

# Breathing Matters

RESPIRATORY CARE BOARD OF CALIFORNIA

2022



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# President's Message

2022 provided us with an opportunity to assess the impact that the two pandemic years had on our patients and health care workers, since these were inarguably the most impacted. During those long months in 2020 and 2021, as much of society shut down, respiratory care practitioners (RCP) along with doctors, nurses, and other hospital workers put their own safety on the line and kept showing up to care for their patients. The toll has been alarming. Thousands of health care workers died from COVID-19. A significant number report symptoms of burnout and many are dealing with insomnia, depression, anxiety, and post-traumatic stress disorder from the exposure to the countless deaths inside their hospitals and in the daily news. Recently, it was reported that over 230,000 physicians, nurse practitioners, physician assistants and other clinicians quit their jobs as of August 2021. Yet, our numbers show that—at least in California—the RCP workforce has not only not declined but has steadily grown. As an RCP of almost 40 years, I can attest that our commitment and dedication to our profession and our patients remains solid. This is a tribute to those who choose to pursue respiratory care as a career. I encourage all California RCPs to seek professional help sooner rather than later in the event that a personal struggle is recognized, so we may remain healthy and strong for what the present and future hold.

As part of its recent strategic planning efforts, the Board received feedback indicating there is a perceived lack of visibility as to what the Board does. This feedback was instrumental in the development of several strategic plan objectives aimed at exploring opportunities to engage more frequently with stakeholders. While the plan is being finalized, we began brainstorming about possible steps to take now to increase awareness of the important work being done by the Board. Currently, the Board issues an annual e-newsletter where annual highlights are shared with all licensees. However, in response to stakeholder feedback, we have decided to change this annual distribution to an e-bulletin sent to every few months allowing a more regular dissemination of updates, information, and relevant topics. Please look for the new format in the coming months. You will also find additional efforts toward increased communication reflected in the upcoming edition of the Board's 2023–2027 Strategic Plan, expected to be finalized early next year.

May we all look forward to 2023 with a renewed purpose and determination to serve our patients, our profession, and our communities with our knowledge, expertise, and compassion. Please reach out to the Board if you have any concerns or need our support.

Sincerely,

**Ricardo Guzman, RRT, RCP**  
Respiratory Care Board President



## Respiratory Care Board Members

**Ricardo Guzman, M.A., RRT, RCP—President**

**Mark Goldstein, MPA, RCP, RRT—Vice President**

**Mary Ellen Early**

**Raymond Hernandez, MPH, RRT, NPS**

**Sam Kbushyan**

**Ronald Lewis, M.D.**

**Michael Terry, RCP, RRT, RPFT, CCRC**

**Cheryl Williams**

# Sunset Review and Strategic Planning

Every four years, boards under the Department of Consumer Affairs (DCA) are scheduled to undergo sunset review. The sunset review process provides an opportunity for DCA, the Legislature, the boards, and interested parties and stakeholders to discuss the performance of the boards and make recommendations for improvements.

The Board submitted its 2022 Sunset Report to the Joint Legislative Sunset Review Committees last January. The report provided an overview and history of the Board and highlighted its activities and achievements since its last review. The report also answered preliminary questions, described the Board's actions during recent years, and brought forward new and ongoing issues for consideration. Following submission, the Committees reviewed and responded to the report and issued a background paper addressing issues which were discussed during a legislative hearing that took place in March. Some of the key issues were addressed in [Senate Bill 1436](#) (Roth, Chapter 624, Statutes of 2022):

- The Board's sunset date was extended to January 1, 2027.
- Mandatory reporting requirements were amended to include registries that use RCPs who are placed on a "do not call" list for specific reasons to report those to the Board. In addition, employers who report the termination of employment or resignation for employees for specific reasons must now also report those employees placed on leave for those reasons. The specific reasons include:
  - (1) Suspected or actual use of controlled substances or alcohol to such an extent that it impairs the ability to safely practice respiratory care.
  - (2) Suspected or actual unlawful sale of controlled substances or other prescription items.
  - (3) Suspected or actual patient neglect, physical harm to a patient, or sexual contact with a patient.
  - (4) Suspected or actual falsification of medical records.
  - (5) Suspected or actual gross incompetence or negligence.
  - (6) Suspected or actual theft from patients, other employees, or the employer.

