



Physical Therapy Board of California

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

Physical Therapy Board of California

2005 Evergreen St. Suite 1350, Sacramento, California 95815

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

Internet: www.ptbc.ca.gov



Board Members

President

Debra Alviso, Physical Therapist, DPT

Vice-President

Sara Takii, Physical Therapist, DPT, MPA

Members

Katarina Eleby

Alicia Rabena-Amen, Physical Therapist, MPT

James Turner, MPA

Carol Wallisch, MA, MPH

Physical Therapy Board of California Notice of Public Meeting

August 20, 2014 9:00 a.m.

August 21, 2014 9:00 a.m.

**Department of Consumer Affairs
2005 Evergreen Street, Hearing Room
Sacramento, CA 95815**

Board Staff

Jason Kaiser, Executive Officer

Liz Constancio, Manager

Elsa Ybarra, Manager

Sarah Conley, Executive Associate

Analyst

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.

Agenda

1. **Call to Order and Roll Call**
2. **Board Member Appointments**
3. **Closed Session**
 - (A) Pursuant to Government Code section 11126(c)(3)
Deliberation on Disciplinary Actions
 - (B) Pursuant to Government Code section 11126(e)
US Equal Employment Opportunity Commission (EEOC) Charge
Number 555-2012-00027
4. **August 20, 2014**
Lunch 12:00 p.m. – 2:00 p.m.
5. **Approval of May 14 & 15, 2014 Meeting Minutes – Sarah Conley**

6. **Consumer and Professional Associations and Intergovernmental Relations Reports**
 - (A) Federation of State Boards of Physical Therapy (FSBPT)
 - (B) Department of Consumer Affairs (DCA) – *Christine Lally*
 - (C) California Physical Therapy Association (CPTA)

7. **President's Report** – *Dr. Alviso*
 - (A) 2014 Meeting Calendar
 - (B) Proposed 2015 Meeting Calendar

8. **Executive Officer's Report** – *Jason Kaiser*

9. **Legislation Report** – *Sarah Conley*
 - (A) AB 186 (Maienschein) Professions and Vocations: Military Spouses: Temporary Licenses
 - (B) AB 1758 (Patterson) Healing Arts: Initial Licensing Fees: Proration
 - (C) AB 1890 (Chau) Athletic Trainers
 - (D) AB 2396 (Bonta) Convictions: Expungement: Licenses
 - (E) SB 1159 (Lara) Professions and Vocations: License Applicants: Federal Tax Identification Number
 - (F) SB 1243 (Lieu) Professions and Vocations
 - (G) SB 1256 (Mitchell) Medical Services: Credit
 - (H) Other bills that have come to the attention of the Board after publication of the agenda

10. **Rulemaking Report** – *Sarah Conley/Elsa Ybarra*
 - (A) Guidelines for Issuing Citations and Imposing Discipline, and Uniform Standards Regarding Substance-Abusing Healing Arts Licensees

11. **Administrative Services Report**
 - (A) Budget – *Carl Nelson*
 - (B) Outreach – *Jacki Maciel*
 - i. Survey
 - ii. Newsletter

12. **Application & Licensing Services Report** – *Veronica Gutierrez*

13. **Consumer Protection Services Report** – *Elsa Ybarra*

14. Strategic Plan – Sarah Conley

15. Board Member Policy Manual – Chapter 6: Enforcement and Disciplinary Action – Sarah Conley

16. Public Comment on Items Not on the Agenda

Please note 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 to place the matter on the agenda of a future meeting. [Government Code sections 11125 and 11125.7(a)]

17. Agenda Items for Next Meeting – November 5 & 6, 2014

18. Adjournment

Informational Notes:

Times stated are approximate and subject to change. Agenda order is tentative and may be changed by the Board without prior notice. This meeting will conform to the Bagley-Keene Open Meeting Act. 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.

The Board plans to webcast this meeting on its website at www.ptbc.ca.gov. Webcast availability cannot be guaranteed. If you wish to participate or guarantee the opportunity to observe, please plan to attend at a physical location.

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 Sarah Conley at (916) 561-8210, e-mail: sarah.conley@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.

Roll Call

Department of Consumer Affairs, Sacramento, CA

August 20, 2014

	Present	Absent
Debra J. Alviso, PT, DPT, President		
Sara Takii, PT, DPT, MPA, Vice-President		
Alicia Rabena-Amen, PT, MPT		
Katarina V. Eleby		
James E. Turner, MPA		
Carol A. Wallisch, MA, MPH		

August 21, 2014

	Present	Absent
Debra J. Alviso, PT, DPT, President		
Sara Takii, PT, DPT, MPA, Vice-President		
Alicia Rabena-Amen, PT, MPT		
Katarina V. Eleby		
James E. Turner, MPA		
Carol A. Wallisch, MA, MPH		



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President

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Vice-President

Sara Takii, Physical Therapist, DPT, MPA

Members

Katarina Eleby

Martha Jewell, Physical Therapist, Ph.D.

Alicia Rabena-Amen, Physical Therapist, MPT

James Turner, MPA

Carol Wallisch, MA, MPH

Physical Therapy Board of California **DRAFT Meeting Minutes**

May 14, 2014 8:00 a.m.

May 15, 2014 8:30 a.m.

**UCLA – Weyburn Commons
Village View Room, 4th Floor
11020 Weyburn Drive
Los Angeles, CA 90024**

Board Staff

Jason Kaiser, Executive Officer

Liz Constancio, Manager

Elsa Ybarra, Manager

Sarah Conley, Executive Associate

Analyst

For the sake of clarity, the meeting minutes are organized in numerical order to reflect their original order on the agenda; however, issues were taken out of order during the meeting.

1. Call to Order and Roll Call

The Physical Board of California (Board) meeting was called to order by Dr. Alviso at 8:18 a.m. All members were present and a quorum was established. Also present at the meeting were Laura Freedman, Legal Counsel; Jason Kaiser, Executive Officer; Elsa Ybarra, Consumer Protection Services Manager; Sarah Conley, Executive Associate Analyst; and, Vincent Azar, Information Technology Specialist.

2. Board Member Changes

- (A) Welcome to Alicia Rabena-Amen**
- (B) Thanks to Martha Jewell**
- (C) Reappointment of Debra Alviso**

Dr. Alviso announced a number of Board changes: the departure of Dr. Martha Jewell, PT, PhD from the Board as her term ends June 1, 2014; the appointment of Ms. Alicia Rabena-Amen, PT, MPT to the Board; and, her own reappointment to the Board.

Dr. Jewell was appointed in October of 2006. One of her first assignments was to serve as Chair of the Continuing Competency Task Force. Dr. Jewell served as Board President, Vice President, and FSBPT Delegate and Vice-Delegate. She was involved in numerous projects including completing two sunset review reports and service on the recruitment committee to assist the Board in its recent selection of a new executive officer. Dr. Jewell brought a wealth of knowledge with her experience and education, which included being the founding chair of the physical therapy program at Samuel Merritt University. She held faculty positions at Mount

1 St. Mary's, Stanford University, USC, and Chicago Medical School. Dr. Jewell consistently
2 applied her talent and experience, providing a keen eye for detail to document review, calling
3 attention to inconsistencies, and bringing potential consequences of the Board's actions to the
4 table for discussion.

5 Ms. Rabena-Amen has been adjunct faculty at the University of the Pacific since 2014, a
6 physical therapist at Infinity Care Services Inc. since 2011 and senior physical therapist at
7 Kaiser Permanente South Sacramento since 1998. Rabena-Amen was a physical therapist at
8 Global Healthcare Services from 2013 to 2014 and was a physical therapist at Lodi Memorial
9 Hospital from 2007 to 2013. She earned a Master of Arts degree in physical therapy from
10 Mount St. Mary's College.

11 **3. Special Order of Business – Wednesday, 8:30 a.m.**

12 **(A) Hearing on Petition for Modification of Probation – Eric Cook, PT**

13
14 After submission of the matters, the Board convened in CLOSED SESSION to deliberate
15 pursuant to Government Code section 11126(c)(3).
16

17 Once issued, disciplinary decisions may be found on the Board's website at www.ptbc.ca.gov.
18

19 **4. Closed Session**

20 **(A) Pursuant to Government Code section 11126(c)(3)**
21 **Deliberation on Disciplinary Actions**
22

23 Once issued, disciplinary decisions may be found on the Board's website at www.ptbc.ca.gov.
24

25 **(B) Pursuant to Government Code section 11126(c)(1)**
26 **Matters Relating to Examinations**
27

28 No discussion occurred on this item.
29

30 **(C) Pursuant to Government Code section 11126(a)(1)**
31 **Evaluation of Executive Officer**
32

33 **(D) Pursuant to Government Code section 11126(e)**
34 **US Equal Employment Opportunity Commission (EEOC) Charge**
35 **Number 555-2012-00027**
36

37 No discussion occurred on this item.
38

1 **5. Approval of February 19 & 20, 2014 Meeting Minutes – Sarah Conley**

2
3 Under agenda item 4(B), Ms. Freedman recommended the minutes reflecting the discussion of
4 the December 10, 2013, teleconference minutes be clarified to state the minutes were modified
5 to further summarize edits made during the teleconference.

6 Under agenda item 5(C), Dr. Alviso clarified she did not state that none of the physical therapy
7 programs referred to students as interns; therefore, it should be stricken from the record.

8 Dr. Sheryl Low, Physical Therapist, corrected the spelling of her name in the minutes.

9 **MOTION: To adopt the draft February 19 & 20, 2014, meeting minutes as**
10 **amended.**

11 **MOVED: Mr. Turner**

12 **SECOND: Dr. Takii**

13
14 **VOTE: 7-0 Motion carried**
15
16
17

18 **6. Consumer and Professional Associations and Intergovernmental Relations Reports**
19 **(A) Federation of State Boards of Physical Therapy (FSBPT)**
20

21 With the changes to the Board as noted under agenda item #2, the Board discussed
22 designating all members as back-up delegates which would allow any member to attend in the
23 event the delegate, alternate delegate, or back-up alternate delegate would be unable to
24 attend.

25 **MOTION: To designate any Board member as alternate delegate to attend the**
26 **FSBPT Delegate Assembly.**

27
28 **MOVED: Dr. Takii**

29
30 **SECOND: Ms. Eleby**

31
32 **VOTE: 7-0 Motion carried**
33

34 **(B) Department of Consumer Affairs (DCA)**

35
36 A representative from the DCA was not present at the meeting.

37
38 **(C) California Physical Therapy Association (CPTA)**

39
40 A representative from the CPTA indicated she had nothing to bring before the Board under this

1 agenda item.

2
3 **7. President's Report – *Dr. Alviso***
4 **(A) 2014 Meeting Calendar**
5

6 The Board reviewed the 2014 calendar. Mr. Kaiser informed the Board a location has not yet
7 been set for the November 2014 meeting. Dr. Alviso brought to the Board's attention this
8 year's FSBPT Delegate Assembly will be held in California. The Board requested Mr. Kaiser
9 look into whether all members can attend the Delegate Assembly this year since it is in
10 California.

11 **(B) Proposed 2015 Meeting Calendar**
12

13 The Board reviewed the proposed 2015 meeting dates. Dr. Alviso requested the Board
14 consider moving the November meeting date as the proposed date is close the Thanksgiving
15 holiday.
16

17 **8. Executive Officer's Report – *Jason Kaiser***
18

19 Mr. Kaiser directed the Board to his written report and highlighted that two vacant positions
20 were recently filled; one in Administrative Services and one in Licensing Services.
21

22 **9. Legislation Report – *Sarah Conley***
23 **(A) SB 198 (Lieu) Physical Therapy Board of California**
24 **i. Clean-up Recommendations**
25 **a. PTA Education Requirements**
26

27 Ms. Conley informed the Board that SB 198 amended Business and Professions Code (B&P
28 Code) section 2650 to include both PT and PTA education requirements, and inadvertently
29 included a provision requiring PTA education programs to include a minimum of 18 weeks
30 clinical service experience. PTA education programs do not include 18 weeks of clinical
31 experience.
32

33 Staff requested the Board grant the Executive Officer the authority to seek a legislative change
34 to remedy this oversight.
35

1 **MOTION:** Grant the Executive Officer the authority to seek a legislative change
2 to remove the statutory requirement for PTA programs to have a
3 minimum of 18 weeks clinical service experience.

4
5 **MOVED:** Dr. Jewell

6
7 **SECOND:** Dr. Takii

8
9 **VOTE:** 7-0 Motion carried

10
11 **(B) 2014 Bills**

- 12 i. **AB 790 (Gomez) Child Abuse: Reporting**
- 13 ii. **AB 1702 (Maienschein) Professions and Vocations: Incarceration**
- 14 iii. **AB 1758 (Patterson) Healing Arts: Initial Licensing Fees: Proration**
- 15 iv. **AB 1890 (Chau) Athletic Trainers**
- 16 v. **AB 1903 (Donnelly) Business and Professions**
- 17 vi. **AB 2165 (Patterson) Professions and Vocations: Licenses**
- 18 vii. **SB 1159 (Lara) Professions and Vocations: License Applicants:**
19 **Federal Tax Identification Number**
- 20 viii. **AB 2598 (Hagman) Department of Consumer Affairs: Administrative**
21 **Expenses**
- 22 ix. **SB 1215 (Hernandez) Healing Arts Licensees: Referrals**
- 23 x. **SB 1256 (Mitchell) Medical Services: Credit**
- 24 xi. **SB 1258 (DeSaulnier) Controlled Substances: Prescriptions: Reporting**
- 25 xii. **Other Bills that have come to the attention of the Board after**
26 **publication of the Agenda**

27
28 Ms. Conley provided an update on the bills noticed on the agenda as well as AB 2396 under
29 agenda item #9(B)(xii). The Board directed the Executive Officer to communicate its concerns
30 with AB 1758 to the DCA and the Legislature. The Board expressed concern regarding AB
31 2396, but recognized it could not take action at the time; however, the Board President could
32 take an interim position at a later date, if necessary.

33
34 **Rulemaking Report – Sarah Conley/Elsa Ybarra**

35 **(A) Guidelines for Issuing Citations and Imposing Discipline, and Uniform**
36 **Standards Regarding Substance-Abusing Healing Arts Licensees**

37
38 Ms. Conley informed the Board that the Guidelines rulemaking file has been submitted to the
39 Business, Consumer Services, and Housing Agency for review. In addition, since staff is
40 preparing to review all regulations to ensure implementation of the SB 198 provisions, there
41 are no rulemaking files in progress.

