

**May 24-25,
2017**
BOARD MEETING

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



Physical Therapy Board of California

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

THE PHYSICAL THERAPY BOARD OF CALIFORNIA

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PHYSICAL THERAPY BOARD OF CALIFORNIA NOTICE OF PUBLIC MEETING

May 24, 2017 9:00 a.m.

May 25, 2017 9:00 a.m.

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

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

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

BOARD MEMBERS

Katarina Eleby, M.A., *President*

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

Debra Alviso, PT, DPT, *Member*

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

Daniel Drummer, PT, DPT, *Member*

TJ Watkins, *Member*

Tonia McMillian, *Member*

BOARD STAFF

Jason Kaiser, *Executive Officer*

Liz Constancio, *Manager*

Elsa Ybarra, *Manager*

Sarah Conley, *Manager*

Brooke Arneson, *Associate Analyst*



Physical Therapy Board of California



STATE OF CALIFORNIA

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DEPARTMENT OF CONSUMER AFFAIRS

Agenda – Wednesday, May 24th

- 1. Call to Order - 9:00 a.m.**
- 2. Roll Call and Establishment of Quorum**
- 3. Special Order of Business - 9:05 a.m.**
 - (A) Petition for Termination of Probation – Bonnie Yen, PT
 - (B) Petition for Termination of Probation – Vivian Eisenstadt, PT

After submission of the matters, the Board will convene in CLOSED SESSION to deliberate on the petitions pursuant to Government Code section 11126(c)(3).
- 4. Closed Session**
 - (A) Pursuant to Government Code section 11126(c)(3), Deliberation on Disciplinary Actions and Decisions to be Reached in Administrative Procedure Act Proceedings
 - (B) Pursuant to Government Code section 11126(a)(1), Evaluation of Executive Officer
- 5. Reconvene Open Session**
- 6. Review and Approval of August 24 & 25, 2016, October 25, 2016, November 16 & 17, 2016, November 28, 2016 and February 8, 2017 Meeting Minutes – Brooke Arneson**
- 7. President's Report – Alicia Rabena-Amen**
 - (A) 2017 Adopted Meeting Calendar
 - (B) 2018 Proposed Meeting Calendar
- 8. Discussion and Possible Board Action for the Increase in Board Level and Exempt Status of the Executive Officer – Alicia Rabena-Amen**
- 9. Executive Officer's Report – Jason Kaiser**
 - (A) Administrative Services
 - (B) Applications
 - (C) Licensing/Continuing Competency
 - (D) Consumer Protection Services
 - (E) Animal Rehabilitation
 - (F) DCA Internal Audit
 - (G) Outreach

10. **Discussion and Possible Board Action Regarding Sunset Review Report Pursuant to Business and Professions Code Section 2602**
– *Jason Kaiser*
 - (A) 30-Day Response to Committee Recommendations
11. **Board Member Training** – *Jason Kaiser*
 - (A) Council on Licensure, Enforcement and Regulation (CLEAR) - Roles and Responsibilities of a Board Member

12. **Recess**

Agenda – Thursday, May 25th

13. **Call to Order - 9:00 a.m.**
14. **Roll Call and Establishment of Quorum**
15. **Closed Session**
 - (A) Pursuant to Government Code section 11126(a)(1), Evaluation of Executive Officer
16. **Reconvene Open Session**
17. **Consumer and Professional Associations and Intergovernmental Relations Reports**
 - (A) Federation of State Boards of Physical Therapy (FSBPT)
 - (B) Department of Consumer Affairs (DCA) – Executive Office
 - (C) California Physical Therapy Association (CPTA)
18. **Legislation Report** – *Brooke Arneson*
 - (A) 2017/18 Legislative Session Summary
 - i. AB 12 (Cooley) State Government: Administrative Regulations: Review
 - ii. AB 77 (Fong) Regulations: Effective Dates and Legislative Review
 - iii. AB 149 (Jones-Sawyer) Criminal Procedure: Disclosure: Felony Conviction Consequences
 - iv. AB 208 (Eggman) Deferred Entry of Judgment: Pretrial Diversion
 - v. AB 349 (McCarty, Gonzalez Fletcher, Nazarian) Civil Service: Preference: Special Immigrant Visa Holder

- vi. AB 387 (Thurmond) Minimum Wage: Health Professionals: Interns
- vii. AB 505 (Caballero) Physicians and Surgeons: Probation
- viii. AB 508 (Santiago) Health Care Practitioners: Student Loans
- ix. AB 706 (Patterson) Medical Board of California: Licenses
- x. AB 767 (Quirk-Silva) Master Business License Act
- xi. AB 1005 (Calderon) Professions and Vocations: Fines: Relief
- xii. AB 1278 (Low) Contractor Licensing: Judgment Debtor Prohibition: Final Judgment: Definition
- xiii. AB 1510 (Dababneh) Athletic Trainers
- xiv. AB 1706 (Committee on Business and Professions) Healing Arts: Chiropractic Practice: Occupational Therapy: Physical Therapy
- xv. SB 27 (Morrell) Professions and Vocations: Licenses: Military Service
- xvi. SB 572 (Stone) Healing Arts Licensees: Violations: Grace Period

19. Rulemaking Report – Brooke Arneson

- (A) 2017 Rulemaking Update
 - i. Requirements for Graduates from Non-Accredited Programs: Test of English as a Foreign Language (TOEFL)
- (B) Discussion of Issues and Possible Board Action Regarding Satisfactory Documentary Evidence of Equivalent Degree for Licensure as a Physical Therapist or Physical Therapist Assistant; Clinical Service Requirements for Foreign Educated Applicants; and Criteria for Approval of Physical Therapy Facilities to Supervise the Clinical Service of Foreign Educated Applicants; Proposal to Add Section 1398.26.6 and Amend Sections 1398.26.1, and 1398.26.5, of Article 2, and Section 1398.38 of Article 3 of Division 13.2, Title 16 of the California Code of Regulations
- (C) Discussion of Issues and Possible Board Action Regarding Uniform Licensing Examinations and California Law Examination Minimum Passing Scores; Proposal to Amend Section 1398.28 of Article 2, Division 13.2, Title 16 of the California Code of Regulations

20. Administrative Services Report

(A) Budget – *Carl Nelson*

21. Application Report – *Sarah Conley*

22. Licensing Services Report – *Sarah Conley*

(A) Continuing Competency Report

(B) Discussion and Possible Board Action on Removal of Continuing Competency Approval Agency Recognition

i. ABC Pilates

ii. Advanced Training Specialists

iii. Color Seven Education LLC

iv. Global Augmentative Communication Innovators

23. Consumer Protection Services Report – *Elsa Ybarra*

24. Probation Monitoring Report – *Monny Martin*

25. Public Comment on Items Not on the Agenda

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

26. Agenda Items for Future Meeting –

August 23 & 24, 2017

Department of Consumer Affairs

Hearing Room

2005 Evergreen Street

Sacramento, CA 95815

27. Adjournment

Informational Notes:

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

the item. Total time allocated for public comment on particular issues may be limited.

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

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

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