



Enforcement, Investigation, and Intervention Committee (EIIC)

Committee Meeting Materials

BRN - EIIC Meeting | June 21, 2024

Enforcement, Intervention, and Investigation Committee June 21, 2024

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Agenda Item 3.0

Review and Vote on Whether to Approve Previous Meeting Minutes: October 26, 2022

BRN - EIC Meeting | June 21, 2024

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

Date: October 26, 2022

09:01 **Start Time:** 09:01

Location: **NOTE:** Pursuant to the provisions of Government Code section 11133 a physical meeting location was not provided.

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

Wednesday, October 26, 2022 - 09:01 am - 09:33 am Committee Meeting

09:01 **9.0 Call to Order/Roll Call/Establishment of a Quorum**
Patricia Wynne, Chairperson, called the meeting to order at 09:01 am. All members present, except Elizabeth Woods. Quorum established at 09:03 am.

EIC Committee Members: Patricia Wynne, Esq., Public Member - Chairperson
Dr. Mary Fagan, Ph.D., R.N., NEA-BC, Nurse Services Administration Member
Elizabeth A. Woods, RN, FNP, MSN, Advanced Practice Member
Roi David Lollar, Public Member

Absent Member: Elizabeth A. Woods

BRN Staff Representatives: Shannon Johnson, Chief of Enforcement Division
Loretta Melby, RN, BSN, MSN, Executive Officer (EO)
Reza Pejuhesh, DCA Legal Attorney

09:04 **9.1 Public Comment for Items Not on the Agenda; Items for Future Agendas**

Public Comment for Agenda Item

9.1: Sarah Giron, CRNA, Kaiser – Concerns with expedition of licensure to obtain employment in the state. She knows of an out of state practitioner with 28 years’ experience who does not have a microbiology class with lab because it did not exist when she went to school and cannot get licensed. She asks that this issue be put on a future agenda. There are 40 CRNA vacancies at Kaiser and they cannot get people licensed. Loretta Melby asked the commenter to send her an email with concerns and provided her email address.

09:08

9.2 Review and Vote on Whether to Approve Previous Meeting Minutes

9.2.1 June 23, 2022

Committee

Discussion: No comments or questions.

Motion: Patricia Wynne to accept EIC meeting minutes from June 23, 2022 and allow BRN staff to make non-substantive changes to correct name misspellings and/or typos that may be discovered in the document.

Second: Mary Fagan

Public Comment for Agenda Item

9.2.1: No public comment.

Vote:

Vote	PW	MF	EW	RL
	Y	Y	AB	Y
Key: Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

5-minute recess from 9:11 am to 9:15 am

Loretta Melby, Executive Officer, explained that the reason the Nursing Practice Committee did not begin at 9 am and the Enforcement Intervention Committee was moved up is that the Nursing Practice Chair is not in attendance and staff are reaching out to her. She asked if there was any public comment regarding this change.

Mary Adorno – Asked if the reordering of the agenda will be available in the other committees. She also asked if there is an ETA when the Nursing Practice Committee will begin. Loretta Melby said public comment will be available and the Nursing Practice Committee should begin around 9:30 am.

09:19

9.3 Information only: Enforcement and Investigation Update

Presented by: Shannon Johnson

Committee

Discussion: Patricia Wynne said this is a very complete report for a newcomer. She asked how recruitment is done for the Intervention Evaluation Committees. Shannon Johnson explained the methods used by enforcement to recruit for vacant positions.

Public Comment for Agenda Item

9.3: Merry – Nurse Practitioner who works for the Department of Health in Los Angeles, SEIU and California Association of Nurse Practitioners

(CANP). She had a question about transition to practice requirements and the Office of Professional Examination Services (OPES) presentation on the Education Licensing Committee (ELC) agenda. Loretta Melby let the commenter know this is not the right agenda item and the commenter will return at that time.

09:27

9.4

Discussion and possible action regarding appointment of Intervention Evaluation Committee Members

Presented by: Shannon Johnson

Name	Member Type	IEC Location	Appointment Type	Term Expiration
Dean Rischel, PhD	Public	2	New Appointment	30-Jun-26
Jhonna Porter, RN	Nurse	3	New Appointment	30-Jun-26
James Luzano, MD	Physician	3	New Appointment	30-Jun-26
Gia Gittleson, RN	Nurse	4	New Appointment	30-Jun-25
Randolph Holmes, MD	Physician	4	New Appointment	30-Jun-26
Judy Speak, RN	Nurse	6	New Appointment	30-Jun-26
Richard Skaff, PhD	Public	6	New Appointment	30-Jun-26
Julius Musenze, MD	Physician	6	New Appointment	30-Jun-26
Andrew Berger, PhD	Public	7	New Appointment	30-Jun-25
Joseph Ortiz, PhD	Public	9	New Appointment	30-Jun-26
David Liu, MD	Physician	9	New Appointment	30-Jun-26
Bradley Webster, RN	Nurse	10	New Appointment	30-Jun-24
Victoria Pon Tell, RN	Nurse	10	New Appointment	30-Jun-25
Maureen Gatt, PhD	Public	10	New Appointment	30-Jun-26
Uzo Ogbodo, RN	Nurse	12	New Appointment	30-Sep-25
Martha Sparling, RN	Nurse	12	New Appointment	30-Jun-25
Valerie Milner, MFT	Public	12	New Appointment	30-Jun-23

