

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

May 6, 2016

2. Department

Board of Vocational Nursing and Psychiatric Technicians

3. Organizational Placement (Division/Branch/Office Name)

Board of Vocational Nursing and Psychiatric Technicians/Administrative Unit

4. CEA Position Title

Branch Chief

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

Under the general direction of the Executive Officer for the Board of Vocational Nursing and Psychiatric Technicians (BVNPT), the Branch Chief shall be responsible for developing and executing the most complex policy, legislation, and rule-making proposals to support the mission and to protect the consumers of the BVNPT.

6. Reports to: (Class Title/Level)

Executive Officer (Exempt)

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st 2nd 3rd 4th 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The Branch Chief will be responsible for mission critical policy development and implementation which shall have statewide impact on stakeholders and consumers of the Board of Vocational Nursing and Psychiatric Technicians (BVNPT).

Drafts and oversees the development and implementation of the BVNPT's policies and procedures for the efficient and effective administration of the BVNPT Administrative Services, Education, Legislation, Licensing and Public Affairs Units programs under the jurisdiction of the Board. Presents and discusses policies and procedures before the Board Members for adoption.

Provide programmatic oversight for the Administrative Services Programs, including promulgating and interpreting policies established by the Board members, the Executive Officer, and by this position's prior and current incumbents.

Oversees the Legislative program, through subordinate staff, impacting the BVNPT and serves as the exclusive legislative liaison for the BVNPT. Identifies legislation and secures legislative author(s), and prepares supplemental information, presentations, and communication in relation to the legislation. Testifies before the legislative committees, organizes administrative support, has approval authority over proposed modifications as they arise, directly responds to inquiries from the Governor's Office, the Legislature, other governmental entities on behalf of the BVNPT. Develops and provides recommendations regarding legislation affecting the BVNPT and identifies strategies for potential legislative proposals. Directs, coordinates, and reviews the analysis of legislative bills impacting management of State government entities. Negotiates amendments and modifications on behalf of the BVNPT. Represents the Board and articulates the Board's position to the individual legislator(s) in addition to meeting with bill sponsors to discuss and resolve issues. Meets with the legislator and legislative consultants to develop support for the BVNPT sponsored legislation and ensures proactive positions on legislation. Prepares and delivers presentations to the BVNPT members, executive staff, and the public on legislative matters.

Oversee and participate in the development of the BVNPT Annual Report.
Represents the BVNPT to the Department of Consumer Affairs, Department of Finance, Business, Consumer Services, and Housing Agency, and to the Legislature on budgetary matters.

Evaluates and assures the efficient and effective use of BVNPT funds and directs the development of the Board's budget. Shall have authorization over BVNPT major expenditures and redirection of funds within BVNPT programs to meet goals and objectives.

Provides managerial oversight of the BVNPT Administrative Services, Education, Legislation, Licensing and Public Affairs Units.

Shall represent BVNPT at meetings, negotiations, hearings, and other forums in the absence of the Executive Officer.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: While the CEA allocation has existed since May 2008, the BVNPT is endeavoring to narrow the scope of the position to better serve the citizens of California. By restructuring the CEA to a Branch Chief, the BVNPT will address critical gaps in operations that were identified during the Sunset review (AB 179) that are specifically aligned with a CEA role. AB 179 requires the BVNPT to address and improve management and workflow issues, dismantle a silo environment, reduce a backlog, and increase the BVNPT interaction with the Legislators. The Branch Chief will be responsible for leading the BVNPT policy reform and development as well as engaging with key stakeholders including the Governor, Legislators, Board Members, and including national participants.

The Branch Chief shall be relied upon by the Executive Officer and the BVNPT to independently draft and recommend policies and legislation that will reflect the needs and the mission of the BVNPT.

The responsibilities of this position shall have widespread political and health and safety consequences impacting healthcare consumers in California. The judgment exercised and the decisions made shall determine the efficiency and effectiveness of the BVNPT's regulatory function and has a significant impact on the operations of the BVNPT, California's healthcare consumers, vocational nurses, and psychiatric technicians. Without the redirected efforts of the Branch Chief performing the position's concentrated responsibilities and duties appropriately, the BVNPT will be unable to uphold the mission of the Board to protect consumers through proper licensing and regulation of vocational nursing and psychiatric technicians and certain allied healthcare professions and through the vigorous, objective enforcement of the applicable laws.

This redirection shall ensure that California healthcare consumers receives appropriate care and, through policy and legislation, are not harmed, maimed, or killed as a result of unqualified vocational nurses and psychiatric technicians.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

During the past year, the BVNPT hired a new Executive Officer and underwent a Sunset review (AB 179) that resulted in specific areas necessitating immediate improvement. As a result, the need arose to focus the efforts of the CEA to oversee BVNPT Administrative Services, Education, Legislation, and Public Affairs Units. This will ensure that the incumbent maintain a specific skillset that will further the objectives of the BVNPT and bring the Board in compliance with AB 179.

