

AMENDED IN ASSEMBLY APRIL 3, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1028**

---

---

**Introduced by Assembly Member Patterson**

February 22, 2013

---

---

An act to amend Section 2872.2 of the Business and Professions Code, relating to vocational nursing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1028, as amended, Patterson. Vocational nursing: interim permits.

Existing law, the Vocational Nursing Practice Act, provides for the licensure and regulation of the practice of licensed vocational nursing by the Board of Vocational Nursing and Psychiatric Technicians. Existing law requires an applicant for a vocational nurse license to have successfully completed specified courses of studies from a school accredited by the board, and provides for the issuance of a license upon successful completion of a written examination, among other criteria. Existing law provides that if the application for licensure by examination is received by the board no later than 4 months after completion of a board-approved nursing program and approval of the application, the board may issue an interim permit authorizing the applicant to practice vocational nursing pending the results of the first licensing examination, or for a period of 9 months, whichever occurs first.

~~This bill would require the board to make a decision whether to issue the~~ *authorize an applicant to submit an application for an interim permit, and, if the board decides to issue the permit, issue the interim permit to the applicant within 30 days of receiving the completed application at the same time as the applicant submits his or her application for licensure by examination, and would require the board*

*to immediately issue the interim permit upon completing the processing of the interim permit application and the processing of the application for licensure by examination.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 2872.2 of the Business and Professions  
2 Code is amended to read:

3 2872.2. (a) An applicant for license by examination shall  
4 submit a written application in the form prescribed by the board.

5 (b) If the application for licensure by examination is received  
6 by the board no later than four months after completion of a board  
7 approved nursing program and approval of the application, the  
8 board may issue an interim permit authorizing the applicant to  
9 practice vocational nursing pending the results of the first licensing  
10 examination, or for a period of nine months, whichever occurs  
11 first. ~~The board shall make a decision whether to issue the interim~~  
12 ~~permit, and, if the board decides to issue the interim permit, issue~~  
13 ~~the interim permit to the applicant within 30 days of receiving the~~  
14 ~~completed application. An applicant may submit an application~~  
15 ~~for an interim permit at the same time as the applicant submits his~~  
16 ~~or her application for licensure by examination. The board shall~~  
17 ~~immediately issue the interim permit upon completing the~~  
18 ~~processing of the interim permit application and the processing~~  
19 ~~of the application for licensure by examination.~~

20 (c) If the applicant passes the examination, the interim permit  
21 shall remain in effect until an initial license is issued by the board  
22 or for a maximum period of six months after passing the  
23 examination, whichever occurs first. If the applicant fails the  
24 examination, the interim permit shall terminate upon notice by  
25 certified mail, return receipt requested, or if the applicant fails to  
26 receive the notice, upon the date specified in the interim permit,  
27 whichever occurs first.

28 (d) A permittee shall function under the supervision of a licensed  
29 vocational nurse or a registered nurse, who shall be present and  
30 available on the premises during the time the permittee is rendering  
31 professional services. The supervising licensed vocational nurse

- 1 or registered nurse may delegate to the permittee any function
- 2 taught in the permittee's basic nursing program.
- 3 (e) An interim permittee shall not use any title or designation
- 4 other than vocational nurse interim permittee or "V.N.I.P."

O