42
43 **10. Board Communication with PT/PTA Education Programs – Dr. Alviso/Jason Kaiser**

44
45 Dr. Alviso presented a briefing paper for the Board to consider increasing Board

1 communication with physical therapy education programs as well as other outreach
2 opportunities to licensees and consumers. Dr. Alviso noted various communication needs the
3 Board addresses and how it may be done more effectively.

4
5 Mr. Kaiser explained the Board previously had greater outreach capability; State imposed
6 travel restrictions and limited staffing have impeded more recent outreach opportunities.

7
8 The Board, taking public comment, briefly considered outreach options and recommendations
9 such as:

- 10 1. Collecting physical therapy education program contacts for email distribution and
11 communication;
- 12 2. Offer continuing competency credit for licensees to participate in the Board's outreach
13 efforts;
- 14 3. Skype/video conferencing;
- 15 4. FAQs/printed materials from Board;
- 16 5. Email blast;
- 17 6. You Tube how-to/what-not-to-do videos;
- 18 7. Blackboard; and,
- 19 8. Task Force with Occupational Therapy, Speech-Language Pathology and Audiology
20
21

22 Mr. Kaiser noted, in regards to the Board issuing an email blast, some e-mail providers'
23 systems read the Board's e-mail blasts as spam due to the of the number of recipients
24 included in the list and, therefore, block the email from being received by the intended party.
25 Ms. Eleby inquired as to whether the Board members could be a resource for the Outreach
26 program. Mr. Kaiser thanked Ms. Eleby for the offer and said the members, if they would like,
27 could submit their ideas to staff.

28
29 **MOTION: Direct staff to continue to explore the need and feasibility of**
30 **expanding contact with physical therapy education programs and**
31 **report back at a future meeting.**

32
33 **MOVED: Dr. Jewell**

34
35 **SECOND: Ms. Eleby**

36
37 **VOTE: 7-0 Motion Carried**

38 39 **11. License Status Types – Dr. Jewell**

40
41 Dr. Jewell presented two charts: 1) License Status Types and 2) License Exemptions. The
42 charts broke down in detail each license status type and exemption clarifying various aspects
43 such as how to acquire it, ability to practice/practice restrictions, maintenance requirements
44 (e.g., continuing competency and fee obligations), and length of time the status or exemption
45 may be applied. Dr. Jewell explained with the recent law and regulation changes, she thought

1 it would be a valuable Board discussion to review the license status types and exemptions and
2 identify whether there are areas that need clarification.

3
4 The Board discussed its authority over the individuals that may have a license that is in
5 Inactive or Retired status. Ms. Freedman informed the Board that B&P Code § 118 sets forth
6 that the Board may take action on any license that has the potential to be renewed, restored or
7 reinstated.

8
9 Dr. Jewell expressed concern regarding the Inactive and Retired status not having an
10 expiration period such as the five-year limit for Delinquent status; the licensee may not be
11 current in the practice for a number of years and would only be required to complete 30 units
12 of continuing competency. Mr. Kaiser explained that Inactive status is intended to allow for
13 situations such as a licensee who may be practicing in another state, so he or she would be
14 current in the practice upon returning to active status regardless of how long his or her
15 California license was inactive. Ms. Freedman added that, as a professional, the licensee is
16 responsible for only practicing within his or her knowledge, skills and abilities; therefore, the
17 licensee must ensure his or her knowledge, skills and abilities are current before resuming
18 practice.

19
20 Dr. Jewell put forth the question whether the Board should move forward with developing
21 regulations. Mr. Kaiser expressed there is a need to assess whether regulation is necessary;
22 however, it may be a little premature to begin drafting regulations at this time.

23
24 **Board Member Policy Manual – Sarah Conley**

25
26 Ms. Conley presented the Board Member Administrative Manual (Manual) with proposed
27 amendments, which included language that would delegate to staff the authority to make non-
28 substantive and editorial changes to the Manual.

29
30 The Board reviewed the proposed changes and discussed additional editorial changes.

31
32 The Board requested staff research and bring back to the Board clarification of the ALJ
33 Decisions/Acceptance Standard for ALJ Decisions criteria included under Chapter VI
34 Enforcement and Disciplinary Actions. Mr. Turner noted that Disciplinary Guidelines are not
35 included as one of the criteria, but should be.

36
37 **MOTION: Adopt the Board Member Administrative Manual as amended during**
38 **discussion**

39
40 **MOVED: Ms. Wallisch**

41
42 **SECOND: Dr. Takii**

43
44 **VOTE: 7-0 Motion carried**
45

1 **MOTION:** **Delegate authority to staff to make non-substantive and editorial**
2 **changes to the Manual**

3
4 **MOVED:** **Dr. Jewell**

5
6 **SECOND:** **Ms. Wallisch**

7
8 **VOTE:** **7-0 Motion carried**

9
10 **12. Administrative Services Report – Jason Kaiser**
11 **(A) Budget**

12
13 Mr. Kaiser presented the budget report and noted the control measures that were put into
14 place to ensure funding for the attorney general line item have worked better than expected;
15 the Board may have a reversion at the end of the fiscal year. The Board requested staff
16 reformat the expenditure pie chart to provide a clearer display of the data.

17
18 **(B) Outreach**

19
20 Mr. Kaiser presented the outreach report and reminded the Board that the data presented is
21 directly from Facebook and Twitter, but staff is working on analyzing the data from a Board
22 perspective to provide statistics more pertinent to the Board, rather than just general usage
23 statistics. Ms. Eleby requested the data be presented in a line chart to show the change over
24 time.

25
26 **13. Application & Licensing Services Report – Jason Kaiser**

27
28 Dr. Jewell questioned the reason for the increase in foreign educated applicants. Mr. Kaiser
29 responded staff does not have a reason as to why there is an increase in foreign educated
30 applicants; however, there has also been an increase in U.S. graduate applicants, which is due
31 to new schools and an increasing demand in the profession. Dr. Takii questioned how many of
32 the licenses issued were to foreign educated applicants. Mr. Kaiser explained that once a
33 license is issued the qualification method is no longer captured for reporting purposes. Dr.
34 Alviso requested staff add the future test dates on exam data tables. Dr. Jewell expressed
35 concern regarding the number of applicants failing the law exam and questioned whether this
36 hinders their ability to work while waiting for the next exam attempt. Mr. Kaiser explained that
37 the law exam is still offered continuously and an applicant does not lose the authorization to
38 work as a license applicant solely based on receiving a failing score on the law exam.

39
40 Dr. Jewell questioned why there were two test dates in January. Mr. Kaiser clarified an
41 additional exam date was scheduled to accommodate applicants that were unable to sit for the
42 originally schedule date to extremely severe weather in various areas of the U.S.

1 **14. Consumer Protection Services Report – *Elsa Ybarra***
2

3 Ms. Ybarra presented the Consumer Protection Services program report and noted that some
4 of the processing times are close to or over the established target because some of the
5 enforcement staff is assisting in other areas such as with BreEZe and cashiering. Dr. Alviso
6 asked whether egregious cases are being addressed immediately or with routine cases, which
7 are taking an average of 28 days to be assigned. Ms. Ybarra explained that cases are
8 screened so that more egregious cases are expedited. Dr. Alviso suggested the intake graph
9 reflect this by adding a note to the report.

10
11 Dr. Jewell questioned whether the various boards under DCA collaborate to assist each other
12 in improving enforcement processes using the Performance Measure data as a tool to
13 determine the most efficient and effective procedures. Mr. Kaiser explained there is the
14 opportunity at times for that collaboration. However, when the Performance Measures were
15 developed, each board established its own goals considering its own unique requirements and
16 needs, so, when comparing across the boards, the measurements may be accounting for
17 unequivalent processes.

18
19 **15. Public Comment on Items Not on the Agenda**
20

21 There was no additional public comment.
22

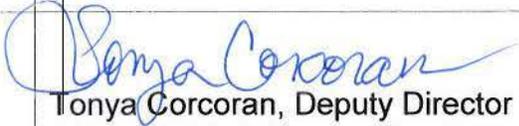
23 **16. Agenda Items for Next Meeting – August 20-21, 2014**
24 Department of Consumer Affairs
25 Sacramento, CA
26

27 **17. Adjournment**
28

29 The Board concluded the meeting on Thursday, May 15, 2014 with closed session and
30 adjourned at 12:30 p.m. upon completion of that agenda item.



MEMORANDUM

DATE	July 17, 2014
TO	ALL Board Executive Officers/Bureau Chiefs/Deputy Directors
FROM	 Tonya Corcoran, Deputy Director Office of Administrative Services Department of Consumer Affairs
SUBJECT	Delegated Authority/Travel Consistent with Executive Order B-06-11

This is a reminder that the restriction on discretionary travel under Governor's Office Executive Order (EO) B-06-11 remains in effect. In October of 2012, the DCA Executive Office provided you delegated authority to approve in-state travel requests deemed as mission-critical pursuant to EO B-06-11. Your delegation remains in effect and authorizes you to approve travel under the following conditions:

- Travel to conduct investigations, inspections, probation monitoring and other essential enforcement activities
- Travel to Board and Committee meetings if the board or committee has submitted a request to the Department that includes information regarding essential matters to be decided, number of employees who will be attending, and location of the Board meeting
- Travel related to examination development that can only be performed in person
- Travel related to administration of examinations including proctors
- Travel to fulfill required statutorily mandated training (Board Member Orientation, New manager/supervisory training, etc.)
- Travel related to employee discipline matters and other litigation involving Department
- Travel related to the maintenance and installation of information technology

All other in-state travel requests will continue to require DCA executive level review and approval and should be submitted directly to my attention. In order to expedite the review it should include pertinent information such as: event, dates, name and position of each person attending, number of nights, location, total cost, purpose, benefits to the state, and specific business matters being discussed and/or presented.

All out of state travel requests must be approved by DCA, Agency and the Governor's Office. Please contact your Budget Analyst directly on the process for submitting out of state travel requests.

Attachment



Office of Governor
Edmund G. Brown Jr.

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EXECUTIVE ORDER B-06-11

4-26-2011

WHEREAS the Governor's 2011-12 budget proposes to close the state's structural budget deficit in part through increased efficiency that will substantially reduce state operational expenses; and

WHEREAS since the beginning of this Administration, Executive Orders and other directives have been issued to restrict hiring in state government, drastically reduce the number of state cell phones and vehicles, and stop spending taxpayer dollars on free giveaway and gift items; and

WHEREAS the Governor's 2011-12 budget proposes to cut state operational expenses by reducing discretionary expenditures and increasing efficiency; and

WHEREAS restricting both in-state and out-of-state travel to only non-discretionary purposes will further reduce operational expenditures.

WHEREAS the Governor's 2011-12 budget proposes a reduction of \$413 million (\$250 million from the General Fund) in state operation efficiencies and other savings; and

WHEREAS restrictions on travel are necessary to help achieve these savings; and

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, by virtue of the power vested in me by the Constitution and the statutes of the State of California, do hereby issue the following orders to become effective immediately:

IT IS ORDERED that discretionary travel is prohibited. All in-state non-discretionary travel must be approved by Agency Secretaries or Department Directors who do not report to an Agency Secretary. All out-of-state travel must be approved by the Governor's Office.

IT IS FURTHER ORDERED that the new travel restrictions are as follows:

1. No travel, either in-state or out-of-state, is permitted unless it is mission critical or there is no cost to the state.

Mission critical means travel that is directly related to:

- Enforcement responsibilities.
- Auditing.
- Revenue collection.
- A function required by statute, contract or executive directive.
- Job-required training necessary to maintain licensure or similar standards required for holding a position.

Mission critical does not mean travel to attend:

- Conferences (even those that historically have been attended).
- Networking opportunities.
- Professional development courses.
- Continuing education classes and seminars.
- Non-essential meetings that can be conducted by phone or video conference.
- Events for the sole purpose of making a presentation unless approved by the Department Director.

2. No travel is permitted for more than the minimum number of travelers necessary to accomplish the mission-critical objective. This restriction applies even when there is no cost to the state.

3. Agency Secretaries or Department Directors who do not report to an Agency Secretary may authorize in-state travel when the request conforms to the principles identified above.

4. As referenced in Budget letter 11-06, Agencies and Departments must submit their out-of-state travel requests to the Governor's office by May 6, 2011. No substitutions will be allowed for trips approved per this Budget Letter.

5. The Department of Finance will issue all necessary instructions and forms to implement this restriction on state travel. In addition, the Department of Finance will work with agencies and departments to develop targets for budgetary reductions in lieu of travel restrictions. Departments that achieve their target budget reductions, as determined by the Director of the Department of Finance, may seek exemption from the provisions of this executive order.

IT IS REQUESTED that other entities of State government not under my direct executive authority conduct an analysis to determine the discretionary nature of their travel in order to reduce unnecessary costs.

