

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 1, 2018

2. Department

Department of Consumer Affairs (DCA)

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

Board of Registered Nursing (BRN) / Executive Management Office

4. CEA Position Title

Chief of Legislative Affairs (Legislative Chief) - CEA A

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

The Legislative Chief is responsible for assuring the efficient and effective daily operations of the organization, the delivery of program services, and compliance with statutes. The Legislative Chief responsibilities include development of laws, regulations, and policy initiatives based on the Board's strategic planning goals and statutory mandates.

6. Reports to: (Class Title/Level)

Assistant Executive Officer (AEO) / CEA - B

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): BRN protects and advocates for the health and safety of the public by ensuring the highest quality registered nurses in the state of California. BRN is a semi-autonomous entity under DCA.

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.

- Coordinates, plans, organizes, and directs the legislative program; serves as the legislative liaison for the BRN; identifies and determines the need for legislation, budget change proposals, secures a legislative author, and assists with presentations.
- Testifies before legislative committees, organizes administration support, accepts or rejects proposed modifications as they arise, provides direct supervision and guidance to the professional and analytical staff of the Legislation and Public Affairs Unit, responds in writing or verbally to questions and concerns from the Governor's Office, Department of Finance, the Legislature, and DCA Executive Management.
- Develops and provides alternatives and recommendations regarding legislation and regulations affecting the BRN.
- Identifies strategies for potential legislative, regulatory, and budget change proposals.
- Drafts legislative, regulatory, and budget change proposal language and oversees related processes and timelines.
- Provides direct supervision and guidance to one Associate Governmental Program Analyst. Delegates directly to subordinates and/or through subordinate managers/supervisors, assignments, program issues, and special projects relative to the BRN legislative and public affairs. Identifies inefficient and ineffective program operations, and directs subordinate staff to develop solutions, implement changes, and evaluate the effectiveness and efficiency of the changes as well as existing policy and procedures. Maintains current knowledge and information about a wide variety of issues, topics, current events, etc., which impact or relate to the BRN's functions or policies.
- Directs, coordinates, and reviews the analysis of legislative bills and regulations affecting management of State government entities. Negotiates amendments to the satisfaction and needs of the BRN. Represents the BRN and the Board's positions during interactions with the Legislature and regulatory approval agencies.
- Directs, coordinates, and tracks legislation that is passed by the Legislature and sent to the Governor. Meets with sponsors of bills to discuss and resolve issues.
- Meets the legislator and legislative consultants to develop support for BRN's legislation and to ensure pro-active positions on legislation and regulations. Prepares and delivers presentations to the BRN Board Members and Executive Staff on legislative and regulatory matters.
- Works collaboratively with the BRN Executive Officer, Assistant Executive Officer, CEAs, managers, and line staff on projects and continuous improvement activities.
- Attends all meetings of the Board, Divisions, and committees. Presents reports and other information and leads discussions. Attends and presents during special meetings held by the Board and its committees.
- Completes special projects as directed by the Executive Officer and or Assistant Executive Officer. Special project activities include but are not limited to: (1) Initiation, project team formation, project chartering and kick-off; (2) Planning, finalizing scope, defining the work breakdown, identifying and assessing risk, identifying and securing resources requirements, finalizing the project schedule and preparing for implementation; (3) Execution, performing the work required by the project definition and scope; (4) Monitor, control, management, reporting, and monitoring use of the resources and budgets during the execution phase; (5) Project close, delivery of the project, assessment of lessons learned, adjournment of the special project team.

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: DCA's Mission is to protect California consumers by providing a safe and fair marketplace through oversight, enforcement, and licensing of professions. BRN's work is critically needed to ensure DCA meets its Mission as it pertains to registered nurses and consumers of their services. BRN protects and advocates for the health and safety of the public by ensuring the highest quality registered nurses in the state of California.

The Nursing Practice Act is the body of California law that mandates BRN to set out the scope of practice and responsibilities for registered nurses. The Nursing Practice Act is located in the California Business and Professions Code commencing with Section 2700.

BRN conducts initial application requests for registered nursing licenses as well as license and certificate renewals. The BRN is responsible for denying licenses to individuals identified as potentially unsafe practitioners. If an application is denied, the applicant can appeal the denial through a disciplinary proceeding. BRN conducts fingerprint and background checks for license renewal, reports discipline as well as convictions.

The BRN Enforcement Program works with health care consumers and health care professionals in identifying registered nurses who have engaged in any activity which may be unsafe and which may put the public at risk. The Enforcement Program's responsibilities include four primary categories Complaint Intake, Investigation, Legal Action, and Probation Monitoring.

The BRN Intervention Program is a voluntary and confidential monitoring program for registered nurses whose competency may be impaired by substance use disorder or mental illness. This program protects the public by providing registered nurses access to effective treatment services, monitors their recovery through an individualized plan, and returns them to practice.

