



RESPIRATORY CARE BOARD OF CALIFORNIA

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September 26, 2025

Lee Angela Reid, Senior Legislative Advocate
Capitol Advisors Group, LLC
925 L Street, Suite 1200
Sacramento, CA 95814

Dear Ms. Reid,

Thank you for working with our office on behalf of your client, the California School Nurses Organization (CSNO), regarding California Code of Regulations section 1399.365 and Senate Bill 389 which address the performance of suctioning and basic respiratory care tasks and services by Licensed Vocational Nurses. Your time and engagement reflect CSNO's strong commitment to the health, safety, and success of California's students.

This letter serves as a follow-up to your recent conversation with Kathryn Pitt, Program Manager with the Respiratory Care Board (Board). As discussed, the ability to respond effectively to respiratory emergencies is an essential part of ensuring safe learning environments. The Board shares this same commitment to students as respiratory care consumers and recognizes the vital role that timely, appropriate respiratory interventions can play in protecting lives and supporting student well-being.

As stated in 16 CCR section 1399.365(b)(6), basic respiratory tasks and services include the "[u]se of a manual resuscitation device and other cardio-pulmonary resuscitation technical skills (basic life support level) in the event of an emergency." Consistent with RCB's highest priority of public protection, the regulation contemplates that an emergency event might necessitate resuscitation skills to immediately preserve life. The RCB recognizes that this may require an LVN to take immediate, reasonable action to ensure a student's well-being until a respiratory care practitioner, registered nurse, or emergency personnel arrive, if applicable. As stated in the regulation, this is limited to an emergency event, only.

Moreover, as stated in the legislative analyses for SB 389, this bill will simply **clarify that the language in Education Code Section 49423.5 will continue to apply to LVNs working in educational settings under the supervision of a credentialed school nurse, regardless of future changes to the Business and Professions Code.** Since 2001, qualified designated LVNs in educational settings have been trained to provide suctioning and trach care to students and are competent to continue meeting the healthcare needs of the student body. Clearing up the confusion guarantees that students with special healthcare needs will not experience any disruption in their medical care. SB 389 simply makes clear that, regardless of any other laws, **LVNs specifically working in a school setting and under the supervision of a credentialed school nurse, can continue to provide these services to students who need them.**

We are grateful for the opportunity to work collaboratively on these important issues. By aligning our efforts, we can strengthen emergency preparedness and ensure that students are safeguarded in every setting.

Thank you again for your dedication and partnership. Please do not hesitate to reach out if additional information or resources would be helpful.

Sincerely,

Christine Molina, Executive Officer
Respiratory Care Board of California