

Trouble at the Top

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By Candy Goulette

Ruth Ann Terry, MPH, RN, has resigned as executive officer of the California Board of Registered Nursing after 16 years on the job. Her decision came 2 days after the *Los Angeles Times* reported the BRN failed to timely discipline nurses, which led Gov. Arnold Schwarzenegger to replace four board members and appoint two new members to vacant posts.

"It is with much sadness that I am resigning my position as executive officer of the Board of Registered Nursing," Terry said in an e-mail message to her staff, according to the *Los Angeles Times*. "All of you are the greatest staff and I know that you will continue carrying out the mission of the board."

Terry told *ADVANCE* earlier this week that the disciplinary process was frustrating to her, noting the length of time was unacceptable. While financial constraints and legislative issues were considerations, she said the board took its mission to protect the public very seriously. Terry could not be reached for further comment since her resignation.

The governor replaced board president Susan Phillips, MSN, RN, APRN-BC, FNP, vice president Elizabeth Dietz, EdD, RN, CS-NP, and public member Janice Glabb. A fourth appointee, public member Andrea Guillen Dutton, Med, ARRT, resigned with 1 year remaining in her term.

Public Record

The *Los Angeles Times*, in conjunction with nonprofit investigative newsroom ProPublica, reported that the BRN took an average of nearly 4 years to process complaints that were resolved in 2008. In many cases, nurses accused of egregious misconduct maintained licensure and provided patient care without restriction during that time.

"It is absolutely unacceptable that it takes years to investigate such outrageous allegations of misconduct against licensed health professionals whom the public rely on for their health and well-being," Schwarzenegger said. "The health and safety of Californians is my top priority, and I am confident the people I am appointing today share this commitment. My administration is dedicated to protecting public health and safety, and the new board will act quickly and decisively to achieve that goal."

The article compared California's time from incident to resolution with Texas, Arizona and Ohio. California averaged 1,254 days to process complaints, while Arizona, Texas and Ohio averaged 197 days, 173 days and 90 days, respectively.

Nursing organizations were quick to comment on the shake-up.

"Thousands of RNs provide exceptional quality nursing care in our communities each day," said Pat McFarland, chief executive officer of the Association of California Nurse Leaders. "[While] the RNs under disciplinary investigation by the BRN represent a very small percentage of RNs in California, these complaints must be investigated in a thorough yet expedient manner. The BRN must have the authority, responsibility and accountability to ensure public safety in healthcare settings. This includes adequate resources to thoroughly investigate complaints in a timely manner, in order to enforce regulations regarding professional nursing practice and discipline those in violation of practice standards."

McFarland added that ACNL will continue to work with the BRN to promote safe, quality patient care as the top priority for California nurses.

The California Nurses Association issued a statement supporting the need for improved enforcement to protect patients and criticizing the governor for underfunding the board, attempting to erode its authority and failing to respond to a known problem.

State Sen. Gloria Negrete McLeod (D-Chino) also issued a statement, calling for an interim hearing in August to examine the board's enforcement process, including disciplinary procedures and the roles of the Attorney General's office and the Office of Administrative Hearings. At a BRN meeting in June, Terry said the BRN pays the Attorney General's office \$2.2 million each year for services, including those for disciplinary hearings. McLeod plans to focus on enforcement, consumer complaints, case prioritization, probation practices, delays in the system and how to streamline the process to safeguard consumers and improve prosecution timetables. The senator also plans to discuss the possibility of appointing an enforcement monitor similar to that used by the Medical Board of California for the past 2 years.

New Board

According to a release from the governor's office, Schwarzenegger made the replacements and appointments "to ensure the board fulfills its mission of protecting patients."

The new board members will join remaining Schwarzenegger appointee and nursing administrative representative Nancy Beecham, BS, RNC, and public member Dian Harrison, who was appointed by Assembly Speaker Karen Bass (D-Los Angeles). Beecham's term expires June 1, 2010, while Harrison's expires June 1, 2012.

Named to the new board were public members Ann Boynton and Richard Rice, as well as nursing members Judy Corless, RN, Jeannine Graves, RN, CNOR, Catherine Toderro, PhD, RN, and Kathrine Ware, RN, NP.

Boynton, of Sacramento, is managing director at Manatt Health Solutions. She was undersecretary for the Health and Human Services Agency from 2006 to 2008, chief deputy cabinet secretary in the Office of the Governor in 2005 and deputy director for external affairs at the Department of Toxic Substances Control from 2004 to 2005.

Corless, of Corona, has served as clinical nursing director at Corona Outpatient Surgical Center since April of 2009 and previously served as a staff nurse for labor and delivery from 2007-08 and staff nurse in the emergency room from 2001-07 at Corona Regional Medical Center. She also served as executive manager and charge nurse for Joe D. Corless, MD, from 1979 to 2001.

Graves, of Sacramento, serves as a staff nurse for Capitol Surgical Associates and Mercy San Juan Medical Center.

Rice, of Imperial Beach, served as chair of the Unemployment Insurance Appeals Board from 2007-08. Rice previously served as undersecretary at the Labor and Workforce Development Agency from 2005-06, as well as acting

undersecretary and communications director from 2003-05. His prior posts also include public information officer for the Division of Occupational Safety and Health within the Department of Industrial Relations (DIR) and deputy director of DIR.

Todero, of La Mesa, is director and a professor for the school of nursing at San Diego State University.

Ware, of Davis, has served as a nurse practitioner for vascular and endovascular treatment at the Vascular Center Clinic, University of California, Davis School of Medicine, and as a nurse practitioner for internal medicine at Sutter Medical Group in Sacramento from 2005-06. Ware also served as a clinical nurse at UCD and at Kaiser Permanente facilities in San Diego and Sacramento.

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