchi announced the planned retirement of Mr. Ken Swenson. Mr. Swenson advised his anticipated last working day will be approximately November 1, 2024. He advised preliminary steps have been taken to select replacement General Counsel so they can get a feel for the board through upcoming meetings. He thanked the Executive Committee for their support during his time with the board.

Committee Discussion: Dr. Mountain thanked Mr. Swenson, congratulated him on his retirement and advised he will be very missed.

10. Next Executive Committee Meeting: TBD September 2024.

The next Executive Committee Meeting is scheduled for September 5, 2024 from 2:00 – 4:00 p.m. or until the completion of business.

11. Suggestions for Future Agenda Items.

Mr. Dierking raised the issue of public involvement in rulemaking to ensure effective and equitable regulations are made. Ms. Schieldge volunteered to provide a mini

rulemaking training at either a committee meeting or board meeting.

12. Adjournment.

Dr. Mountain adjourned this meeting at 2:49 p.m.

Prepared by: _____ Date: _____

Elaine Yamaguchi

Executive Officer

Approved by: _____ Date: _____

Dr. Carel Mountain, Education Member

Board President