



BOARD OF REGISTERED NURSING

*Executive Officer: Catherine Puri
(916) 322-3350*

Pursuant to the Nursing Practice Act, Business and Professions Code section 2700 *et seq.*; the Board of Registered Nursing (BRN) licenses qualified RNs, certifies qualified nurse midwifery applicants, establishes accreditation requirements for California nursing schools, and reviews nursing school curricula. A major Board responsibility involves taking disciplinary action against licensed RNs. BRN's regulations implementing the Nursing Practice Act are codified in Chapter 14, Title 16 of the California Code of Regulations (CCR).

The nine-member Board consists of three public members, three registered nurses actively engaged in patient care, one licensed RN administrator of a nursing service, one nurse educator and one licensed physician. All serve four-year terms.

The Board is financed by licensing fees, and receives no allocation from the general fund. The Board is currently staffed by 56 people.

MAJOR PROJECTS:

Recommendations Developed to Address Nursing Shortage. A BRN special advisory committee recently proposed thirteen recommendations for development of a statewide strategy to ease the current nursing shortage. Currently in California and across the nation, the health care system is experiencing a significant shortage of RNs. (See CRLR Vol. 9, No. 4 (Fall 1989) p. 78; Vol. 9, No. 3 (Summer 1989) p. 70; and Vol. 9, No. 2 (Spring 1989) p. 74 for background information.) Increased demand for nurses, compounded by difficulties in retention and recruitment of RNs, has perpetuated the shortage. The thirteen recommendations, designed as a strategy to address the shortage, cover a broad range of issues including improved efforts in educational recruitment, employment diversification, and increased compensation and benefits.

More specifically, the recommendations call for the development of a five-year master plan to meet the changing educational and training needs for nurses in California. The advisory committee also recommended that state funding be allocated to provide financial support for nursing training programs and recruitment of qualified faculty. Recruitment strategies should target underrepresented groups including

minority, aged, and foreign-trained nurses. The committee also recommended that state and county funds be reallocated to increase nursing compensation to competitive levels at public health care institutions. The recommendations also include strategies to improve professional mobility for nurses, increase managerial opportunities, and develop programs for continuing nursing education throughout the nursing career.

During its January meeting, BRN approved a plan to hold public hearings on the nursing shortage. In February, BRN distributed copies of its thirteen recommendations to all California RNs in order to invite comments and receive feedback. Public hearings were subsequently held in Sacramento and Los Angeles in March and April. BRN is incorporating the public comments into the recommendations, and compiling a final report for the legislature which will be submitted later this year.

Diversion Program. During its quarterly meeting on March 29-30, BRN approved, for another year, the proposal submitted by Occupational Health Services (OHS) of Larkspur, California to administer the Board's statewide alcohol and drug diversion program. The program is designed to identify and rehabilitate RNs with substance abuse problems, and is funded through BRN licensing fees and the program's participants.

Only one other firm besides OHS submitted a bid proposal for the drug and alcohol diversion program contract. However, OHS was awarded the proposal for numerous reasons. First, the other bidding firm is relatively new and does not have OHS' track record. Also, the diversion program has achieved significant success over recent years and OHS' performance has been satisfactory. Finally, BRN has received several inquiries from other state boards concerning its diversion program, and the current program may serve as a model for other states.

Also during the March meeting, BRN approved several other proposals related to the diversion program. Guidelines were established for providing other state boards and employers with information on participants in the diversion program. Criteria were drafted for successful completion of the diversion program and for selection of appropriate treatment facilities. In addition, procedures were established for addressing the needs of nurses impaired with mental illness.

Finally, BRN recently voted to approve a proposal to establish three additional Diversion Evaluation

Committees (DEC) in Burbank, San Jose, and Ontario, in order to meet the recent growth in its diversion program. Fourteen new committee members were appointed by the Board to fill the new DEC's and other vacant positions. The DEC's located throughout the state function to oversee the activities of BRN's diversion program. The committees consist of three RNs, one public member, and one physician member.

Board Approves Annual Nurse Midwifery Exams. In the past, BRN has not set regular exam dates for midwifery applicants. Because some applicants have expressed dissatisfaction, the Board recently decided to conduct midwifery examinations once each year in August. The filing date for applying to take the examination is four weeks prior to the examination date.

Report on Clarification of Nursing Definition Approved. At its March meeting, BRN approved the distribution of a report of recent testimony provided during four open forums, in which clarification of the definition of nursing was the objective. During the four forums, extensive testimony was received and compiled into a report which the Board is now making available to the public. Although the report is not intended to represent a specific Board policy or definition, the report is being distributed to those interested in the issue. (See CRLR Vol. 9, No. 4 (Fall 1989) p. 78 for background information.)

LEGISLATION:

SB 2509 (Lockyer), as amended May 1, would provide that any disease, illness, syndrome, or condition requiring treatment pursuant to prescribed provisions resulting from blood-borne pathogens which occurs, develops, or manifests itself in certain health care workers shall constitute an injury arising out of and in the course of employment for workers' compensation purposes. This bill is pending in the Assembly Finance and Insurance Committee.

