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Assembly
California Legislature



BLANCA E. RUBIO
ASSEMBLYMEMBER, FORTY-EIGHTH DISTRICT

COMMITTEES
AGING AND LONG-TERM CARE
BUDGET
GOVERNMENTAL ORGANIZATION
WATER, PARKS, AND WILDLIFE
BUDGET SUBCOMMITTEE NO. 1 ON
HEALTH AND HUMAN SERVICES
JOINT LEGISLATIVE AUDIT

July 10, 2019

The Honorable Rudy Salas, Chair
Joint Legislative Audit Committee
1020 N Street, Room 107
Sacramento, California 95814

AUG 01 2019

Dear Assemblymember Salas,

I write to thank you for your support and partnership of the Joint Legislative Audit Committee approve an audit of the Board of Registered Nursing ("BRN") related to its oversight of pre-licensure nursing school programs.

Despite numerous robust academic studies that paint a data driven picture of nursing shortages in California, and the dire consequences related to nursing shortages, the BRN continues to claim that California has a well-balanced supply of nurses. Indeed, California is facing a "silver tsunami" of nursing retirements by 2030. The majority of our state's RNs will be retiring within that time frame. Multiple sources, including the United States Registered Nurse Report Card and Shortage Forecast published in the American Journal of Medical Quality confirms Bureau of Labor Data that California will need approximately 140,000 nurses by 2030. A 2018 Registered Nursing study found that by 2030 the demand for nurses in California will outpace supply by 11.5%. As a member of the Assembly Committee on Aging and Long-Term Care, these reports produce great concern that there will be an insufficient supply of professionals to care for the elderly, a lack of primary care providers, and a shortage of nurses who can deliver "culturally competent" care to our state's diverse and aging population.

The BRN currently claims to have the sole authority to restrict the number of students that can pursue a degree in nursing in California, thus effectively controlling the market and supply of nurses. No other licensing Board holds this authority. According to the BRN's own data, in 2016-17, nursing programs received 36,004 qualified applications, with only 13,597 applicants admitted into nursing programs.^[1] Consequently, 22,407 qualified CA applicants were denied the pathway to a meaningful career in nursing.

This poses serious public policy questions for the legislature regarding the role of the BRN, which by statute is primarily tasked with the protection of the public in exercising its licensing and disciplinary functions as its highest priority. This audit request seeks to answer questions regarding the practices of the board, a review of its internal operations and policy positions so

^[1] California Board of Registered Nursing 2016-2017 Annual School Report

that the legislature can have determine whether the BRN can meet its primary mission of licensing and ensuring consumer protection while simultaneously controlling the number of Californians who can pursue a career in nursing. .

Thank you for joining as a partner of this audit. Should you have any questions or concerns, please contact me or Jeffrey Roth in my office at (916) 319-2048.

Warm regards,



Blanca Rubio
Assemblywoman, 48th District



Ruddy Salas
Assemblymember, 32nd District

Enclosed (1):
Audit Request

AUDIT SCOPE AND OBJECTIVES

Bureau of Registered Nurses- Nurse Practice Act and Pre-Licensure Nursing Programs

The audit by the California State Auditor will provide independently developed and verified information related to the approval, continuing approval and denial or revocation of a pre-licensure program. The audit's scope will include, but not be limited to, the following activities:

1. Review and evaluate the laws, rules, and regulations significant to the audit objectives.
2. Review and evaluate BRN's existing and past guidelines and criteria for evaluating the approval, continuing approval and denial or revocation of a pre-licensure program and determine if they are in compliance with current statute and regulations.
3. Review and evaluate complaints and outcomes against the BRN at the Office of Administrative Law.
4. Assess what factors the BRN considers when granting a school's request to grow its pre-licensure nursing program and whether the BRN objectively applies those factors or standards as part of its decision making process.
5. Determine if there is adequate conflict of interest rules and/or policies for Certified Nursing Educators, BRN staff or board members and if conflict of interest has potentially impacted outcome of decisions regarding pre-licensure programs.
6. Identify the BRN process for evaluating clinical displacement and if determinations of displacement are fairly applied to all pre-licensure programs or if bias exists when determining displacement and approving enrollment increases or program approval.
7. Identify duplicative oversight of pre-licensure programs by the Board of Registered Nursing and other state entities and federally and nursing specific accreditors.
- 8) Determine if BRN analysis of healthcare workforce and nursing shortage predictions is accurate and fully captures the scope and breadth of current and future healthcare workforce needs.
- 9) What expertise does the BRN rely on when it evaluates the curriculum of pre-licensure programs?
- 10) Identify the time spent and resources used by BRN on each of its programs.