This Executive Order is not intended to create, and does not create, any rights or benefits, whether

Latest News

 **Governor Brown Announces Appointments**
07-09-2014

 **Governor Brown Signs Legislation** 07-09-2014

 **Governor Brown Announces Appointments**
07-08-2014

 **Governor Brown Signs Legislation** 07-08-2014

 **Governor Brown Signs Legislation** 07-07-2014

 **Governor Brown to Speak at Intersolar North America Conference Today** 07-07-2014

 **Governor Brown Issues Proclamation Declaring Independence Day** 07-04-2014

 **Governor Brown Signs Legislation** 06-28-2014

 **Governor Brown Appoints Four Justices to the Second District Court of Appeal** 06-28-2014

 **Governor Brown Appoints Two Justices to the First District Court of Appeal** 06-28-2014

substantive or procedural, or enforceable at law or in equity, against the State of California or its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that it be given widespread publicity and notice.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of April 2011.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State

###

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Physical Therapy Board of California Adopted 2014 Meeting Calendar

January							February							March						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
			1	2	3	4							1							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28		23	24	25	26	27	28	29
														30	31					
April							May							June						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
		1	2	3	4	5					1	2	3	1	2	3	4	5	6	7
6	7	8	9	10	11	12	4	5	6	7	8	9	10	8	9	10	11	12	13	14
13	14	15	16	17	18	19	11	12	13	14	15	16	17	15	16	17	18	19	20	21
20	21	22	23	24	25	26	18	19	20	21	22	23	24	22	23	24	25	26	27	28
27	28	29	30				25	26	27	28	29	30	31	29	30					
July							August							September						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
		1	2	3	4	5						1	2							
6	7	8	9	10	11	12	3	4	5	6	7	8	9	7	8	9	10	11	12	13
13	14	15	16	17	18	19	10	11	12	13	14	15	16	14	15	16	17	18	19	20
20	21	22	23	24	25	26	17	18	19	20	21	22	23	21	22	23	24	25	26	27
27	28	29	30	31			24	25	26	27	28	29	30	28	29	30				
							31													
October							November							December						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
			1	2	3	4							1							
5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13
12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27
26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31			
							30													

January

1 New Year's Day
20 Martin Luther King Jr. Day

April

20 Easter

July

4 Independence Day

October

24-25 CPTA Conference
Oakland, CA
31 Halloween

February

17 President's Day
19-20 PTBC Meeting -
Sacramento

May

14-15 PTBC Meeting -
Southern California
11 Mother's Day
26 Memorial Day

August

20-21 PTBC Meeting -
Sacramento

November

5-6 PTBC Meeting -
Location TBD
11 Veteran's Day
27 Thanksgiving

March

June

11-14 APTA Conference
Charlotte, NC

15

Father's Day

September

1 Labor Day

18-20

FSBPT Meeting
San Francisco, CA

December

25 Christmas

Physical Therapy Board of California Proposed 2015 Meeting Calendar

January							February							March						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
				1	2	3	1	2	3	4	5	6	7	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28	22	23	24	25	26	27	28
25	26	27	28	29	30	31								29	30	31				
April							May							June						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
			1	2	3	4						1	2		1	2	3	4	5	6
5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13
12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20
19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27
26	27	28	29	30			24	25	26	27	28	29	30	28	29	30				
							31													
July							August							September						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
			1	2	3	4							1			1	2	3	4	5
5	6	7	8	9	10	11	2	3	4	5	6	7	8	6	7	8	9	10	11	12
12	13	14	15	16	17	18	9	10	11	12	13	14	15	13	14	15	16	17	18	19
19	20	21	22	23	24	25	16	17	18	19	20	21	22	20	21	22	23	24	25	26
26	27	28	29	30	31		23	24	25	26	27	28	29	27	28	29	30			
							30	31												
October							November							December						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
				1	2	3										1	2	3	4	5
4	5	6	7	8	9	10	1	2	3	4	5	6	7	6	7	8	9	10	11	12
11	12	13	14	15	16	17	8	9	10	11	12	13	14	13	14	15	16	17	18	19
18	19	20	21	22	23	24	15	16	17	18	19	20	21	20	21	22	23	24	25	26
25	26	27	28	29	30	31	22	23	24	25	26	27	28	27	28	29	30	31		
							29	30												

January

1 New Year's Day
19 Martin Luther King Jr. Day

April

5 Easter

July

4 Independence Day

October

15-17 FSBPT Meeting
Orlando, FL
31 Halloween

February

1 President's Day
11-12 PTBC Meeting -
Sacramento

May

10 Mother's Day
13-14 PTBC Meeting -
Southern California
25 Memorial Day

August

19-20 PTBC Meeting -
Sacramento

November

18-19 PTBC Meeting -
Bay Area
11 Veteran's Day
26 Thanksgiving

March

31 César Chávez Day

June

3-6 APTA Conference
Nat'l Harbor, MD

15

Father's Day

September

7 Labor Day

26-27

CPTA Conference
Pasadena, CA

December

25 Christmas



Physical Therapy Board of California

STATE AND CONSUMER SERVICES AGENCY - GOVERNOR EDMUND G. BROWN JR.

Physical Therapy Board of California

2005 Evergreen St. Suite 1350, Sacramento, California 95815

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

Internet: www.ptbc.ca.gov



DATE: August 5, 2014
TO: Physical Therapy Board of California (Board)
SUBJECT: EXECUTIVE OFFICER'S REPORT

This report is to update you on the current status of the Board's operations.

BreEZe – The Board continues to work on Design Part 2 of its release. This portion of the project has been the most taxing on our resources. While Board staff continues to work in the areas of form creation, data conversion and interface development, the time allocated to this part of the project has doubled since my last report. As an example, there are times that half of the Board staff may be involved in a BreEZe meeting of some kind that takes them away from their normal duties. As of late, Board staff spends about 30% of its time working on the project, which is having a detrimental effect on the normal workflow of the Board. This is to be expected, but we have done our best to minimize backlogs while successfully meeting the deadlines of the BreEZe project. Staff should be commended for their patience and diligences during this process, both those that participate directly, but also those that provide support in their absence.

BUDGET/PERSONNEL – Please see Agenda item 11(a) for a more detailed report on Budget.

The Administrative Services program continues to work on the recruitment process for 2 positions within the Consumer Protection Services program that we received authorization for FY 2014/15.

OUTREACH – Board staff has worked diligently on the production of this year's newsletter. It is scheduled to be distributed electronically September 1, 2014.

Our next Outreach project is to update our publications. Staff will look to update and modernize our existing publications. They will also be drafting new publications to deliver information to consumers, applicants and licensees in the form of tri-folds, flyers and e-blasts.

As you will see in Agenda Item 11(B), we have significantly ramped up our efforts in social media. We will also be exploring this avenue of communication with the implementation of our new YouTube channel.

Travel restrictions continue to hinder our ability to provide outreach services to consumers, schools and associations. Please see Agenda Item 6(A) for more detail.

LEGISLATION AND REGULATION – Please refer to Agenda Items 9 and 10 for a more detailed report.

CONSUMER PROTECTION – As stated previously, the Administrative Services program has begun the recruitment process for a new probation monitor as well as an additional case analyst.

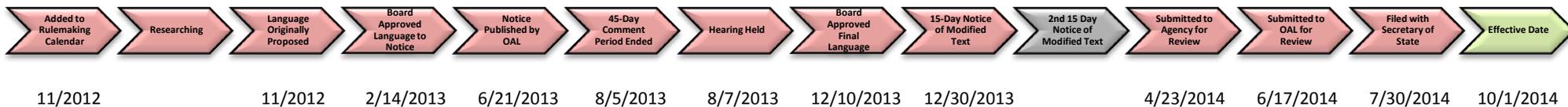
CONTINUING COMPETENCY – For now, the Continuing Competency program’s resources remain diverted to the Application and Licensing Services program in an effort to keep up with an influx of applications, minimize the difficulties of fixed-date testing, and mitigate the effect of staff’s participation in BreEZe.

APPLICATIONS & LICENSING – To improve communication with applicants and licensees, staff has begun to survey and assess its forms. As a result, a number of new forms have been created and existing forms updated. As this process continues, forms will be edited for clarity, uniformity, accessibility and ease of use, while also keeping the future implementation of BreEZe in mind.

The Board would like to welcome Tara Hamilton to the Application Services program. She will be assisting in the processing of PT/PTA applications and licensure, including support for all application and licensing functions. Tara came to us through the AARP work experience program. While she has been with us in this capacity for quite some time, she is now a permanent member of the PTBC team. We are very happy to have her; she has proven to be a great asset to the program.

Agenda Item # 9 will be provided under separate cover.

Guidelines for Issuing Citations and Imposing Discipline/Uniform Standards Regarding Substance-Abusing Healing Arts Licensees CCR 1399.15



OAL No.: Notice File No. Z-2013-0611-02
 Regulatory Action No. 2014-0617-01S

Notes:

Items on 2014 Rulemaking Calendar – No progress report

- Update of Regulations
- Physical Therapy Business Requirements
- Continuing Competency
- Telehealth

Processing Times

- The “Added to Rulemaking Calendar” date is the date the Board adopts the Rulemaking Calendar.
- A rulemaking file must be completed within one year of the publication date of the Notice of Proposed Action. The OAL issues the Notice File Number upon filing the Notice of Proposed Action.
- The DCA is allowed thirty calendar days to review the rulemaking file prior to submission to the Dept. of Finance (DOF).
- The DOF is allowed thirty days to review the rulemaking file prior to submission to the OAL.
- The OAL is allowed thirty working days to review the file and determine whether to approve or disapprove it. The OAL issues the Regulatory Action Number upon submission of the rulemaking file for final review.
- Pursuant to Government Code section 11343.4, as amended by Section 2 of Chapter 295 of the Statutes of 2012 (SB 1099, Wright), regulation effective dates are as follows:

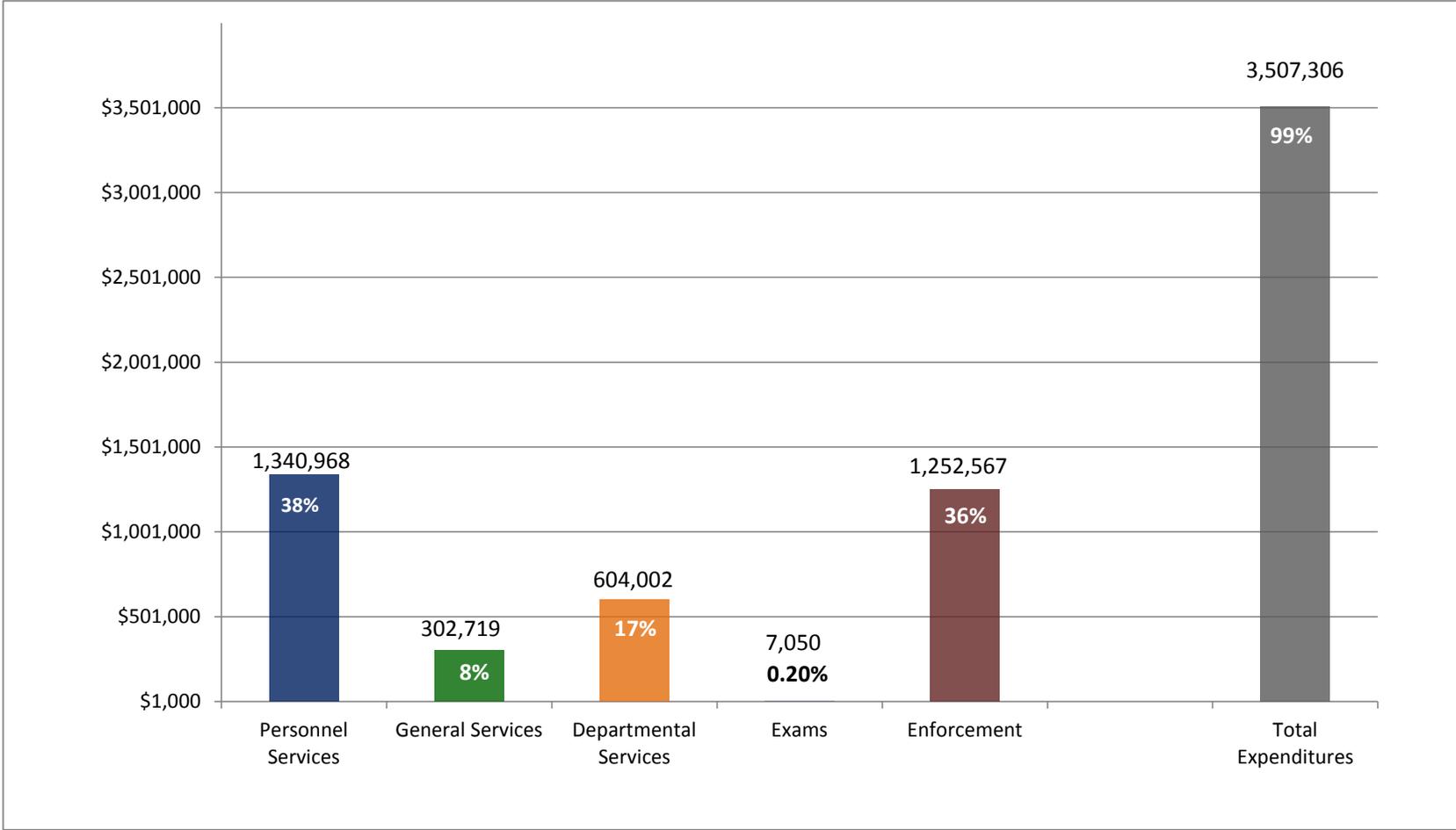
<u>Date Filed with the Secretary of State</u>	<u>Effective Date</u>
September 1 st – November 30 th	January 1 st
December 1 st – February 29 th	April 1 st
March 1 st – May 31 st	July 1 st
June 1 st – August 31 st	October 1st

**Physical Therapy Board of California
Budget Expenditure Report - Budget Year 2013/14**

Budget Line Items	Previous BY 2012/13 (As of 6/30/13)		BY 2013/14 (As of 6/30/14)			
	Budget	Expended	Budget	Expended	% Budget	Balance
Personnel Services						
Civil Services Permanent	690,546	717,755	808,749	715,736	88%	93,013
Statutory Exempt	77,196	72,816	77,196	77,266	100%	(70)
Temp help	153,767	155,026	0	76,914	-	(76,914)
Board Members	11,786	24,500	11,786	29,200	248%	-17,414
Overtime	0	4,042	0	1,401	-	(1,401)
Staff Benefits	379,261	458,454	453,211	440,451	97%	12,760
TOTAL, PERSONNEL SERVICES	1,312,556	1,432,593	1,350,942	1,340,968	99%	9,974
General Services						
Fingerprints	99,090	30,160	99,090	31,864	32%	67,226
General Expense	18,085	15,102	29,164	20,809	71%	8,355
Minor Equipment	10,150	17,878	2,200	47,110	2141%	(44,910)
Major Equipment	0	0	8,500	5,579	66%	2,921
Printing	16,892	14,292	14,292	8,661	61%	5,631
Communications	11,712	9,554	9,554	10,918	114%	(1,364)
Postage	28,926	29,905	34,112	29,973	88%	4,139
Travel in State	28,865	10,661	28,865	18,324	63%	10,541
Training	5,204	0	6,958	988	14%	5,970
Facilities Operations	118,121	112,982	118,121	105,782	90%	12,339
C&P Services Interdepartmental	2,000	40	1,828	20	1%	1,808
C&P Services External	77,816	28,919	28,919	22,691	78%	6,228
TOTAL, GENERAL SERVICES	416,861	269,493	381,603	302,719	79%	78,884
Departmental Services						
OIS Pro Rata	248,855	226,956	273,777	270,921	99%	2,856
Indirect Dist. Cost	132,159	115,403	138,334	137,509	99%	825
Interagency Services	37,136	0	2,136	0	0%	2,136
DOI Pro Rata	5,371	5,370	4,404	4,382	100%	22
Public Affairs Pro Rata	7,530	6,606	6,190	5,065	82%	1,125
PCSD Pro Rata	9,669	8,936	5,306	5,000	94%	306
Consolidated Data Center	2,882	1,045	1,397	860	62%	537
Data Processing	15,493	603	2,930	6,240	213%	(3,310)
Other Items of Expense	0	248	0	0	-	0
Central Admin Services Pro Rata	147,824	147,824	174,025	174,025	100%	0
TOTAL, DEPARTMENTAL SERVICES	606,919	512,991	608,499	604,002	99%	4,497
Examinations						
Admin and C/P Services	0	0	0	0	-	0
Exam Contracts	9,931	4035	9,120	7,050	77%	2,070
Exam Subject Matter Experts	2,685	0	2,685	0	-	2,685
TOTAL, EXAMINATIONS	12,616	4,035	11,805	7,050	60%	4,755
Enforcement						
Attorney General	455,668	437,185	605,668	660,744	109%	-55,076
Office of Admin Hearings	59,584	79,688	59,584	87,970	148%	-28,386
Evidence/Witness	100,145	72,558	100,145	90,295	90%	9,850
Court Reporters	0	5,220	0	5,042	-	(5,042)
DOI Investigation	491,654	489,310	408,516	408,516	100%	0
TOTAL, ENFORCEMENT	1,107,051	1,083,961	1,173,913	1,252,567	107%	(78,654)
TOTALS, OE & E	2,143,447	1,786,230	2,175,820	2,166,338	99%	9,482
TOTALS, PERSONNEL SERVICES/OE&E	3,456,003	3,089,309	3,526,762	3,507,306		19,456
Scheduled Reimbursements	97,000	31,307	97,000	44,048		52,952
Scheduled Reimbursements	2,000	10,105	2,000	12,105		(10,105)
Unsheduled Reimbursements		44,295		42,847		42,847
*TOTALS	3,357,003		3,427,762	3,373,501	99%	19,456

*Reflects authorized budget allotment and expenditures after reimbursements.