By focusing the scope of the CEA, the BVNPT will be able to respond to inquiries timely from the Governor's Office, the Legislature, national and statewide stakeholders, with regards to Legislation, policy, and procedures. Under the currently approved CEA structure, the CEA is unable to focus and address legislation and policy while overseeing the entire Board as the Assistant Executive Officer.

The remaining functional areas shall report directly to the Executive Officer to ensure that Licensing and Education are operating appropriately.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The BVNPT is undergoing an increased presence in the policies and legislation that impact the Board as well as identifying areas in which to improve the advocating for BVNPT licensees.

1 – Minimum State Pass Rate. As on the few states with a variable pass rate, the establishment of a minimum pass rate would insure that licensees are proficient based on a fixed number. Currently, the California rate is negatively impacted based on poor performing institutions and incentivizes under performing schools and consumers. The Branch Chief would pursue both support and potential authors for this legislation, we posit that 78 schools would be negatively impacted (out of 160) if the fixed rate was set at 73% today.

2 – Academic Institution Cite and Fine. This shall enable and authorize the BVNPT to cite and fine schools that ignore decisions of the Nursing Education Consultant and from the BVNPT. As a board, the case mix of private schools is much larger than the Board of Registered Nursing. Current process penalizes the consumer if a school is not authorized to start a new class or if the school is not operating within the guidelines of the BVNPT. The Branch Chief would be able to pursue both support and potential authors for this legislation; the financial impact would be \$603,000 to the State of California from schools annually.

3 – Twilight of Employment Equivalence. Employment equivalence is rarely accepted by healthcare boards for licensure. With a high rate of fraud, the need to twilight this option is needed for public protection and safety. The Branch Chief will be pursuing both support and potential authors for the above mentioned legislation.

All of the policies require a high level policy decision making authority that is only appropriate at the CEA level. Currently, these efforts are undertaken by the Executive Officer which has placed a drain on the availability of the Executive Officer to the remainder of the BVNPT. Furthermore, a requirement under AB 179 is to establish a formal presence with legislators and increased advocacy for consumers and constituents related to BVNPT issues.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The Branch Chief will serve as a member of the BVNPT Executive Management team with autonomous decision making authority and frequent engagement with the Executive Officer. Delegates and assigns program issues, projects relating to BVNPT and the Public Information Office, through a subordinate manager and supervisor to specific staff within BVNPT. Provides guidance and expertise to the AISA. Identifies inefficient and ineffective program operations, and develops solutions to be executed by subordinate staff, implements and oversees changes, and evaluates effectiveness and efficiency of the changes as well as existing policy and procedures. Maintains current knowledge and information about a wide variety of public affairs issues, topics, current events, etc., which impact or relate to the functions and policies of the BVNPT. Represents the BVNPT to the Department of Consumer Affairs; Department of Finance; Business, Consumer Services, and Housing Agency; and to the Legislature on budgetary matters. Evaluates and ensures the efficient and effective use of funds of the BVNPT. Analyzes the resource needs of the programs under the authority of the Branch Chief. Directs the development of the BVNPT budget. Approves the BVNPT's major expenditures and authorizes redirection of funds within BVNPT programs to meet goals and priorities. Manages, plans, and directs the activities of professional, technical, and clerical staff whose functions include personnel, information systems, staffing of standing and ad hoc committees of the BVNPT, research and analytical services, contract development, business services, procurement, and other administrative functions as necessary to carry out the BVNPT policies and directives to carry out the BVNPT mission. Hires, trains, and evaluates the performance of direct reporting staff. The Branch Chief, independently and through subordinate staff, is responsible for planning, organizing, and directing the operations of the BVNPT programs. The Branch Chief shall have full delegated authority to act in the place of the Executive Officer. Will be responsible for policy development for the efficient operations of the BVNPT. Additionally, the Branch Chief shall oversee the fiscal and personnel administration.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The CEA will be responsible for developing and implementing new policy for the BVNPT. With close board member engagement, Department of Consumer Affairs Legislative team, Senators, Assembly members, and the Governor's office, the Branch Chief will act as the BVNPT policy resource for initiatives that may impact the BVNPT and/or consumers. Additionally, the Branch Chief will be called upon to testify or provide guidance and serve as a subject matter expert regarding the topics for Legislative offices who may be drafting bills. It is critical that this position is provided autonomy to partner with other Boards of Nursing to leverage best practices and glean critical information that may be shaping practice in other states. Doing so will enable BVNPT to satisfy the requirements of AB 179.