



**PHYSICAL THERAPY**  
BOARD OF CALIFORNIA

**September 21–22, 2022**  
**BOARD MEETING**

San Diego Mesa College  
7250 Mesa College Drive, Room MC211A  
San Diego, CA 92111

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY – GOVERNOR GAVIN NEWSOM

# PHYSICAL THERAPY BOARD OF CALIFORNIA

2005 Evergreen St., Suite 2600, Sacramento, California 95815

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## PHYSICAL THERAPY BOARD OF CALIFORNIA NOTICE OF PUBLIC MEETING

September 21, 2022 9 a.m.

September 22, 2022 9 a.m.

San Diego Mesa College  
7250 Mesa College Drive, Room MC211A  
San Diego, CA 92111

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.

## BOARD MEMBERS

Alicia K. Rabena-Amen, P.T., DPT, *President*

Tonia McMillian, *Vice President*

Dayle C. Armstrong, Ph.D., P.T., M.S., DPT, *Member*

Jesus Dominguez, P.T., Ph.D., *Member*

Daniel Drummer, P.T., DPT, *Member*

Katarina V. Eleby, M.A., *Member*

Johnathon Ervin, *Member*

## BOARD STAFF

Jason Kaiser, *Executive Officer*

Elsa Ybarra, *Assistant Executive Officer*

Erika Calderon, *Manager*

Liz Constancio, *Manager*

Sarah Conley, *Manager*

Brooke Arneson, *Legislation and Regulation Specialist*

## MISSION

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

## VISION

The standard for consumer protection in  
physical therapy.



STATE OF CALIFORNIA  
**dca**  
DEPARTMENT OF CONSUMER AFFAIRS

## **Agenda – Wednesday, September 21<sup>st</sup>**

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

- 1. Call to Order - 9:00 a.m.**
- 2. Roll Call and Establishment of Quorum**
- 3. Reading of the Board's Mission Statement**
- 4. Special Order of Business – 9:05 a.m.**
  - (A) Petition for Termination of Probation – Eric Ryan Jones, 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)*
- 5. Closed Session**
  - (A) Pursuant to Government Code section 11126(c)(3), the Board will convene to Deliberate on Disciplinary Actions and Decisions to be Reached in Administrative Procedure Act Proceedings
  - (B) Pursuant to Government Code section 11126(a)(1), the Board will convene to Consider the Evaluation of Performance of the Executive Officer
  - (C) Pursuant to Government Code section 11126, subdivisions (e)(1) and (2)(A), the Board will convene to confer with, or receive legal counsel regarding the following litigation: *Alan Kun-Sien Kyo v. Physical Therapy Board of California* (Superior Court of California, County of Sacramento, Case number 34-2021-80003743)
- 6. Review and Approval of December 10, 2021, Meeting Minutes –**  
*Brooke Arneson*
- 7. Review and Approval of March 24, 2022, Meeting Minutes –**  
*Brooke Arneson*
- 8. Review and Approval of August 15, 2022, Meeting Minutes –**  
*Brooke Arneson*
- 9. Update on Sunset Review Report Pursuant to BPC Section 2602 –**  
*Jason Kaiser*
- 10. President's Report –***Alicia Rabena-Amen*
  - (A) 2022 Adopted Meeting Calendar
  - (B) 2023 Proposed Meeting Calendar

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

- (A) Administrative Services
  - i. Staffing
- (B) Applications
- (C) Licensing/Continuing Competency
- (D) Consumer Protection Services
- (E) Outreach
- (F) Strategic Plan

**12. 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)

**13. Discussion and Possible Board Action for the Increase in the Exempt Level of the Executive Officer – *Alicia Rabena-Amen***

**14. Legislation Report – *Brooke Arneson***

- (A) 2021/22 Legislative Session Summary
  - i. AB 225 (Gray) DCA: Boards: Veterans: Military Spouses: Licenses
  - ii. AB 646 (Low) DCA: Boards: Expunged Convictions
  - iii. AB 1604 (Holden) The Upward Mobility Act of 2022: Boards and Commissions: Civil Service: Examinations: Classifications
  - iv. AB 1662 (Gipson) Licensing Boards: Disqualification from Licensure: Criminal Conviction
  - v. AB 1733 (Quirk) State Bodies: Open Meetings
  - vi. AB 2104 (Flora) Professions and Vocations
  - vii. AB 2600 (Dahle) State Agencies: Letters and Notices: Requirements
  - viii. SB 189 (Committee on Budget and Fiscal Review) State Government
  - ix. SB 250 (Pan) Health Care Coverage
  - x. SB 731 (Durazo and Bradford) Criminal Records: Relief
  - xi. SB 1031 (Ochoa Bogh) Healing Arts Boards: Inactive License Fees
  - xii. SB 1237 (Newman) Licenses: Military Service
  - xiii. SB 1365 (Jones) Licensing Boards: Procedures
  - xiv. SB 1438 (Roth) Physical Therapy Board of California
  - xv. SB 1495 (Committee on Business, Professions and Economic Development) Professions and Vocations