**Physical Therapy Board of California
 Budget Expenditures (BY 2013/14)
 (As of 06/30/2014)**



Personnel Services : Salary and Wages, Board Member Per Diem, Temp Help, Overtime, Benefits.

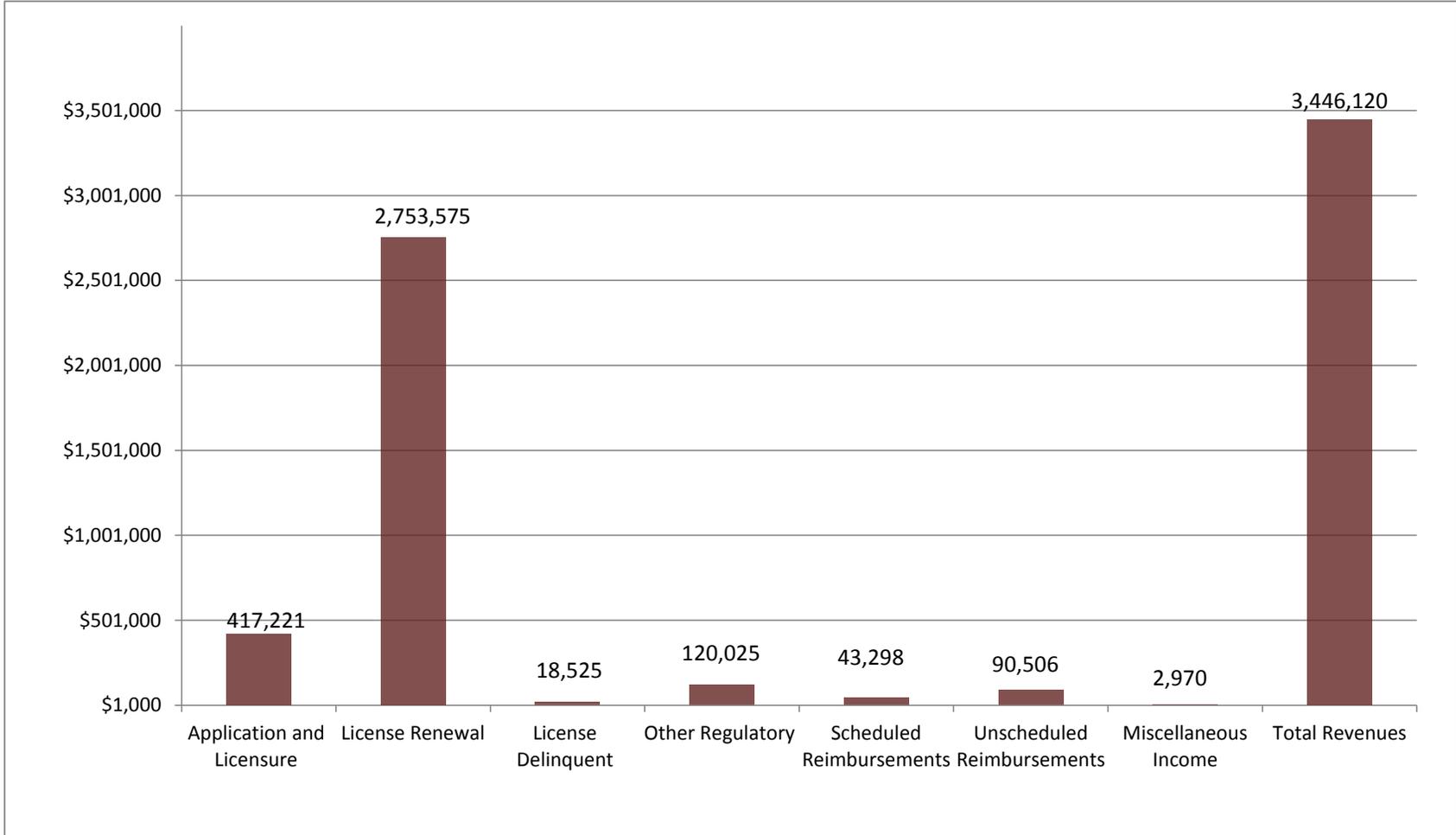
General Services : Fingerprint Reports, General Expense, Printing, Communication, Postage, Travel, Training, Facility, C&P Services, Equipment.

Departmental Services: Pro Rata ,Interagency Services, Consolidated Data, Data Processing, Central Admin.

Exams: Examination Contracts, Subject Matter Experts Contracts.

Enforcement: Attorney General, Office of Administrative Hearing, Evidence/Witness (Expert Consultants), Court Reporter, DOI.

**Physical Therapy Board of California
 Budget Revenue Chart (BY 2013/14)
 (As of 06/30/2014)**



Application, Examination and License: New Application, Examination, and Initial License Fees.

License Renewal: Licensee Renewal Fees.

License Delinquent: Licensee Delinquent Fees.

Other Regulatory: Administrative Citation Fines, Endorsement Fees, Duplicate License/Cert Fees.

Scheduled Reimbursements: Fingerprint reports processed through DOJ.

Unscheduled Reimbursements: Investigative Cost Recovery, Probation Monitoring Fees.

Miscellaneous Income: Investments, Unclaimed, Cancelled and Dishonored Warrants.

**Physical Therapy Board of California
Web site, Twitter, and Facebook Statistics
FY 2013-14 – 4th Quarter (4/1/2014 – 6/30/2014)**

Web Hit Statistics			
Category	Web Hits During 1/1/2014 – 3/31/2014	Web Hits During 04/01/2014-06/30/2014	% Increase/Decrease
Home	84,649	80,330	5.1% ↓
Consumers	380,489	635,803	67.1% ↑
Applicants	102,861	102,819	.04% ↓
Licensees	50,999	48,900	4.1% ↓
Laws	100,853	89,823	10.9% ↓
Forms	72,111	86,324	19.7% ↑
Publications	4,174	3,850	7.7% ↓
About Us	71,774	85,158	18.6% ↑
Continuing Competency	7,500	6,412	14.5% ↓
Web License lookup hits PT	121,788	169,250	38.9% ↑
Web License lookup hits PTA	3,652	1,815	50.3% ↓

Twitter Statistics			
Category	Data as of 05/05/2014	Data as of 07/02/2014	% Increase/Decrease
Number of Tweets	299	311	38.9% ↑
Number of Followers	214	227	6% ↑

*Account opened on 2/27/2011

Facebook Statistics			
Category	Data During 1/1/2014 – 3/31/2014	Data During 04/01/2014-06/30/2014	% Increase/Decrease
Total Likes	1,513	1561	3.1% ↑
Page Visits	280	327	16.7% ↑

Summary of Highlights:

- The Consumers tab is the most viewed and/or accessed tab. The increase from the 3rd quarter to the 4th quarter reflects a 67.1% increase, however extensive research with the BreEZe development has contributed to the vast increase.
- The Applicants tab was the second most viewed or clicked tab with a slight decrease of 0.4% from the previous quarter.
- The Forms tab reflects the most significant increase of 19.7% from the previous quarter.
- The combined total of web hits of 1,139,419 has increased 35.8% from the previous fiscal year.
- As of June 30, 2014, the total amount of License lookup hits shows a total of 291,038. This increase may indicate that the consumers are taking more precautions when selecting a physical therapist.

APPLICATION AND LICENSING SERVICES STATISTICS FY 2013/14

Application Statistics

APPLICATIONS RECEIVED													
Application Type	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
PT	97	154	107	81	75	100	64	43	43	64	246	130	1,204
FOREIGN PT	21	36	21	27	30	24	27	28	21	27	25	27	314
FOREIGN PTA*	4	3	5	3	5	6	4	9	8	10	10	4	71
PTA	36	35	13	58	18	8	37	28	15	42	100	33	423
EQUIV PTA	0	0	1	0	1	0	0	0	0	0	1	0	3
EK	0	0	0	0	0	0	0	0	0	0	0	1	1
EN	0	0	0	0	0	1	1	0	0	0	0	0	2
Total	158	228	147	169	129	139	133	108	87	143	382	195	2,018

*2 Applicants downgraded from PT to PTA from July - Current.

Licensing Statistics

LICENSES ISSUED*													
License Type	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
PT	78	260	57	73	39	223	50	40	222	11	59	80	1,192
PTA	44	28	14	16	67	24	23	43	42	4	37	12	354
EK	0	0	0	0	0	0	0	0	0	0	0	0	0
EN	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	122	288	71	89	106	247	73	83	264	15	96	92	1,546

*Licensing Statistics will not match the Application Statistics due to the length of time an application may remain on file.

License Renewal Statistics

LICENSES RENEWED													
License Type	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
PT	987	1,036	864	1,080	836	844	1,034	775	741	1,018	954	956	11,125
PTA	246	252	199	250	211	205	268	178	196	259	263	210	2,737
EK	1	2	3	0	0	1	2	2	1	3	3	2	20
EN	1	2	0	0	0	2	3	0	0	1	0	1	10
Total	1,235	1,292	1,066	1,330	1,047	1,052	1,307	955	938	1,281	1,220	1,169	13,892

APPLICATION AND LICENSING SERVICES STATISTICS FY 2013/14

License Status Statistics

ACTIVE LICENSES													
License Type	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
PT	21,754	21,694	21,847	21,937	21,985	21,947	22,006	22,006	2,200	22,182	22,109	22,059	22,099
PTA	5,267	5,275	5,282	5,283	5,291	5,335	5,319	5,319	5,345	5,377	5,358	5,368	5,376
EK	30	29	29	30	30	30	30	30	30	30	29	29	30
EN	21	20	21	21	21	21	21	21	21	21	24	23	24
Total	27,072	27,018	27,179	27,271	27,327	27,333	27,376	27,376	7,596	27,610	27,520	27,479	27,529

INACTIVE LICENSES													
License Type	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
PT	1,418	1,439	1,462	1,480	1,498	1,522	1,544	1,544	1,552	1,567	1,342	1,370	1,421
PTA	406	409	408	415	417	424	434	434	435	437	370	377	386
Total	1,824	1,848	1,870	1,895	1,915	1,946	1,978	1,978	1,987	2,004	1,712	1,747	1,807

Licensees in inactive status are eligible for active/valid status upon fulfilling renewal requirements.

DELINQUENT LICENSES													
License Type	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
PT	3,340	3,427	3,491	3,453	3,398	3,435	3,552	3,552	3,559	3,567	3,607	3,662	3,642
PTA	941	961	978	986	979	994	1,037	1,043	1,043	1,038	1,048	1,064	1,058
EK	3	4	4	3	3	3	3	3	3	3	4	4	3
EN	5	6	5	5	5	5	5	5	5	5	5	6	5
Total	4,289	4,398	4,478	4,447	4,385	4,437	4,597	4,603	4,610	4,613	4,664	4,736	4,708

Licensees in delinquent status are eligible to renew their license and may obtain active/valid status upon compliance.

APPLICATION AND LICENSING SERVICES STATISTICS FY 2013/14

National Physical Therapist (PT) Examination - CALIFORNIA STATISTICS

Accredited PT Program & Foreign Educated PT Combined Pass/Fail

	Jul	Aug*	Sept*	Oct	Nov*	Dec*	Jan	Feb	Mar*	Apr	May*	Jun*	FY Total
Pass	233			204			153	0		69			659
Fail	84			99			86	1		84			354
Total	317			303			239	1		153			1013
Pass Rate	74%			67%			64%	0%		45%			65%

Accredited PT Program Pass/Fail

	Jul	Aug*	Sept*	Oct	Nov*	Dec*	Jan	Feb	Mar*	Apr	May*	Jun*	FY Total
Pass	228			196			144	0		58			626
Fail	27			40			39	1		26			133
Total	255			236			183	1		84			759
Pass Rate	89%			83%			79%	0%		69%			82%

Foreign Educated PT Pass/Fail

	Jul	Aug*	Sept*	Oct	Nov*	Dec*	Jan	Feb	Mar*	Apr	May*	Jun*	FY Total
Pass	5			8			9	0		11			33
Fail	57			59			47	0		58			221
Total	62			67			56	0		69			254
Pass Rate	8%			12%			16%	0%		16%			13%

*No examination was given during this month.

APPLICATION AND LICENSING SERVICES STATISTICS FY 2013/14

National Physical Therapist Assistant (PTA) Examination - CALIFORNIA STATISTICS

Accredited PTA Program, Foreign Educated PTA, & Equivalency Combined Pass/Fail

	Jul	Aug*	Sept*	Oct	Nov*	Dec*	Jan	Feb*	Mar*	Apr	May*	Jun*	FY Total
Pass	76			103			75			44			298
Fail	39			47			45			45			176
Total	115			150			120			89			474
Pass Rate	66%			69%			63%			49%			63%

Accredited PTA Program Pass/Fail

	Jul	Aug*	Sept*	Oct	Nov*	Dec*	Jan	Feb*	Mar*	Apr	May*	Jun*	FY Total
Pass	71			97			67			39			274
Fail	28			38			33			37			136
Total	99			135			100			76			410
Pass Rate	72%			72%			67%			51%			67%

Foreign Educated PTA Pass/Fail

	Jul	Aug*	Sept*	Oct	Nov*	Dec*	Jan	Feb*	Mar*	Apr	May*	Jun*	FY Total
Pass	5			6			8			5			24
Fail	11			9			12			8			40
Total	16			15			20			13			64
Pass Rate	31%			40%			40%			38%			38%

Equivalency PTA Pass/Fail

	Jul	Aug*	Sept*	Oct	Nov*	Dec*	Jan	Feb*	Mar*	Apr	May*	Jun*	FY Total
Pass	0			0			0			0			0
Fail	0			0			0			0			0
Total	0			0			0			0			0
Pass Rate	0%			0%			0%			0%			0%

*No examination was given during this month.