- The Board secured authority to define [basic respiratory tasks](#) that may be performed by licensed vocational nurses (LVNs) to ensure consumer protection and as expected by consumers. While SB 1436 gave the Board the full authority to define basic respiratory tasks that may be performed by LVNs, it also obtained an exemption for LVNs to continue to perform additional respiratory tasks in home care. Many families expressed their concern that services provided in the home by LVNs be continued to prevent their loved ones from having to be institutionalized, choosing quality of life for the patients and their families over provider qualifications. This exemption will prevent the interruption of respiratory services currently provided in the home, while still ensuring only competency tested, educated, and trained RCPs (or other qualified personnel) provide respiratory care in licensed 24-hour care facilities. Together, the Board and the BVNPT will share the investigation of violations and enforcing the law, as well as establishing training guidelines for those LVNs practicing respiratory tasks in the home. Meetings with stakeholders to identify respiratory tasks and services in the home will take place in 2023.
- The Board secured authority to authorize the temporary performance by other health care personnel, students, or groups, of respiratory care services in the event of an epidemic, pandemic, public disaster, or emergency.

In response to the issues presented and discussed by the Committees and the passage of SB 1436, the Board recently conducted a strategic planning session to identify goals and objectives that reflect the Board's current priorities, such as changes that occur in health care, the marketplace, legislation, and other areas. The strategic planning process also included a survey of stakeholders and Board staff, interviews with Board members, and a planning session facilitated by the DCA's Office of Strategic Organization, Leadership, and Individual Development (SOLID). The plan is set to be approved in early 2023 and the Board encourages stakeholders and the public to review and monitor the progress toward the goals and objectives established in the plan by participating in Board meetings, rulemakings, and other activities. Information about the Board's activities is posted on its website, [www.rcb.ca.gov](http://www.rcb.ca.gov), where stakeholders can also sign up to receive emails from the Board.

# Does the Board Have Your Email Address?

The Board has an electronic process that sends courtesy email notifications to RCPs regarding their license renewals. Email notifications are sent approximately 75 and 30 days prior to license expiration and when a renewal application has been approved and your new pocket card is on the way. Licensed RCPs are encouraged to log into their BreEZe account and ensure their correct email address is on file.

## Disciplinary Summaries Available Online

The Board recently reestablished the online publishing of quarterly disciplinary action summaries with links to public documents. To access this summary information, please visit our web site at [www.rcb.ca.gov](http://www.rcb.ca.gov), select the "Enforcement" tab and the link entitled "Disciplinary Actions." You can then select the information by calendar year, information by calendar year (2016 to present).

# Online is Easier and Faster!

For faster service, manage your license online! The BreEZe system provides services for applicants and licensees that can save weeks of processing time compared to paper applications. Services available include the ability to:

- Renew a license instantly (up to 90 days in advance).
- File an initial application for licensure.
- Submit an address change (takes effect instantly).
- Upload continuing education or applicant documents.
- Request a replacement license (allow two weeks for delivery).
- Verify a license and obtain proof of renewal status.
- Request a verification of licensure.
- Submit an application to change from Inactive to Active status.
- Pay with a major credit card in a secure environment.
- Subscribe to receive Board license notifications, including status-change updates.

## Helpful Tips

If you are new to the Board's online services, there are tutorial videos available to help you (select "Help Tutorials" on [www.breeze.ca.gov](http://www.breeze.ca.gov)). Tutorial videos include:

- An overview of BreEZe services.
- How to search for a license.
- How to register for BreEZe.
- What to do if you forgot your password or user ID.

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# 2023 Board Meeting Dates and Locations

**March 9, 2023 via teleconference**

**June 23, 2023 in Temecula**

**October 24, 2023 in Sacramento**



- How to submit a renewal.
- How to update license information.
- How to make a payment.

If you need additional assistance using BreEZe, call our office at (916) 999-2190.

## Department of Consumer Affairs Open Data Portal

The Department of Consumer Affairs (DCA) Open Data Portal contains nonconfidential aggregate statistical data in a user-friendly format covering many of DCA's core activities, such as licensing, renewals, applications, and enforcement. The data portal provides access to view, interact, analyze, and download data for any active DCA board or bureau. In the "Enforcement Statistics" section, users can access information on the number of complaints received and referred for investigation. Data is also available on case aging, including cases that end with or without disciplinary action.

In the "Application Statistics" section, users can access information on the average application processing time of initial license applications, as well as processing times for incomplete applications.

All are invited to search, explore, and engage with the data at [www.dca.ca.gov/data](http://www.dca.ca.gov/data).

## Licensee Lists

DCA's website also provides access to lists of licensees and licensee counts. This information can be obtained in two different formats:

- Licensee lists and total numbers (downloads for use in Excel)—[www.dca.ca.gov/consumers/public\\_info/index.shtml](http://www.dca.ca.gov/consumers/public_info/index.shtml).
- Licensee records sorted by license type, status, county, etc.—<https://search.dca.ca.gov/advanced>.

# MISSION

To protect and serve consumers by licensing qualified respiratory care practitioners, enforcing the provisions of the Respiratory Care Practice Act, expanding the availability of respiratory care services, increasing public awareness of the profession, and supporting the development and education of respiratory care practitioners.



### Respiratory Care Board of California

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