Committee Discussion:

Mary Fagan asked about proposed members having a conflict of interest and the question on the application being unclear. Shannon Johnson agreed that the question is unclear, and they are working to make changes to the form.

**Public Comment
for Agenda Item**

9.4: No public comments.

Motion: Patricia Wynne to recommend appointment of the proposed IEC members as listed in the meeting materials.

Second: David Lollar

Vote:

	PW	MF	EW	RL
Vote	Y	Y	AB	Y
Key: Yes: Y No: N Abstain: A Absent for Vote: AB				

Motion Passed

09:33

9.5

Adjournment

Patricia Wynne, Chairperson, adjourned the meeting at 09:33 am.

Submitted by:

Accepted by:

Shannon Johnson
Chief of Enforcement Division
Enforcement Intervention Committee
California Board of Registered Nursing

Patricia Wynne, Esq.
Chairperson
Enforcement Intervention Committee
California Board of Registered Nursing



Agenda Item 4.0

Information Only: Overview and Comparison of Intervention Program and Probation

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BOARD OF REGISTERED NURSING
Enforcement, Intervention, and Investigation Committee
Agenda Item Summary

AGENDA ITEM: 4.0
DATE: June 21, 2024

ACTION REQUESTED: Overview and comparison of Intervention Program and probation

REQUESTED BY: Patricia Wynne, Esq., Chairperson

BACKGROUND: The California Board of Registered Nursing (Board) offers a confidential Intervention Program (IP) as an alternative to traditional discipline for registered nurses (RNs) that qualify based on a substance use disorder and/or mental health issues. This agenda item, at the prior request of the Board, will provide an overview and comparison of both programs including, but not limited to, criteria for acceptance or denial, successful completion, terms of each program (including drug/alcohol testing), courses, treatment, employment, public awareness, associated fees, length of each program and milestones, and the number of licensees in each.

The governing statutes for the IP can be found at: [Business and Professions Code section 2700 through 2770.14](#). RNs accepted into the IP are required to comply with conditions of the recovery recommended by Intervention Evaluation Committees. When a participant successfully completes the IP, their license is restored without restrictions, information about their participation in the IP remains confidential, and records related to their participation in the program are ultimately purged.

The Board also conducts monitoring of RNs placed on probation through the administrative adjudication process for a violation(s) of the Nursing Practice Act. The terms of probation can be found in the Board's [Recommended Guidelines for Disciplinary Orders and Conditions of Probation](#). RNs placed on probation are required to comply with the specific conditions identified in their discipline order. When a licensee on probation successfully completes the term of probation, their license is restored without restrictions; however, the accusation and final order remain a matter of public record indefinitely.

NEXT STEPS:

PERSON TO CONTACT: Shannon Johnson, Enforcement Division Chief
(916) 515-5265



Agenda Item 5.0

Information Only: Discussion regarding issues surrounding Intervention Evaluation Committees (IECs) and IEC meetings (including but not limited to discussion of: IEC member vacancy and recruitment; frequency, length, legal requirements, logistics, etc. of IEC meetings; assignment of IEC participants to IECs; etc.)

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BOARD OF REGISTERED NURSING
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AGENDA ITEM: 5.0

DATE: June 21, 2024

ACTION REQUESTED: Discussion regarding issues surrounding Intervention Evaluation Committees (IECs) and IEC meetings (including but not limited to discussion of: IEC member vacancy and recruitment; frequency, length, legal requirements, logistics, etc. of IEC meetings; assignment of IEC participants to IECs; etc.)

REQUESTED BY: Patricia Wynne, Esq., Chairperson

BACKGROUND: The governing statutes of the California Board of Registered Nursing (Board) Intervention Program (IP) can be found at [Business and Professions Code section 2770 through 2770.14](#). The IECs hold meetings to discuss and make recommendations regarding IP participants to the Board's staff program manager. The IECs have a critical role in the Board's IP.

This agenda item will discuss the structure of the committees, how IEC member appointments are managed, including but not limited to, term limits, qualifications, turnover, recruitment efforts, vacancy rates, meeting overview and structure, frequency, participant distribution, and the law that supports this.

NEXT STEPS:

PERSON TO CONTACT: Shannon Johnson, Enforcement Division Chief
(916) 515-5265