APPLICATION AND LICENSING SERVICES STATISTICS FY 2013/14

California Law Examination (CLE)

Accredited & Foreign Educated Combined Pass/Fail

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Pass	242	192	127	156	160	88	157	138	114	101	77	110	1,662
Fail	175	138	68	90	103	67	107	100	63	68	49	74	1,102
Total	417	330	195	246	263	155	264	238	177	169	126	184	2,764
Pass Rate	58%	58%	65%	63%	61%	57%	59%	58%	64%	60%	61%	60%	60%

Accredited Pass/Fail

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Pass	220	172	107	143	143	72	129	124	94	75	61	96	1,436
Fail	146	105	52	74	80	50	88	76	40	53	34	51	849
Total	366	277	159	217	223	122	217	200	134	128	95	147	2,285
Pass Rate	60%	62%	67%	66%	64%	59%	59%	62%	70%	59%	64%	65%	63%

Foreign Educated Pass/Fail

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Pass	22	20	20	13	17	16	28	14	20	26	16	14	226
Fail	29	33	16	16	23	17	19	24	23	15	15	23	253
Total	51	53	36	29	40	33	47	38	43	41	31	37	479
Pass Rate	43%	38%	56%	45%	43%	48%	60%	37%	47%	63%	52%	38%	47%

Agenda Item #15 (page 5 of 8)

APPLICATION AND LICENSING SERVICES STATISTICS FY 2013/14

Accredited PT Program & Foreign Educated PT Combined Pass/Fail

	Jul	Aug	Sept*	Oct	Nov*	Dec*	Jan	Feb	Mar*	Apr	May	Jun*	FY Total
Pass	4,782	2		1,684			1,210	148		1,841	2		9,669
Fail	1,727	3		1,461			1,062	61		1,179	4		5,497
Total	6,509	5		3,145			2,272	209		3,020	6		15,166
Pass Rate	73%	40%		54%			53%	71%		61%	33%		64%

Accredited PT Program Pass/Fail

	Jul	Aug	Sept*	Oct	Nov*	Dec*	Jan	Feb	Mar*	Apr	May	Jun*	FY Total
Pass	4,526	2		1,366			981	142		1,655	2		8,674
Fail	701	0		505			343	38		404	2		1,993
Total	5,227	2		1,871			1,324	180		2,059	4		10,667
Pass Rate	87%	100%		73%			74%	79%		80%	50%		81%

Foreign Educated PT Pass/Fail

	Jul	Aug	Sept*	Oct	Nov*	Dec*	Jan	Feb	Mar*	Apr	May	Jun*	FY Total
Pass	256	0		318			229	6		186	0		995
Fail	1026	3		956			719	23		775	2		3,504
Total	1282	3		1274			948	29		961	2		4,499
Pass Rate	20%	0%		25%			24%	21%		19%	0%		22%

*No examination was given during this month.

APPLICATION AND LICENSING SERVICES STATISTICS FY 2013/14

National Physical Therapist Assistant (PTA) Examination - NATIONAL STATISTICS

Accredited PTA Program, Foreign Educated PTA, & Equivalency Combined Pass/Fail

	Jul	Aug	Sept*	Oct	Nov*	Dec*	Jan	Feb*	Mar*	Apr	May*	Jun*	FY Total
Pass	3,134	0		1,390			990			958			6,472
Fail	873	1		727			500			512			2,613
Total	4,007	1		2,117			1,490			1,470			9,085
Pass Rate	78%	0%		66%			66%			65%			71%

Accredited PTA Program Pass/Fail

	Jul	Aug	Sept*	Oct	Nov*	Dec*	Jan	Feb*	Mar*	Apr	May*	Jun*	FY Total
Pass	3,078	0		1,308			902			887			6,175
Fail	783	1		654			407			422			2,267
Total	3,861	1		1,962			1,309			1,309			8,442
Pass Rate	80%	0%		67%			69%			68%			73%

Foreign Educated PTA Pass/Fail

	Jul	Aug*	Sept*	Oct	Nov*	Dec*	Jan	Feb*	Mar*	Apr	May*	Jun*	FY Total
Pass	56			82			88			71			297
Fail	90			73			93			90			346
Total	146			155			181			161			643
Pass Rate	38%			53%			49%			44%			46%

Equivalency PTA Pass/Fail

	Jul	Aug*	Sept*	Oct	Nov*	Dec*	Jan	Feb*	Mar*	Apr	May*	Jun*	FY Total
Pass	0			0			0			0			0
Fail	0			0			0			0			0
Total	0			0			0			0			0
Pass Rate	0%			0%			0%			0%			0%

* No examination was given during this month.

APPLICATION AND LICENSING SERVICES STATISTICS FY 2013/14

Jurisprudence (Law) Examination - NATIONAL STATISTICS

Law Examination Pass/Fail

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Pass	906	616	504	579	427	273	467	466	343	351	772	852	6,556
Fail	283	197	122	180	151	104	159	156	129	136	126	156	1,899
Total	1,189	813	626	759	578	377	626	622	472	487	898	1,008	8,455
Pass Rate	76%	76%	81%	76%	74%	72%	75%	75%	73%	72%	86%	85%	78%

Accredited Program Pass/Fail

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Pass	871	577	464	547	380	239	419	416	284	310	727	808	6,042
Fail	249	159	97	163	118	79	138	125	89	114	100	123	1,554
Total	1,120	736	561	710	498	318	557	541	373	424	827	931	7,596
Pass Rate	78%	78%	83%	77%	76%	75%	75%	77%	76%	73%	88%	87%	80%

Foreign Educated Pass/Fail

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Pass	35	39	40	32	47	34	48	50	59	41	45	44	514
Fail	34	38	25	17	33	25	21	31	40	22	26	33	345
Total	69	77	65	49	80	59	69	81	99	63	71	77	859
Pass Rate	51%	51%	62%	65%	59%	58%	70%	62%	60%	65%	63%	57%	60%

CONSUMER PROTECTION SERVICES REPORT FY 2013/2014

Complaint Intake													
<i>Complaints Received by the Board.</i>													
<i>Measured from date received to assignment for investigation or closure without action.</i>													
Complaints	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Received	97	71	88	118	65	111	110	21	101	72	57	44	955
Closed without Assignment for Investigation	3	12	14	24	0	10	20	17	1	0	0	1	102
Assigned for Investigation - <i>Note: Number of assigned cases may include cases from previous month; therefore totals will not add up.</i>	97	66	58	118	18	79	118	37	76	91	94	62	914
Average Days to Close or Assigned for Investigation	11	12	5	10	5	15	44	33	16	16	26	12	17.083
Pending	9	6	22	8	54	76	49	16	63	44	7	5	

Convictions/Arrest Reports	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Received	31	30	31	15	27	11	10	28	15	11	42	26	277
Closed / Assigned for Investigation	39	25	36	17	24	14	10	26	16	11	37	38	293
Average Days to Close	6	11	6	5	2	3	6	2	3	2	4	14	5.3333
Pending	0	7	4	2	3	0	0	2	0	0	5	2	

Total Intake	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Received	128	101	102	133	92	122	120	49	116	83	99	70	1215
Closed w/o Inv. Assignment	4	13	14	25	0	10	20	19	1	1	4	1	112
Assigned for Investigation	135	90	94	134	42	93	128	61	92	101	127	100	1197
Avg. Days to Close or Assign	10	11	5	9	4	13	42	23	14	15	20	13	14.917
Pending	9	13	26	10	57	76	49	18	63	44	12	7	384

Investigation *Complaints investigated by the program whether by desk investigation or by field investigation.*
Measured by date the complaint is received to the date the complaint is closed or referred for enforcement action.
If a complaint is never referred for Field Investigation, it will be counted as 'Closed' under Desk Investigation.
If a complaint is referred for Field Investigation, it will be counted as 'Closed' under Non-Sworn or Sworn.

Desk Investigation	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Initial Assignment for Desk Investigation	135	90	94	133	42	93	128	61	92	101	127	100	1196
Closed	98	110	116	127	87	72	89	84	111	69	113	99	1175
Average Days to Close	77	86	93	60	61	80	118	80	98	122	119	218	101
Pending	480	463	435	438	394	412	435	404	388	417	409	404	

Field Investigation (Non Sworn)	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Assignment for Non-Sworn Field Investigation	N/A												0
Closed													0
Average Days to Close													0
Pending													

Field Investigation (Sworn)	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Assignment for Sworn Field Investigation	18	5	7	5	3	5	14	8	4	4	22	3	98
Closed	3	3	9	8	7	6	6	7	6	10	8	5	78
Average Days to Close	403	373	293	388	552	384	519	309	415	518	531	239	410.33
Pending	110	112	110	108	105	104	112	115	113	109	123	118	

All Investigations	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
First Assignments	135	90	94	134	42	93	128	61	92	101	127	100	1197
Closed	101	113	125	135	94	78	95	91	117	79	121	104	1253
Average Days to Close	87	94	108	79	97	103	143	98	114	172	146	219	121.67
Pending	590	575	545	546	499	516	547	519	501	526	532	522	

All Investigations Aging/Closed	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Up to 90 Days	89	67	78	96	69	49	58	61	85	40	83	56	831
91 to 180 Days	5	36	30	32	13	15	19	17	13	20	10	7	217
181 Days to 1 Year	3	4	12	2	5	9	6	9	11	6	6	8	81
1 to 2 Years	4	5	3	4	5	5	11	4	7	12	19	32	111
2 to 3 Years	0	1	2	1	2	0	0	0	0	0	3	1	10
Over 3 Years	0	0	0	0	0	0	1	0	1	1	0	0	3

Disciplinary Actions													
<i>This section DOES NOT include subsequent discipline on a license. Data from complaint records combined/consolidated into a single case will not appear in this section.</i>													
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
AG Cases Initiated	2	5	4	7	3	8	4	1	6	4	4	3	51
AG Cases Pending	78	82	82	83	82	84	83	76	76	79	79	77	
SOIs Filed	0	0	1	0	0	0	0	1	1	4	0	0	7
Accusations Filed	5	3	3	6	4	3	2	6	5	4	1	0	42

ACC Decisions/Stips	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Prop/Default Decisions	2	0	0	0	0	1	0	1	1	0	1	0	6
Stipulations	1	0	0	3	1	2	2	4	4	2	3	4	26

SOI Disciplinary Orders	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
SOI Final Orders (Dec/Stips)	1	0	0	1	0	0	1	1	0	0	0	1	5
Average Days to Complete				1021	0	0	691	441	0	0	0	633	309.56

ACC Disciplinary Orders	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
ACC Final Orders (Dec/Stips)	3	0	4	3	1	3	2	5	5	2	4	4	36
Average Days to Complete	709		828	626	496	647	1571	809	1128	639	784	1367	873.09

Total Disciplinary Orders	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Total Final Orders (Dec/Stips)	4	0	4	4	1	3	3	6	5	2	4	5	41
Total Average Days to Complete	774		828	725	496	647	1278	748	1128	639	784	120	742.45

Total Orders Aging/Final Decision	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Up to 90 Days	0	0	0	0	0	0	0	0	0	0	0	0	0
91 to 180 Days	0	0	0	0	0	0	0	0	0	0	0	0	0
181 Days to 1 Year	0	0	0	0	0	0	0	1	1	0	1	0	3
1 to 2 Years	1	0	2	2	1	3	1	3	0	1	1	1	16
2 to 3 Years	3	0	1	2	0	0	0	1	1	1	1	2	12
Over 3 Years	0	0	1	0	0	0	2	1	3	0	1	2	10

Citations	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Final Citations	23	29	41	42	12	12	27	16	7	19	24	6	258
Average Days to Complete*	129	151	112	124	110	120	159	167	226	252	120	132	150.17

Other Legal Actions	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
Interim Suspension & PC 23 Ordered	0	0	0	0	1	0	0	0	1	0	0	0	2

Probation													
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
Entered Probationer	1	2	2	3	0	3	2	1	4	1	0	2	
Completed Probation	1	0	1	0	1	0	1	0	3	1	0	0	
Entered Maximus	1	0	0	1	0	0	3	1	0	0	0	1	
Completed Maximus	1	0	0	1	0	0	0	0	1	0	0	1	
Non-Compliant w/Probation	0	2	0	1	0	0	0	0	0	0	0	0	
Total Probationers	64	64	66	69	68	71	73	72	73	72	72	74	
Total Maximus Participants	11	10	10	11	10	10	10	14	14	12	12	13	

Performance Measures													
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
PM1 Volume - Number of Complaints Received within the specified time period.	97	71	88	118	65	111	110	21	101	72	57	44	955
PM1 Volume - Conviction/Arrest Reports Received	31	30	32	15	27	11	10	28	15	11	42	26	278
PM2 Cycle Time - Intake Average number of complaint intake during the specified time period.	10	11	5	9	4	13	42	23	14	15	20	13	14.917
PM3 Cycle Time-No Discipline (Target 90 Days) Average number of days to complete complaint intake and investigation steps of the enforcement process for Closed Complaints not resulting in Formal Discipline.	79	84	99	69	87	71	128	85	80	129	124	221	104.67
PM 4 Cycle Time-Discipline (Target 540 Days) Average number of days to complete the enforcement process (Complaint intake, Investigation, and Formal Discipline steps) for cases closed with Formal Discipline.	774	198	828	524	391	374	1278	748	957	639	784	961	704.67

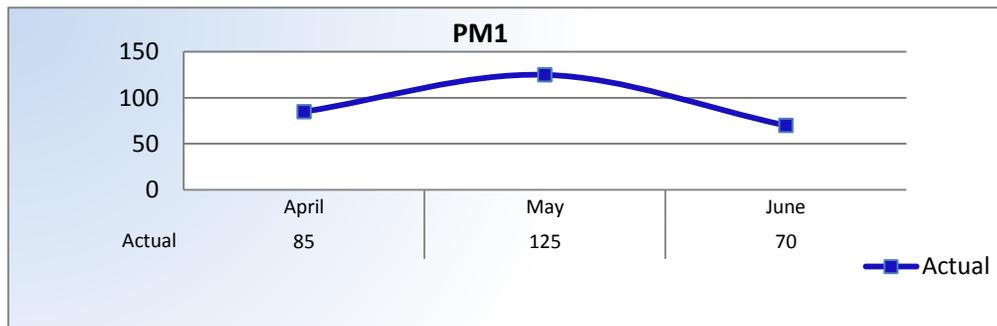
Performance Measures

Q4 Report (April - June 2014)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