**15. Rulemaking Report – Brooke Arneson**

(A) 2022 Rulemaking Update for Pending or Proposed Regulations  
(Title 16, California Code of Regulations (16 CCR)):

- i. Proposed Amendments to 16 CCR section 1398.26.1 – Satisfactory Documentary Evidence of Equivalent Degree for Licensure as a Physical Therapist or Physical Therapist Assistant/Coursework Tool
- ii. Proposed Amendments to 16 CCR sections 1398.26.5, – Clinical Service Requirements for Foreign Educated Applicants Completing a Supervised Clinical Practice in the United States
- iii. Proposed Amendments to 16 CCR 1399.18, 1399.50 and 1399.52 – Retired License Status and Physical Therapist and Physical Therapist Assistant Fees
- iv. Update Regarding the Development of Possible Amendments to the Board's Continuing Competency Regulations

**16. Consideration of Public Comments, Discussion, and Possible Adoption of Proposed Regulatory Text to Amend Title 16, California Code of Regulations, Sections 1399.18, 1399.50 and 1399.52- Retired License Status and Physical Therapist and Physical Therapist Assistant Fees – Brooke Arneson**

**17. 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).)*

**18. Recess**

**Agenda – Thursday, September 22<sup>nd</sup>**

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

**19. Call to Order - 9:00 a.m.**

**20. Roll Call and Establishment of Quorum**

**21. Reading of the Board's Mission Statement**

**22. Overview of the Attorney General's Legal Process for Disciplinary Actions – John Gatschet, Deputy Attorney General**

**23. Physical Therapy Student Question and Answer Forum**

**24. Administrative Services Update**

- (A) Budget Report
- (B) Outreach Report

**25. Application Services Update**

- (A) Program Updates
- (B) Statistical Reports

**26. Licensing Services Update**

- (A) Program Updates
- (B) Statistical Reports

**27. Continuing Competency Services Update**

- (A) Program Updates
- (B) Statistical Reports
- I. Discussion and Possible Board Action on Removal of Continuing Competency Approval Agency Recognition
  - i. ACIC Physical Therapy
  - ii. California Chiropractic Association
  - iii. California State University Sacramento
  - iv. Community Medical Centers
  - v. Del Norte Seminars
  - vi. Edlantis Seminars, Inc.
  - vii. Medical Sciences Foundation
  - viii. Net Education Design Inc.
  - ix. OnCourse Learning
  - x. Orange County Global Medical Center
  - xi. Progressus Therapy, LLC
  - xii. UE Seminars
  - xiii. Video Continuing Education, LLC

**28. Consumer Protection Services Update**

- (A) Program Updates
- (B) Statistical Reports

## **29. Probation Monitoring Services Update**

- (A) Program Updates
- (B) Statistical Reports

## **30. 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).)*

## **31. Agenda Items for Future Meeting –** December 8-9, 2022 Department of Consumer Affairs

## **32. Closed Session**

- (A) Pursuant to Government Code section 11126(c)(3), the Board will convene to Deliberate on Disciplinary Actions and Decisions to be Reached in Administrative Procedure Act Proceedings
- (B) Pursuant to Government Code section 11126(a)(1), the Board will convene to Consider the Evaluation of Performance of the Executive Officer
- (C) Pursuant to Government Code section 11126, subdivisions (e)(1) and (2)(A), the Board will convene to confer with, or receive legal counsel regarding the following litigation: *Alan Kun-Sien Kyo v. Physical Therapy Board of California* (Superior Court of California, County of Sacramento, Case number 34-2021-80003743)

## **33. Adjournment**

### ***Informational Notes:***

*Action may be taken on any agenda item. Agenda items may be taken out of order. 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 and items scheduled for a particular day may be moved or continued to an earlier or later day to facilitate the effective transaction of business.*

*In accordance with the Bagley-Keene Open Meeting Act, all Board meetings are open to the public. Pursuant to Government Code section 11125.7, the Board 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. Total time allocated for public comment on particular issues may be limited. 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](http://www.ptbc.ca.gov). Webcast availability cannot, however, be guaranteed due to limited resources or technical difficulties. 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 in-person. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.*

*The meeting is accessible to the disabled. A person who needs disability-related accommodation or modification to participate in the meeting may make a request by contacting Brooke Arneson at (916) 561-8260, e-mail: [brooke.arneson@dca.ca.gov](mailto:brooke.arneson@dca.ca.gov), or send a written request to the Physical Therapy Board of California, 2005 Evergreen Street, Suite 2600, 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.*