



Senator Jerry Hill, 13th Senate District SB 799 – Board of Registered Nursing

IN BRIEF

SB 799 amends the Nursing Practicing Act to extend the operation of the Board of Registered Nursing (BRN) to January 1, 2022, and makes various changes to improve the effectiveness and efficiency of this regulatory entity.

BACKGROUND

The Senate Committee on Business, Professions and Economic Development and the Assembly Business and Professions Committee held a joint Sunset Review hearing on the BRN on March 6, 2017. A background paper was prepared based on information provided by the BRN and stakeholders.

This bill addresses legislative solutions to issues identified in the Background Paper and by the California State Auditor in its 2016 report, *Board of Registered Nursing: Significant Delays and Inadequate Oversight of the Complaint Resolution Process Have Allowed Some Nurses Who May Pose a Risk to Patient Safety to Continue Practicing*.

Because the BRN addressed the Auditor's most significant enforcement concerns and has made significant progress in its licensing program under its new executive officer, Dr. Joseph Morris, the BRN will be extended for the maximum sunset duration, four years.

The State Auditor recommended that employers be required to report terminations for cause to the BRN so that the board may investigate instances of misconduct. The Auditor also recommended that provisions of law be deleted mandating that investigations be stopped while a nurse participates in the intervention program so that the BRN may continue to collect evidence that may otherwise be unavailable later.

The BRN also requested that the professional liability reporting be increased in order for the board to focus on reports representing more egregious violations.

THE SOLUTIONS

SB 799 amends the Nursing Practice Act as follows:

- Extends the BRN's sunset date until January 1, 2022.
- Requires any registered nurse employer to report to the BRN the termination or resignation of any registered nurse for certain severe offenses.

There are currently mandatory reporting requirements for physicians (through the peer review process), pharmacists, licensed vocational nurses, occupational therapists, respiratory therapists, and psychiatric technicians. These reporting requirements are not in place for many other health licensees because such professions are primarily self-employed.

It is widely acknowledged that not all hospitals report disciplined nurses to the board.

- Authorizes the BRN to investigate, at its discretion, complaints against registered nurses participating in the intervention program and clarifies that no discipline will take place unless a registered nurse fails to successfully complete the program.
- Increases the reporting requirement for professional liability insurers from \$3,000 to \$10,000.
- Requires the BRN to deliver a report to the appropriate Legislative policy committees detailing a comprehensive plan for approving and disapproving continuing education CE providers and courses by January 1, 2019 and report its progress on implementing that plan a year later.