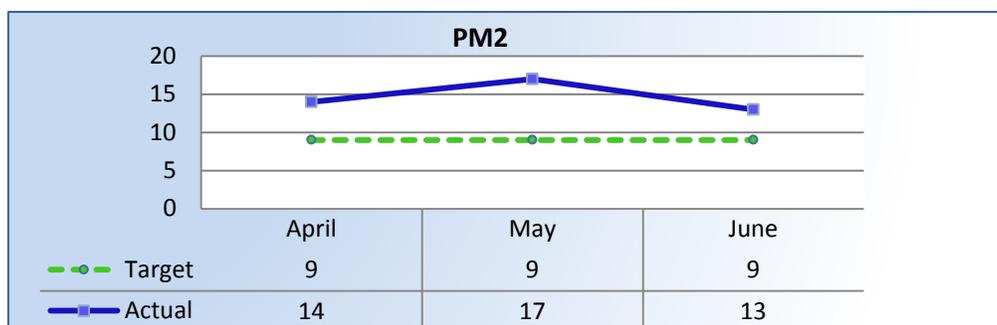


Total Received: 280 Monthly Average: 93

Complaints: 192 | Convictions: 88

PM2 | Intake

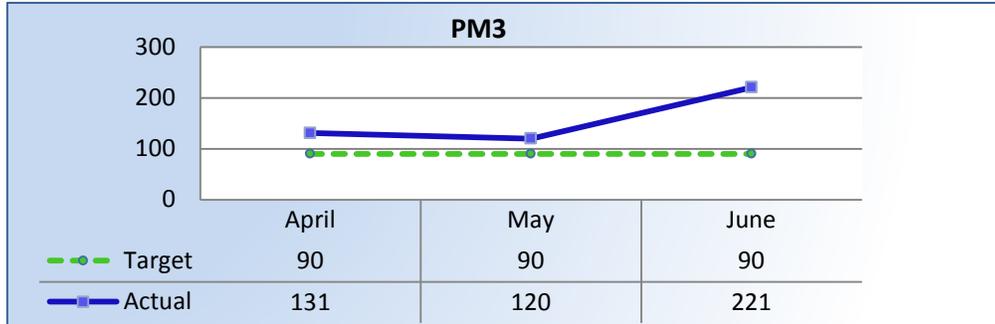
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 9 Days | Actual Average: 15 Days

PM3 | Intake & Investigation

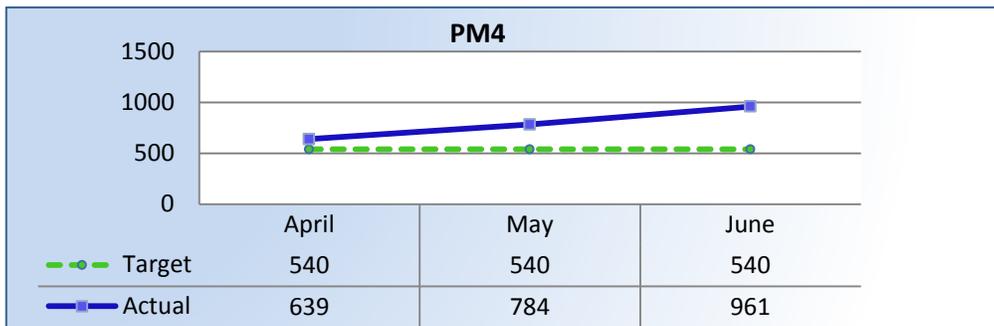
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



Target Average: 90 Days | Actual Average: 157 Days

PM4 | Formal Discipline

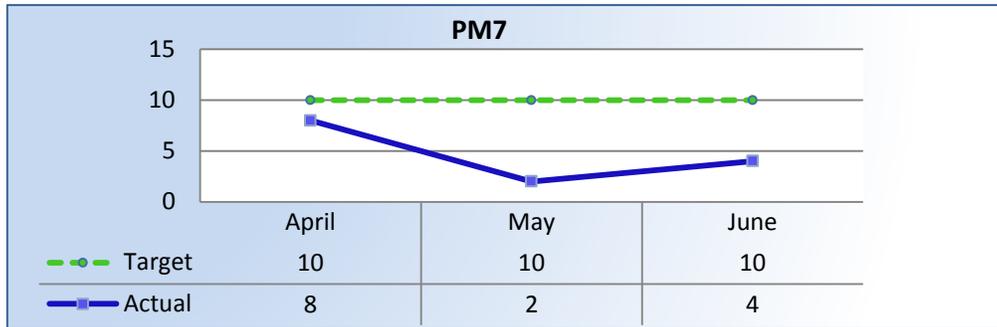
Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



Target Average: 540 Days | Actual Average: 857 Days

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 10 Days | Actual Average: 5 Days

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not report any new probation violations this quarter.

Target Average: 7 Days | Actual Average: N/A

1 The following is a list of disciplinary actions taken by the Physical Therapy Board of California, in **May, June, and**
2 **July 2014**. The Decisions become operative on the Effective Date, with the exception of situations where the
3 licensee has obtained a court ordered stay. Stay orders do not occur in stipulated decisions, which are negotiated
4 settlements waiving court appeals.

5
6 Copies of Accusations, Decisions, or Citations may be obtained by visiting our website at www.ptbc.ca.gov. In
7 addition to obtaining this information from our website, you may also request it by telephone, fax, or mail. Please
8 address your request to:
9

10 Physical Therapy Board of California
11 2005 Evergreen Street, Suite 1350
12 Sacramento, CA 95815
13 (916) 561-8200/ FAX (916) 263-2560
14

15 Physical Therapy Board of California Disciplinary Summary

16
17
18
19 **May 2014**

20
21 **CANNON, KRISTIANE (PT 21439)**

22 Accusation Filed 06/27/13. Amended Accusation Filed 10/16/13. Violation of B & P Codes: 2660(h) Violating the
23 Code, 2660(k) Commit Fraud, Dishonest Act, 2684(b) Cont Comp Req & Limitations. Violation of CCR: 1398.6
24 Filing of Addresses, 1399.91 Continuing Comp Required, 1399.92 Content Standards-Cont Comp, 1399.93 Cont
25 Comp Requir & Limitations, 1399.97 Required Record Keeping for CC. Stipulated Settlement and Disciplinary
26 Order for Public Reprimand Effective 05/19/14.
27

28 **CURRAN, MAEVE (PT 20369)**

29 First Amended Accusation Filed 04/28/11. Violation of B & P Codes: 2239 Self Use of Drugs & Alcohol, 2660(d)
30 Conviction of a Crime, 2660(e) Habitual Intemperance, 2660(h) Violating the Code. Stipulated Settlement and
31 Disciplinary Order Effective 09/07/11, Revocation, Stayed, 5 Yrs. Prob. Petition for Termination of Probation
32 Denied Effective 05/21/14, however, probation term of 5 years imposed 08/08/11 is modified to 4 years probation.
33

34 **GODLIS, PENNY (AT 2104)**

35 Accusation Filed 10/24/13. Violation of B & P Codes: 2239(a) Unlawful Use or Prescribing, 2660(h) Violating the
36 Code. Violation of CCR: 1399.24 Unprofessional Conduct. Stipulated Surrender of License and Order Effective
37 05/08/14, License Surrendered.
38

39 **HIATT, SHAWN (PT 34630)**

40 Interim Suspension Order Issued 11/19/13. Accusation Filed 02/11/14. Violation of B & P Codes: 2234
41 Unprofessional Conduct, 2236 Conviction of Criminal Offense, 2237 Conviction of Drug Violations, 2238 Violating
42 the Drug Statutes, 2239 Self-Use of Drugs or Alcohol, 2660(d) Convict of Criminal Offense, 2660(e) Habitual
43 Intemperance, 2660(f) Drug Addiction, 2660(h) Violating the Code, 2661 Conviction of a Crime. Violation of CCR:
44 1399.20 Criminal Substantial Relation. Stipulated Surrender of License and Disciplinary Order Effective 05/23/14,
45 License Surrendered.
46

47 **STARK, RANDY (PT 18867)**

48 First Amended Accusation Filed 09/13/13. Violation of B & P Codes: 136 Change in Address Notification, 498
49 Licensure by Fraud, 2234 Unprofessional Conduct, 2261 False Statements on Documents, 2660 Unprofessional
50 Conduct, 2660(b) Procuring Licensure by Fraud, 2660(h) Violating the Code, 2660(k) Commit Fraud, Dishonest
51 Act, 2684(b) Cont Comp Req & Crim Conv Disc. Violation of CCR: 1398.6 Filing of Addresses, 1399.91
52 Continuing Comp Required, 1399.93 Cont Comp Requir & Limitations. Default Decision and Order Effective
53 05/05/14, License Revoked.
54

1 **June 2014**

2
3 **GRZECHOWIAK, JEFFREY (AT 5518)**

4 Accusation Filed 09/25/13. Violation of B & P Codes: 2238 Violation of Drug Statutes, 2239 Self-Use of Drugs or
5 Alcohol, 2660 Unprofessional Conduct, 2660(d) Convict of Criminal Offense, 2660(h) Violating the Code.
6 Stipulated Settlement and Disciplinary Order Effective 06/02/14., Revocation, Stayed, 5 Yrs. Prob., or completion of
7 the Board's drug and alcohol recovery monitoring program plus one year, whichever is longer.
8

9 **MCGURL, ASHLEY (PT 37343)**

10 Accusation Filed 07/16/13. Violation of B & P Codes: 490 Conviction of a Crime, 2239 Self-Use of Drugs or
11 Alcohol, 2660 Unprofessional Conduct, 2660(d) Convict of Criminal Offense, 2660(h) Violating the Code.
12 Stipulated Settlement and Disciplinary Order Effective 06/02/14, Public Reprimand.
13

14 **RICHARDS, TAMIE (PT 18158)**

15 Accusation Filed 01/27/12. Violation of B & P Codes: 2660 Unprofessional Conduct, 2660(g) Gross Negligence,
16 2660(j) Aiding & Abetting. Stipulated Settlement and Disciplinary Order Effective 06/20/14, Public Reprimand.
17

18 **WARD JR., JAMES (PT 12789)**

19 Accusation Filed 03/04/13. Violation of B & P Codes: 2620.7 Patient Record Docum & Retention, 2630 Unlawful
20 Physical Therapist, 2660(i) Aiding and Abetting, 2660(j) Aiding/Abetting Unlic Activity. Violation of CCR: 1399
21 Supervision of Physical Therapy Aids, 1399.85 Patient Records. Stipulated Settlement and Disciplinary Order
22 Effective 06/20/14, Public Reprimand.
23

24 **July 2014**

25
26 **GILLIARD, BARBARA (AT 4341)**

27 Accusation Filed 05/23/13. Violation of B & P Codes: 493 Conviction of Crime w/Conclusive Evidence, 2239 Self-
28 Use of Drugs or Alcohol, 2660(d) Convict of Criminal Offense, 2660(e) Habitual Intemperance, 2660(h) Violating
29 the Code. Violation of CCR: 1399.20 Substantially Related Conviction. Decision Effective 07/28/14, 5 Yrs. Prob,
30 or completion of the Board's Drug and Alcohol Program plus 1 year; whichever is longer.
31

32 **HALE JR., DONNIE (AT 2648)**

33 Accusation Filed 07/23/13. Violation of B & P Codes: 490 Conviction of a Crime, 493 Conv of Crime
34 w/Conclusive Evidence, 2660(d) Convict of Criminal Offense, 2661 Conviction of a Crime. Decision Effective
35 07/16/14, Public Reprimand
36

37 **JORDAN, DOUGLAS (AT 6728)**

38 Interim Suspension Order Issued 12/27/12. Accusation Filed 01/08/13. Violation of B & P Codes: 2660(h)
39 Violating the Code, 2660(k) Commit Fraud, Dishonest Act. Violation of CCR: 1399.20 Criminal Substantial
40 Relation. Default Decision and Order Effective 07/18/14, License Revoked.
41

42 **MCKEEVER, BRIAN (PT 19647)**

43 Violation of B & P Codes: 2264 Aiding/Abetting Unlic'd Activity, 2620.7 Pt. Record Docum & Retention, 2630
44 Unlawful Physical Therapist, 2660(g) Gross Negligence, 2660(i) Aiding and Abetting, 2660(j) Aiding/Abetting
45 Unlic Activity. Violation of CCR: 1399 Supervision of Physical Therapy Aides, 1399.85 Patient Records. In House
46 Public Letter of Reprimand Issued 07/07/14.
47

48 **MORADI, LIBIA (PT 21938)**

49 Accusation Filed 12/06/13. Violation of B & P Codes: 498 Licensure by Fraud, 583 False info on Affidavit, 2660
50 Unprofessional Conduct, 2660(b) Procuring Lic by Fraud, 2660(k) Commit Fraud, Dishonest Act, 2676 Renewal
51 Cont Comp Requirement. Stipulated Settlement and Disciplinary Order Effective 07/21/14, Revocation Stayed, 2
52 Yrs. Prob.
53
54

1 **REDMON, KEVIN (PT 27864)**

2 Accusation Filed 03/29/12. Violation of B & P Codes: 2239 Self-Use of Drugs or Alcohol, 2660(d) Conviction of
3 Criminal Offense, 2660(h) Violating the Code. Stipulated Settlement and Disciplinary Order Effective
4 12/10/12.pdf, Revocation Stayed, 4 Years Prob., or Diversion Plus 1 Year; whichever is longer. Accusation and
5 Petition to Revoke Probation Filed 09/12/13. Decision Effective 07/31/14, License Revoked.

6
7 **SIEGEL, JACLYN (PT 35432)**

8 Violation of B & P Code: 2620.7 Pt. Record Docum & Retention. Violation of CCR: 1398.13 Patient Record
9 Documentation, 1399.85 Patient Records. In House Public Letter of Reprimand Issued 07/21/14.

10
11 **SAUNDERS, ANNA ROSEMARY (PT 33032)**

12 Violation of B & P Codes: 2660(g) Gross Negligence, 2660(j) Aiding/Abetting Unlic Activity. Violation of CCR:
13 1399 Supervision of Physical Ther Aides. In House Public Letter of Reprimand Issued 07/07/14.