SB 2481 (Hart), as amended April 30, would prohibit any person or public agency from operating, conducting, or maintaining a temporary nursing service, after January 1, 1992, unless it has applied for and been approved by the state Department of Health Services (DHS). The bill would also specify procedures for the annual registration of temporary nursing services, specify standards an applicant would be required to satisfy to be approved by DHS, and require DHS to establish a fee for the initial registration and renewal of a registration. Unlicensed individuals placed as nurse assistants in skilled



nursing facilities would have to complete specified requirements for certification as a nurse assistant within six months from the date of employment with the temporary nursing service. The bill would prohibit a health facility from using unregistered services; require the facility to maintain a list of temporary nursing services it utilizes; and require the facility to perform certain duties with regard to nursing personnel which it utilizes. Under the bill, DHS would be authorized to periodically inspect temporary nursing services, and to deny any initial application or renewal application or suspend or revoke any registration which it has approved, for specified reasons. The bill would also disclaim authority of DHS to determine the scope of practice of RNs or LVNs, or to relieve a licensed health facility of its responsibilities for patient care under existing law. Any person in violation of these provisions shall be guilty of a misdemeanor. This bill is pending in the Assembly Health Committee.

AB 3242 (Lancaster), the Department of Consumer Affairs' omnibus bill, would delete an option for an RN to take an examination in lieu of completing 30 hours of continuing education as a condition of renewal of a license. This bill is pending in the Senate Business and Professions Committee.

The following is a status update of bills reported in CRLR Vol. 10, No. 1 (Winter 1990) at page 94:

SB 368 (Torres), introduced February 6, 1989, would redefine nursing hour calculations, and would require DHS to adopt regulations to take effect January 1, 1991, to reflect that change. The bill is still pending in the Assembly Health Committee.

AB 1055 (Roos) would state legislative intent concerning the need to promote recruitment of persons into RN education programs, and would require the dissemination of information to health facilities and educational institutions about successful efforts by health facilities and education institutions to recruit persons into registered nursing. This bill is pending in the Senate Education Committee.

AB 1581 (Murray), which would create the California Commission on AIDS, with one representative of the nursing profession, is pending in the Senate Appropriations Committee suspense file.

FUTURE MEETINGS:

September 27-28 in Los Angeles.
November 29-30 in San Francisco.

BOARD OF CERTIFIED SHORTHAND REPORTERS

*Executive Officer: Richard Black
(916) 445-5101*

The Board of Certified Shorthand Reporters (BCSR) is authorized pursuant to Business and Professions Code section 8000 *et seq.* The Board's regulations are found in Chapter 24, Title 16 of the California Code of Regulations (CCR).

BCSR licenses and disciplines shorthand reporters; recognizes court reporting schools; and administers the Transcript Reimbursement Fund, which provides shorthand reporting services to low-income litigants otherwise unable to afford such services.

The Board consists of five members—three public and two from the industry—who serve four-year terms. The two industry members must have been actively engaged as shorthand reporters in California for at least five years immediately preceding their appointment.

MAJOR PROJECTS:

Electronic Recording. At its planning session on February 9-10, the Board determined that it should examine the use of electronic recording (ER), given its growing usage, to determine the Board's role relative to ER. Five options seem available: (1) ignore ER; (2) wait until the ER pilot project is finished before making any determination (see CRLR Vol. 9, No. 4 (Fall 1989) p. 79 for background information on the pilot project); (3) determine that ER should be regulated by BCSR; (4) determine that ER should be regulated by some other entity; or (5) determine that ER is not a viable option and lobby against the use of it. The Board decided on Option 2, and will wait until 1993 when the pilot project is completed before making any determination.

Continuing Education. One of the biggest issues confronting BCSR is continuing education. Certified shorthand reporters should keep up with technology, ethics, emerging public issues, and should maintain at least a minimum level of competency. During the spring, the Continuing Education Committee conducted a study of issues surrounding a continuing education program.

At BCSR's May 18 meeting, the Continuing Education Committee recommended that BCSR seek legislative authority to implement a continuing education program for certified shorthand reporters. The Committee

reviewed continuing education programs adopted by other agencies and is developing some of its own ideas on requirements. The Committee will meet once more to summarize its findings and will then present those ideas to the Board. The Board anticipates the legislation to be introduced next year.

LEGISLATION:

AB 2865 (Burton), as amended May 10, would require the official reporter, upon the conviction of a defendant of a felony following a trial in superior court, to immediately commence preparation of an original transcript unless the court determines, based on standards and rules adopted by the Judicial Council, that it is unlikely that an appeal from the decision would be made. This bill is pending in the Senate Judiciary Committee.

SB 2376 (Presley), as amended April 17, would extend the sunset date of the Transcript Reimbursement Fund until January 1, 1996, and would increase fees, as specified, for court reporters' transcripts. This bill is pending in the Assembly Judiciary Committee.

The following is a status update of bills previously reported in CRLR Vol. 10, No. 1 (Winter 1990) at page 95:

AB 1438 (Burton), which would require the official reporter of felony cases, unless otherwise directed by the court, to certify a daily transcript of the proceedings if the court estimates that the case will involve twenty court days or more, is still pending in the Senate Judiciary Committee.

AB 1439 (Burton), which would require all criminal proceedings in open court in superior, municipal and justice court involving a defendant charged with a felony to be conducted on the record with a stenographic reporter in attendance, is still pending in the Senate Judiciary Committee.

SB 1186 (Stirling) would provide that, notwithstanding any other provisions of law, an appellate court may grant an extension of time for the preparation of a reporter's transcript in a civil appeal to that court upon a showing of good cause. As amended May 26, 1989, this bill is pending in the Assembly Judiciary Committee.

RECENT MEETINGS:

Several committee heads were recently appointed. Linda Wing now chairs the Continuing Education Committee, which is exploring the components of a viable continuing education program. Lois Johnson was appointed to the Work Standards and Transcript Production Committee, which will