Nursing practice information, advisories, and guidelines are provided by the BRN to ensure ongoing communication of competency standards to consumers, registered nurses, employers, educators, and other regulators. Advanced practice information, advisories, and guidelines are provided by the BRN to ensure ongoing communication of competency standards to consumers, advanced practice nurses (nurse practitioners, nurse-midwives, clinical nurse specialists, nurse anesthetists, and psychiatric/mental health nurses), employers, educators, and other regulators.

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.

The number of complex and sensitive health care related legislative bills has increased substantially in recent years. On average, BRN tracks 20 bills each year which have implications for the nursing practice. Legislative issues related to abortion, nurse standards, and health care provider education requirements require a new resource at the BRN to advocate for the board's mission. In addition, the Legislative Chief will assist in developing new legislation and regulations that promote the interests of the BRN. A CEA A Legislative Chief position is required to work in a collaborative manner with the various external stakeholders and organizations interested in politically sensitive BRN policy and requirements.

The BRN does have authority to represent themselves before the Legislature without DCA approval. On many occasions, BRN has collaborated with Legislative staff and testified on nursing and health practice bills before the California Legislature.

An audit of the BRN identified a number of issues that were causing licensing and enforcement activity delays. The BRN in partnership with DCA have identified multiple policy and process changes that once implemented will produce greater efficiencies. Creating a new Legislative Chief position will expedite the implementation of new laws, regulations, policies and procedures that will increase accountability and assist the BRN in achieving its mission.

The BRN collaborates with the DCA Division of Legislative and Regulatory Review. However, due to the complexities associated with nursing related legislation and regulations, the BRN needs a Legislative Chief with a high-level of knowledge and political acumen to develop appropriate policy.

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 BRN works on highly visible and critical issues sensitive in nature that directly affect the public health and safety of California consumers. Consequently, the BRN is under scrutiny by the Legislature, industry groups, and the public. The Legislative Chief will be directly involved in sensitive and often controversial issues surrounding legislation and regulations related to the delivery and receipt of health care services provided to California consumers.

The field of medicine is constantly evolving, and new laws are routinely being passed that impact the delivery of health and wellness services to California consumers. Recently, AB 2134 was enacted. This bill allows for a procedure that reverses the effect of taking an abortion pill, effectively saving the life of an unborn child. The BRN participated in the policy development of this new law. The BRN approved the use of continuing education units for registered nurses who study the procedure associated with Abortion Pill Reversal. The BRN is reviewing its policy associated with AB 2134. The new legislative Chief CEA position will give the board additional resources to analyze complex policy issues that impact the health and wellness of California consumers.

The BRN has sensitive interaction with consumers, licensees, media, legal representatives, other agencies and the Governor's office. The political aspects of the profession being regulated by the BRN can be controversial and sensitive in nature. The Legislative Chief's decision making and advice to the Executive Officer will influence program directions; therefore, recommendations and decisions made by the Legislative Chief have a statewide impact in the development and implementation of policies that directly affect the public health and safety of California consumers.

The Legislative Chief will provide oversight of legislation and regulations activities and ensure policies and procedure produce positive outcomes for BRN. The Legislative Chief will be responsible for ensuring timely communication to the Governor's Office, the California Legislature, control agencies, DCA, external stakeholders, and interest groups. In addition, the Legislative Chief will be responsible for completing timely regulation packages that adhere to all rules and requirements.

C. ROLE IN POLICY INFLUENCE (continued)

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

The Legislative Chief has full-delegated authority to act on behalf of the Assistant Executive Officer (AEO) in their absence. The Legislative Chief is responsible for legislative, regulation, and policy development for the efficient operations of the BRN.

The Legislative Chief provides guidance to staff, Board Members, professional organizations, licensees, educators, and the public about the laws and regulations governing the functions of the Board. Proposes solutions to problems identified by Board Members, Executive Officer, CEAs, management, line staff, consumers, and licensees.

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

The Legislative Chief will be responsible for the highest level of legislative, regulatory, and policy development and implementation activities. The Legislative Chief will provide guidance to staff, Board Members, professional organizations, licensees, educators, and the public about the laws and regulations governing the functions of the Board. Propose solutions to problems identified by Board Members, Executive Officer, CEAs, management, line staff, consumers, and licensees. The Legislative Chief will develop and implement specific policies and procedures for the efficient and effective administration of the various programs under the jurisdiction of the Board. In addition, the Legislative Chief will provide programmatic oversight for the Legislative Programs including promulgating and interpreting policies established by the Board Members and Executive Officer, and by this position's incumbents; participate in meetings, seminars, workshops, and other forums; and represent the Board in meetings, negotiations, hearings and other forums.