14
15 **Administrative Citations and Fines Paid**

16
17
18

19 **May 2014**

20
21 **CHAMOUN, SAMIR (PT 13165)**

22 Violation of B & P Code: 2660(e) Conviction of Criminal Offense. Violation of CCR: 1399.24 Unprofessional
23 Conduct. Citation and Fine Ordered 05/05/14. Citation Paid in Full 05/21/14.

24
25 **CHRISTIE, JASON (AT 8227)**

26 Violation of B & P Code: 2660(d) Conviction of Criminal Offense. Violation of CCR: 1399.24 Unprofessional
27 Conduct. Citation and Fine Ordered 07/09/14. Citation Paid in Full 05/07/14.

28
29 **RENARD, STEVEN (AT 4131)**

30 Violation of B & P Code: 2660(d) Conviction of Criminal Offense. Citation and Fine Ordered 04/04/14. Citation
31 Paid in Full 05/01/14.

32
33 Violation of CCR: 1398.6 Filing of Address & Violation of B & P Code: 136 Change of Address Notification
34 Citations Paid in Full in May 2014:
35

- 36 CARMEAN, MELISSA (PT 20207)
- 37 DIERBERGER, MICHELE (PT 27804)
- 38 ILANA, BAMBOO (AT 3046)
- 39 KOSTIC, CAROLYN (PT 22101)
- 40 NASTASZEWSKI, STAN (PT 23441)
- 41 ROMSON, MARITA (PT 23334)
- 42 TAYEBI, HOSSEIN (PT 30221)

43
44 **June 2014**

45
46 **ANDREWS, MICHAEL (AT 8757)**

47 Violation of B & P Code: 2660(e) Conviction of Criminal Offense. Citation and Fine Ordered 05/29/14. Citation
48 Paid in Full 06/23/14.

49
50 **CARDENAS, BONNIE (PT 6807)**

51 Violation of B & P Code: 680 Disclosure of Name and License. Violation of CCR: 1398.13 Patient Record
52 Documentation, 1398.15 Notice to Consumers. Citation and Fine Ordered 04/14/14. Citation Paid in Full 06/18/14.

1 **FOX, JOHN (PT 26110)**
2 Violation of B & P Codes: 2239 Self-Use of Drugs or Alcohol, 2660(d) Conviction of Criminal Offense, 2660(h)
3 Violating the Code. Citation and Fine Ordered 04/05/14. Citation Paid in Full 06/23/14.
4
5 **GJETLEY, JOSHUA (PT 39991)**
6 Violation of B & P Codes: 2239 Self-Use of Drugs or Alcohol, 2660(d) Conviction of Criminal Offense, 2660(h)
7 Violating the Code. Citation and Fine Ordered 02/28/14. Citation Paid in Full 06/23/14.
8
9 **HATCH, HEATHER (PT 29329)**
10 Violation of B & P Code: 2660(e) Conviction of Criminal Offense. Citation and Fine Ordered 05/29/14. Citation
11 Paid in Full 06/26/14.
12
13 **JACKSON, KRYSTEN (PT 38636)**
14 Violation of B & P Codes: 2239 Self-Use of Drugs or Alcohol, 2660(a) Violating the Code, 2660(e) Conviction of
15 Crime Offense. Citation and Fine Ordered 06/06/14. Citation Paid in Full 06/23/14.
16
17 **ROUNDS, EMILY (PT 41297)**
18 Violation of B & P Codes: 2239 Self-Use of Drugs or Alcohol, 2660(a) Violating the Code, 2660(e) Conviction of
19 Crime Offense. Citation and Fine Ordered 05/21/14. Citation Paid in Full 06/10/14.
20
21 **SCHLEICHER, ERIC (PT 34894)**
22 Violation of B & P Codes: 2239 Self-Use of Drugs or Alcohol, 2660(a) Violating the Code, 2660(e) Conviction of
23 Crime Offense. Citation and Fine Ordered 05/05/14. Citation Paid in Full 06/18/14.
24
25 Violation of CCR: 1398.6 Filing of Address & Violation of B & P Code: 136 Change of Address Notification
26 Citations Paid in Full June 2014:
27
28 BERMAN, RACHEL (PT 30370)
29 BILLETTER, RHONDA (AT 5783)
30 BINDER, TRACY (PT 33564)
31 BISNETTE, SHANNA (AT 9791)
32 DE GUZMAN-FOX, MARILOU (PT 18839)
33 EDEN, MYRA (PT 34708)
34 GRAKO, JILL (AT 6410)
35 HIFUMI, MISUN (PT 23909)
36 JEW, PATRICK (PT 32824)
37 JOHNSON, JENNIFER (PT 35821)
38 KRAMER, WILFRIED (PT 8775)
39 LOWE, ERICA (PT 37675)
40 OATES, TODD (PT 14928)
41 SLOBEN, ALLISON (PT 18840)
42
43 **July 2014**
44
45 **PATEL, RAVI (PT 41349)**
46 Violation of B & P Codes: 2239 Self-Use of Drugs or Alcohol, 2660(d) Conviction of Criminal Offense, 2660(h)
47 Violating the Code. Citation and Fine Ordered 06/16/14. Citation Paid in Full 07/24/14.
48
49 **RUST, LARRY (AT 4222)**
50 Violation of B & P Codes: 136 Change of Address Notification, 2239 Self-Use of Drugs or Alcohol, 2660(a)
51 Violating the Code, 2660(e) Conviction of Crime Offense. Violation of CCR: 1398.6 Filing of Address, 1399.24
52 Unprofessional Conduct. Citation and Fine Ordered 05/05/14. Citation Paid in Full 07/16/14.
53
54
55
56

1 **WARWICK, ALECKSEE (AT 9980)**

2 Violation of B & P Codes: 136 Change of Address Notifications, 2239 Self-Use of Drugs or Alcohol, 2660(d)
3 Conviction of Criminal Offense, 2660(h) Violating the Code. Violation of CCR: 1398.6 Filing of Address, 1399.24
4 Unprofessional Conduct. Citation and Fine Ordered 06/27/14. Citation Paid in Full 07/24/14.
5

6 **Glossary of Terms**

7
8 B & P Code – Business and Professions Code

9 H & S Code – Health and Safety Code

10 R & R – Rules and Regulations

11 CCR – California Code of Regulations
12

13 Accusations: Charges and allegations, which still must undergo rigorous tests of proof at later administrative
14 hearings.
15

16 Citation & Fine: An alternative means to address relatively minor violations that are not discipline in order to
17 protect the public. Citations and Fine Orders are not disciplinary actions, but are matters of public record.
18

19 Petition to Revoke Probation: A Petition to Revoke Probation is filed when a licensee is charged with violation of a
20 prior disciplinary decision.
21

22 Probationary License: Where good cause exists to deny a license, the licensing agency has the option to issue a
23 conditional license subject to probationary terms and conditions.
24

25 Statement of Issues Filed: When an applicant for licensure is informed the license will be denied for cause, the
26 applicant has a right to demand a formal hearing, usually before an Administrative Law Judge. The process is
27 initiated by the filing of a Statement of Issues, which is similar to an accusation.
28

29 Surrender of License: License surrenders are accepted in lieu of further proceedings.
30

31 Statement of Issues Decision: These are decisions rendered after the filing of a Statement of Issues.
32

33 Stipulated Decision: Negotiated settlements waiving court appeals.



Physical Therapy Board of California

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

Physical Therapy Board of California

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Briefing Paper

Date: 8/1/2014
Prepared for: PTBC Members
Prepared by: Sarah Conley
Subject: Strategic Plan

Purpose:

To update the Board on the status the Strategic Plan implementation

Background:

The Board adopted the 2013 Strategic Plan at the May 2013 meeting and directed staff to begin drafting the action plan.

Analysis:

In the development of the action plan, staff found that a number of the objectives had already been achieved and the remaining objectives captured a very specific point in time. Some of the issues the Board wished to address may no longer be of significant concern for the purposes of the Strategic Plan. Staff revised the Strategic Plan updating much of the information contained in the document. Since the revision was quite comprehensive, staff is presenting a new draft Strategic Plan as opposed to showing the changes in the current document. The 2013 Strategic Plan is being provided as well.

Action Requested:

Determine whether to proceed with the adopted 2013 Strategic Plan, or adopt the revised Strategic Plan.

THE PHYSICAL THERAPY BOARD OF CALIFORNIA

BOARD MEMBERS

Debra J. Alviso, PT, DPT, Professional Member, President

Sara Takii, PT, DPT, MPT, Professional Member, Vice President

Alicia K. Rabena-Amen, PT, MPT, Professional Member

Katarina Eleby, Public Member

James E. Turner, MPA, Public Member

Carol A. Wallisch, MA, MPH, Public Member

EXECUTIVE OFFICER

Jason Kaiser

DRAFT

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ABOUT THE PHYSICAL THERAPY BOARD OF CALIFORNIA

The Physical Therapy Board of California (Board) licenses and regulates physical therapists and physical therapist assistants. The Board's mandate is to protect the public from the incompetent, unprofessional, and fraudulent practice of physical therapy.

To meet this mandate, the Board must ensure that:

- Applicants meet the necessary education, examination and experience qualifications to obtain licensure;
- Licensees comply with continuing competency requirements;
- Consumers are informed of their rights and how complaints may be filed with the Board;
- Consumer complaints are processed accurately and efficiently;
- Appropriate action is imposed on licensees who are found in violation of the Physical Therapy Practice Act; and,
- Laws and regulations uphold the Board's mandate, mission and vision.

This strategic plan will systematically chart the Board's course for the next five years by establishing its goals and objectives. These goals and objectives are a framework that will tactically guide activities and focus resources to uphold the Board's mandate in the most efficacious manner possible.

RECENT ACCOMPLISHMENTS

As part of the strategic planning process, the Board evaluated its previous goals, identified objectives that were met, and made note of any items that require further attention. The following list provides the significant Board accomplishments since the adoption of the previous strategic plan in 2010:

- Revised the Physical Therapy Practice Act
- Established enforcement performance measures to track complaint processing times from complaint receipt to complaint resolution
- Revised customer satisfaction surveys to more accurately gather data and assess performance of the application, licensing, and enforcement programs
- Expanded the use of social media and the Board's website to provide updates, information and services to applicants, licensees and consumers
- Developed and implemented a continuing competency program
- Updated the California jurisprudence examination

MISSION

To advance and protect the interests of the people of California by the effective administration of the Physical Therapy Practice Act.

VISION

California's physical therapy consumers and practitioners are provided a safe, fair and competitive marketplace.

VALUES

EFFECTIVENESS

We make a difference and have a positive impact for the consumer.

INTEGRITY

We are honest, fair and respectful in our treatment of everyone.

ACCOUNTABILITY

We operate transparently and hold ourselves accountable to the people of California.

SERVICE

We strive to provide the best service possible to consumers, applicants, and licensees.

GOAL 1: APPLICATIONS

Ensure all applicants meet minimum qualification for licensure while providing reasonable access to the profession.

- 1.1 Establish effective examinations.
- 1.2 Improve the approval process for physical therapy facilities to supervise the clinical service of foreign educated applicants.
- 1.3 Pursue an increase in budgetary authority to fund necessary staff to improve application and licensure processing times.
- 1.4 Define in regulation a pass point for the licensure and jurisprudence examinations.
- 1.5 Ensure BreZze interfaces accurately capture the application program's processes.

DRAFT

GOAL 2: LICENSING

Proficiently provide timely licensing services and promote consumer protection through continued competency

- 2.1 Pursue an increase in budgetary authority to fund necessary staff to improve licensing maintenance processing times.
- 2.2 Establish sufficient resources to provide an efficient continuing competency program.
- 2.3 Ensure BreZE interfaces accurately capture the licensing program's processes.
- 2.4 Improve the quality of the wallet license.

DRAFT

GOAL 3: ENFORCEMENT

Protect the health and safety of consumers through the effective enforcement of the laws and regulations governing the practice of physical therapy.

- 3.1 Pursue an increase in budgetary authority to sufficiently fund administrative costs resulting from disciplinary actions.
- 3.2 Explore establishing an in-house investigation program.
- 3.3 Pursue an increase in budgetary authority to fund necessary staff to improve enforcement processing times.
- 3.4 Ensure BreZE interfaces accurately capture the enforcement program's processes.

DRAFT

GOAL 4: LEGISLATION AND REGULATION

Ensure that statutes, regulations, policies, and procedures strengthen and support the Board's mandate and mission.

- 4.1 Foster relationships with the legislature.
- 4.2 Ensure laws are implemented in a timely and effective manner.
- 4.3 Update regulations to ensure best practices.
- 4.4 Explore the development of a Code of Professional Conduct

DRAFT

GOAL 5: PROGRAM ADMINISTRATION

Enhance effectiveness and efficiency to improve the quality of services provided by each program.

- 5.1 Provide training and professional development options to enrich staff's range of skills, knowledge and experience throughout the Board.
- 5.2 Create and implement a workforce and succession plan.
- 5.3 Assess the Board's organizational structure for effectiveness.
- 5.4 Mitigate program vicissitudes that result from the conversion to and implementation of the BreEZe system.
- 5.5 Ensure the interfaces of BreEZe accurately capture the cashiering process.

DRAFT

GOAL 6: OUTREACH & EDUCATION

Increase education and outreach efforts to consumers, licensees and other stakeholders regarding laws, regulations and the practice of physical therapy.

- 6.1 Leverage existing technologies to increase interaction between the Board and its stakeholders (i.e., web conferencing, webinars, teleconferencing, and social media).
- 6.2 Utilize existing technologies to promote education through social media sites (i.e., YouTube, Twitter).
- 6.3 Collaborate with physical therapy programs to educate students in obtaining licensure.
- 6.4 Increase the physical presence of the Board at both professional and consumer events.
- 6.5 Provide quarterly notifications to advise and update stakeholders of laws and regulations.
- 6.6 Create educational brochures for consumers, licensees and applicants.

DRAFT

MEMBERS OF THE PHYSICAL THERAPY BOARD OF
CALIFORNIA:

DEBRA J. ALVISO, PT, DPT., PROFESSIONAL BOARD MEMBER,
PRESIDENT

MARTHA JEWELL, PT, PH.D., PROFESSIONAL BOARD MEMBER, VICE
PRESIDENT

DONALD A. CHU, PH.D., PT, ATC, CSCS, PROFESSIONAL BOARD
MEMBER

SARA TAKII, PT, DPT, MPA, PROFESSIONAL BOARD MEMBER

JAMES E. TURNER, MPA, PUBLIC BOARD MEMBER

CAROL A. WALLISCH, MA, MPH, PUBLIC BOARD MEMBER

JASON KAISER, INTERIM EXECUTIVE OFFICER

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ABOUT THE PHYSICAL THERAPY BOARD OF CALIFORNIA

In 1953 the Physical Therapy Examining Committee was created by Chapter 1823, statutes of 1953 (AB 1001). While the name has been changed to the Physical Therapy Board of California (PTBC), the charge of the PTBC by the legislature has been protecting the public from the incompetent, unprofessional and criminal practice of physical therapy since its inception. The PTBC is one of approximately thirty regulatory entities which exist under the organizational structure of the Department of Consumer Affairs (DCA). The PTBC has a close and cooperative relationship with DCA.

