

AUGUST
24 & 25, 2016
BOARD MEETING

DCA Hearing Room
2005 Evergreen Street
Sacramento, CA 95815



Physical Therapy Board of California

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY – GOVERNOR EDMUND G. BROWN JR.

THE PHYSICAL THERAPY BOARD OF CALIFORNIA

2005 Evergreen St. Suite 1350, Sacramento, California 95815

Phone: (916) 561-8200 Fax: (916) 263-2560

www.ptbc.ca.gov

PHYSICAL THERAPY BOARD OF CALIFORNIA NOTICE OF PUBLIC MEETING

August 24, 2016 9:00 a.m.

August 25, 2016 9:00 a.m.

DCA Hearing Room
2005 Evergreen Street
Sacramento, CA 95815

Action may be taken on any agenda item.
Agenda items may be taken out of order.

Unless otherwise indicated, all agenda items
will be held in **OPEN SESSION. THE PUBLIC
IS ENCOURAGED TO ATTEND.** Please refer
to the informational notes at the end of
the agenda.

BOARD MEMBERS

Katarina Eleby, M.A., *President*

Alicia K. Rabena-Amen, PT, MPT, *Vice President*

Debra Alviso, PT, DPT, *Member*

Jesus Dominguez, PT, Ph.D., *Member*

Daniel Drummer, PT, DPT, *Member*

TJ Watkins, *Member*

Tonia McMillian, *Member*

BOARD STAFF

Jason Kaiser, *Executive Officer*

Liz Constancio, *Manager*

Elsa Ybarra, *Manager*

Brooke Arneson, *Associate Analyst*



Physical Therapy Board of California



STATE OF CALIFORNIA

dca

DEPARTMENT OF CONSUMER AFFAIRS

Agenda – Wednesday, August 24th

1. **Call to Order - 9:00 a.m.**
2. **Roll Call and Establishment of Quorum**
3. **Special Order of Business - 9:05 a.m.**
 - (A) Petition for Modification of Probation/Termination of Probation – Jeffrey Grzechowiak, PTA
 - (B) Petition for Reinstatement of License - James Dale Walker
After submission of the matters, the Board will convene in CLOSED SESSION to deliberate pursuant to Government Code section 11126(c)(3).
4. **Closed Session**
 - (A) Pursuant to Government Code section 11126(c)(3)
Deliberation on Disciplinary Actions and Decisions to be Reached in Administrative Procedure Act Proceedings
 - (B) Pursuant to Government Code section 11126(a)(1)
Evaluation of Executive Officer
 - (C) Adjourn Closed Session
5. **Reconvene Open Session**
6. **Presentation of Certificates of Appreciation – Katarina Eleby**
 - (A) James Turner
 - (B) Carol Wallisch
7. **Discussion and Possible Board Action Regarding Increase of Exempt Level of the Executive Officer – Ricardo DeLaCruz, Personnel Officer**
8. **Review and Approval of May 18th & 19th Meeting Minutes – Brooke Arneson**
9. **President's Report – Katarina Eleby**
 - (A) 2016 Adopted Meeting Calendar
 - (B) 2017 Proposed Meeting Calendar
10. **Executive Officer's Report – Jason Kaiser**
 - (A) Budget/Personnel
 - (B) BreEZe

- (C) Outreach
 - (D) Application and Licensing
 - (E) Consumer Protection
 - (F) DCA Internal Audit
11. **Discussion and Possible Board Action Regarding Termination of Network Participation of Licensees as a Result of Discipline** – *Jason Kaiser*
- (A) Example letters of Termination of Network Participation
12. **Discussion and Possible Board Action Regarding Sunset Review Report Pursuant to Business and Professions Code Section 2602** – *Jason Kaiser*
- (A) Sunset Process and Timelines
 - (B) Schedule Future Meeting(s) to Develop Sunset Review Report
 - (C) Discussion of Issues to Include in the Board's Sunset Review Report
 - (D) Potential Appointment of Sunset Review Subcommittee
13. **Recess**

Agenda – Thursday, August 25th

14. **Call to Order – 9:00 a.m.**
15. **Roll Call and Establishment of Quorum**
16. **Presentation of Services Provided by Division of Investigation (DOI)**
Rex Cowart – Regional Commander, Stephanie Whitley – Senior Investigator
17. **Consumer and Professional Associations and Intergovernmental Relations Reports**
- (A) Federation of State Boards of Physical Therapy (FSBPT)
 - (B) Department of Consumer Affairs (DCA) – Executive Office
 - (C) California Physical Therapy Association (CPTA)
18. **Legislation Report** – *Brooke Arneson*
- (A) 2015/16 Legislative Session Summary; Possible Board Action
 - i. AB 12 (Cooley) State Government: Administrative Regulations: Review
 - ii. AB 507 (Olsen) Department of Consumer Affairs: BreZE System: Annual Report

- iii. AB 2744 (Gordon) Healing Arts: Referrals
- iv. AB 2859 (Low) Professions and Vocations: Retired Category: Licenses
- v. SB 1155 (Morrell) Professions and Vocations: Licenses: Military Service
- vi. SB 1195 (Hill) Professions and Vocations: Board Actions (This bill authorizes the Director of the DCA to review, veto, or modify actions and decisions of DCA boards to ensure such actions or decisions conform with public policy. This bill number is subject to change.)
- vii. SB 1348 (Cannella) Licensure Applications: Military Experience

19. Rulemaking Report – Brooke Arneson

- (A) 2016 Rulemaking Update
 - i. License Renewal Exemptions: Retired Status
 - ii. Requirements for Graduates from Non-Accredited Programs: Test of English as a Foreign Language (TOEFL)
- (B) Discussion of Issues Regarding License Renewal Exemptions for Retired Status Statutory and Regulatory Language and Possible Board Action
- (C) Discussion of Issues Regarding TOEFL Regulatory Language and Possible Action Regarding Modified Text on English Proficiency Requirements; Proposed Language to Amend Section 1398.25 and Add Section 1398.26.3 to Article 2, Division 13.2, Title 16 of the California Code of Regulations

20. Administrative Services Report – Liz Constancio

- (A) Budget

21. Application Report – Sarah Conley

- (A) Presentation of FSBPT's Alternate Pathway to Examination Option

22. Licensing Services Report – Sarah Conley

23. Consumer Protection Services Report – Elsa Ybarra

24. Probation Monitoring Report – Monny Martin

25. Public Comment on Items Not on the Agenda

Please note that the Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code sections 11125 and 11125.7(a).]

26. Agenda Items for Future Meeting – November 9 & 10, 2016

The California Endowment
1000 N. Alameda Street, Mojave Room
Los Angeles, CA 90012

27. Adjournment

Informational Notes:

Times stated are approximate and subject to change. Agenda order is tentative and subject to change at the discretion of the Board; agenda items may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. Agenda discussions and report items are subject to action being taken on them during the meeting by the Board at its discretion. The Board provides the public the opportunity at the meetings to address each agenda item during the Board's discussion or consideration of the item. Total time allocated for public comment on particular issues may be limited.

**Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on any matter not included in this agenda, except to decide to place the matter on the agenda of a future meeting. (Government Code sections 11125, 11125.7(a)).*

The Board plans to webcast this meeting on its website at www.ptbc.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Brooke Arneson at (916) 561-8260, e-mail: brooke.arneson@dca.ca.gov, or send a written request to the Physical Therapy Board of California, 2005 Evergreen Street, Suite 1350, Sacramento, CA 95815. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.