The Board consists of seven members (four licensed physical therapists and three public members) who serve four-year terms (a maximum of two terms). The Governor appoints the four licensed physical therapists and one public member. The Senate Rules Committee and the Speaker of the Assembly each appoint one public member. Board members are required to complete a Form 700 – Conflict of Interest Statement, and they are required to submit this statement to the Fair Political Practices Commission each year. Additionally, the board members are required to complete ethics training every two years.

The PTBC appoints an executive officer as its administrator. The executive officer serves solely in the interest of the consumers of physical therapy services in California, as does the PTBC. The executive officer oversees the PTBC's staff and ensures that all of its programs function efficiently and effectively.

The PTBC is funded through license and application fees. The PTBC receives no General Fund monies from the State of California.

RECENT ACCOMPLISHMENTS

As part of the strategic planning process the Board has evaluated the goals set forth in its previous strategic plan, identified the objectives they were able to accomplish, and made note of any items that require further attention. The following list identifies the significant Board accomplishments since the last strategic plan, which was adopted in 2010.

The Board:

- Prepared and submitted budget change proposals for additional positions based on documented staff workload and staff allocation.
- Continued to examine regulations and identified areas in need for revision.
- Attained assistance from oversight agencies regarding the proposed revisions to the Physical Therapy Practice Act.
- Established enforcement performance measures, which track cycle times from complaint receipt to complaint resolution.
- Implemented newly revised hard-copy and electronic enforcement consumer protection satisfaction surveys to more accurately gather data and assess performance of the enforcement program.
- Evaluated enforcement and licensing processes to identify improvements, measure outcomes, and manage consumer satisfaction based on the performance measure responses.
- Established a social networking presence for the Board on Facebook and Twitter.
- Redesigned the Board newsletter.
- Updated and enhanced the Board Web site.
- Began creating and distributing electronic copies of Board informational materials to increase availability and improve access.
- Improved processes to provide, in a timely manner, evidence and information necessary for Board members to make informed decisions at disciplinary hearings.
- Improved access to updates and information for applicants, licensees and consumers through online services.
- Implemented pilot program for license renewal electronic payments.

- Established standards for recognition of continuing competency approval agencies.
- Established a new license status of “inactive.”
- Developed and implemented continuing competency exemption request processes.
- Established continuing competency audit standards to ensure licensees are competent in practice.
- Surveyed licensees’ satisfaction regarding the application and licensing services program.
- Continued collaboration with the Department of Consumer Affairs in the development of the BReEZe project.
- Continued to support the Department of Consumer Affairs’ efforts to work with Department of Justice to import applicant criminal offense record information (CORI) into the applicant tracking system.
- Continued to support the Department of Consumer Affairs’ efforts to work with the Federation of State Boards of Physical Therapy to import applicant’s examination scores into the applicant tracking system.
- Updated the California jurisprudence examination.

OUR MISSION

To advance and protect the interests of the people of California by the effective administration of the Physical Therapy Practice Act.

OUR VISION

California's physical therapy consumers and practitioners are provided a safe, fair and competitive marketplace.

OUR VALUES

EFFECTIVENESS

We make a difference and have a positive impact for the consumer.

INTEGRITY

We are honest, fair and respectful in our treatment of everyone.

ACCOUNTABILITY

We operate transparently and hold ourselves accountable to the people of California.

SERVICE

We strive to provide the best service possible to consumers, applicants, and licensees.

GOAL 1: LICENSING & EXAMINATIONS

Promote licensing and examination standards which protect consumers and allow reasonable access to the profession.

- 1.1** Explore the feasibility of improving the quality of the physical license.
- 1.2** Annually review and evaluate licensure and certification examinations.
- 1.3** Explore alternative testing avenues for the Electromyography examination and adjust the fee structure to reflect costs of the program.
- 1.4** Explore an approval mechanism for clinical sites for foreign educated physical therapist applicants.
- 1.5** Pursue an increase in budgetary authority to secure necessary staff for the implementation of BReEZe.
- 1.6** Define in regulation a pass-point for both licensure examinations.
- 1.7** Monitor the implementation of the various BReEZe interfaces.
- 1.8** Appraise Application and Licensing Services program processes, and update the program's procedure manuals.

GOAL 2: RENEWALS & CONTINUING COMPETENCY

Licensees will have access to efficient renewal process. Consumer protection is enhanced through the requirements of continuing competency.

- 2.1** Evaluate the processing of renewal applications, and identify and implement process improvements.
- 2.2** Pursue an increase in budgetary authority to secure necessary staff to ensure compliance of licensees and approval agencies.
- 2.3** Review and revise continuing competency regulations.
- 2.4** Integrate the continuing competency process into the BREEZE project.
- 2.5** Explore the feasibility of assessing fees to fund the Continuing Competency program.

GOAL 3: ENFORCEMENT

The health and safety of consumers is protected through enforcement of the laws and regulations governing the practice of Physical Therapy.

- 3.1** Pursue an increase in budgetary authority to sufficiently fund Attorney General's costs to ensure timely public protection.
- 3.2** Explore the feasibility of an on-site inspection program.
- 3.3** Establish an in-house investigation program.
- 3.4** Pursue an increase in budgetary authority to fund necessary staff to improve enforcement process cycle times.
- 3.5** Explore the feasibility of an in-house civil servant expert consultant.
- 3.6** Pursue an increase in budgetary authority to fund a Probation Monitor position.
- 3.7** Initiate electronic voting for Board Members through the BREEZE system.

GOAL 4: LEGISLATION AND REGULATION

Promote sound and timely legislation and regulations which uphold the Board's mission and vision.

4.1 Seek author(s) to introduce the proposed revisions to the Practice Act.

4.2 Work with the Legislature to ensure passage of proposed statutory packages brought forth by the Board.

4.3 Monitor legislation and maintain regulation that may impact the Board, licensees, and consumers of physical therapy.

4.4 Develop regulations based upon the legislative changes.

4.5 Review all physical therapy regulations and recommend revisions to ensure best practices.

4.6 Establish consistent relationships with the Legislature.

GOAL 5: PROGRAM ADMINISTRATION

The Board efficiently utilizes its resources and personnel to meet its goals and objectives.

5.1 Seek support to attend industry and regulatory related conferences such as the FSBPT Annual Conference and Delegate Assembly.

5.2 Pursue budgetary authority to fund the necessary administrative staff to ensure laws and regulations are current and accurate.

5.3 Provide training and professional development options to staff to foster a diverse range of skills, knowledge and experience throughout the Board.

5.4 Create and implement a workforce and succession plan.

5.5 Assess the Board's organizational structure for effectiveness.

5.6 Mitigate additional staffing issues that revolve around conversion to BREEZE system.

GOAL 6: OUTREACH & EDUCATION

Consumers and other stakeholders are informed about the practice and regulation of Physical Therapy. The Board will proactively reach out to consumers and licensees to inform them of developments which affect the practice.

- 6.1** Leverage existing technologies to increase interaction between the Board and its stakeholders (i.e. web conferencing, webinars, teleconferencing, and social media).
- 6.2** Utilize existing technologies to promote education through social media sites (i.e. YouTube, Twitter).
- 6.3** Use available outreach methods to encourage involvement from schools and education on the ethical and legal practice of physical therapy.
- 6.4** Increase the physical presence of the Board at events related to the profession and practice of physical therapy.
- 6.5** Discuss and determine the Board's role in addressing questions about practice issues.



Physical Therapy Board of California

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

Physical Therapy Board of California

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Briefing Paper

Date: 8/4/2014
Prepared for: PTBC Members
Prepared by: Sarah Conley
Subject: Board Member Administrative Manual

Purpose:

To update the Physical Therapy Board of California's (Board) Board Member Administrative Manual (Manual)

Background:

The Board reviewed the Manual at the May 2014 meeting and raised a question regarding one of the provisions within the enforcement section of the Manual. The Board adopted the Manual with the changes staff proposed and those made at the meeting, but also requested staff research the provision in question and bring the Manual back at a subsequent meeting.

Analysis:

Staff and legal counsel reviewed the enforcement section of the manual and revised it entirely to reflect the enforcement process from beginning to end and address the provision in question.

Action Requested:

Adopt the revised Chapter 6: Enforcement and Disciplinary Action of the Board Member Administrative Manual

Chapter VI. Enforcement and Disciplinary Actions

Priority of Complaints
(Board Policy)

The Board adopted DCA's *Complaint Prioritization Policy* to assist staff in determining how to manage incoming complaints in light of available resources. The policy is found in Appendix A.

Investigative Staff and Services
(Board Policy)

The Executive Officer is responsible for directing the course of any investigation into the conduct of an applicant or licensee. The Board utilizes the Department's Division of Investigation for its formal investigative services.

The Executive Officer may determine the resources to be expended on any given case, including whether a Subject Matter Expert (SME) should be consulted, and who may act as an SME.

Administrative Proceedings
(B&P Code, §§ 2608, 2614)

Unless otherwise specified in the Business and Professions Code, administrative proceedings against a license are conducted in compliance with Chapter 5 of the Administrative Procedure Act (Gov. Code, § 11500 *et seq.*).

An administrative proceeding refers to any action to deny, restrict or revoke a license. The proceeding begins when the Executive Officer files a charging document – usually a Statement of Issues (to deny a license) or an Accusation (to restrict or revoke a license).

If the licensee fails to respond to a charging document, a default decision is prepared and submitted to the Board members for vote. If the licensee and the Executive Officer agree to a particular enforcement outcome, a stipulation is prepared and presented to the Board members for vote. If neither of the above occurs, the case is sent to a formal hearing before an administrative law judge (ALJ). After considering the evidence from the hearing (usually documents and witness testimony), the ALJ issues a proposed decision (a recommended resolution), which is then presented to the Board members for vote.

Review of Decisions

(Gov. Code § 11500, et seq.;
B&P Code § 2602.1;
Title 16, C.C.R. § 1399.15)

Board members, by majority vote of a quorum, must approve any decision (proposed decision, stipulation or default) before the decision becomes final and the formal discipline (penalty), if any, can take effect.

Each Board member shall thoroughly review any decision presented for vote. Each case shall be evaluated on a case-by-case basis, considering the following factors:

1. Whether the Board's highest priority, protection of the public, is effected by the decision;
2. Whether the Board's *Guidelines for Issuing Citations and Imposing Discipline* are satisfied or whether variation is warranted;
3. Whether the decision addresses any misconduct in a way consistent with the nature and degree of the violation;
4. Whether the standards of practice in physical therapy and in the community were used as a basis for reaching the decision; and
5. Whether the decision may be reasonably and practically implemented.

Member Questions and Communications about Decisions

(Gov. Code § 11430.10, et seq.)

Communications with staff concerning pending proceedings, including decisions, are limited by the provisions of the Administrative Procedure Act. There are two parties to any disciplinary proceeding – complainant (the Executive Officer and other staff) and respondent (the licensee). The Board members decide the case and therefore act as judges. To avoid the fact or appearance of bias or impropriety, communications between one party (staff or the licensee) and Board members are limited.

There are two common exceptions to this restriction. First, staff may answer questions of procedure and ministerial questions (e.g., when is a vote due, when will a decision become effective).

Second, staff or the Deputy Attorney General may communicate about stipulated decisions – and only stipulated decisions – only to explain why the stipulated decision should be adopted.

Board members may direct questions about a decision to the Board's legal counsel, who is not involved in the investigative stage of the proceeding. Questions about permissible or impermissible communications should also be directed to legal counsel.

Mail Ballots

*(Gov. Code, § 11526
Board policy)*

Proposed decisions, stipulations and default decisions are mailed (electronically or otherwise) to each Board member for voting. The Board members may vote to adopt, reject (non-adopt) or seek to hold the case (discussed in detail below).

A 10 calendar day deadline is generally given for a mail ballot to be completed and returned to the Board's office. Board staff reviews the ballots and, if a decision is reached by a majority of the Board, prepares the decision for the President's signature.

**Holding Disciplinary Cases
for Board Meetings***(Board Policy)*

When voting on a mail ballot, a Board member may wish to discuss a particular aspect of the decision before voting. If one or more members marks their ballot to "hold for discussion," the case will be scheduled for the closed session of the Board's next meeting. At the time the ballot is prepared, the Board member should record his or her concern. Recording the concern facilitates the discussion by allowing staff, legal counsel and other members an opportunity to prepare to respond to the concern as appropriate. Since there can also be a delay before the next meeting, it can preserve the member's memory.

When a matter is held for closed session, Board legal counsel will be present to advise and assist the Board.

**Rejection (non-adoption)
of a Proposed Decision***(Gov. Code, § 11517)*

If the Board votes to reject a Proposed Decision of an ALJ, absent specific direction to the contrary from the Board, the transcript and exhibits of hearing will be ordered and it will provide an opportunity for written argument. The Executive Officer will fix the date for submission of written argument to ensure Board members have time to review any materials prior to a Board meeting.

Petitions for Penalty Relief*(B&P Code, § 2661.7)**Board Policy)*

If a licensee files a petition for penalty relief (for modification or termination of existing probation or reinstatement), as long as that petition meets statutory requirements, the matter will be heard by the Board members themselves at a Board meeting. Absent direction to the contrary, an ALJ sits with the members to preside over the hearing.

**Enforcement Actions –
Disclosure to the Public***(Gov. Code, § 6250, et seq.**B&P Code, §125.9**Department of Consumer
Affairs' Guidelines for Access
to Public Records)*

Enforcement actions, including citations and disciplinary actions, are a matter of public record and shall be provided upon request in accordance with applicable law and Department of Consumer Affairs' *Guidelines for Access to Public Records*.

Disciplinary action against a license shall be disclosed to the public by means of the Board's website (through license look-up features or otherwise). It may also be disclosed through other means of communication, including direct email distribution, newsletter, or through a social media service.

Whenever possible, the actual documents that resulted in the disciplinary action shall also be posted on the Board's website to facilitate consumer access. Disciplinary action documents include the charging document (Statement of Issues or Accusation) and any final decision.

Citations are posted on the Board's website. When citation records are provided to the public, and the licensee paid a fine, the record shall reflect that payment represents satisfactory resolution of the matter.

Policy Variation In a particular case, action by the Board itself supersedes any general Board policy set forth in this manual.