



1

Board Members

President

Alicia Rabena-Amen, PT, DPT

Vice-President

Tonia McMillian

Members

Dayle C. Armstrong, Ph.D., P.T., MS, DPT

Jesus Dominguez, PT, PhD

Daniel Drummer, PT, DPT

Katarina Eleby, M.A

Johnathon Ervin

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

December 7-8, 2022 9:00 a.m.

Department of Consumer Affairs
2005 Evergreen St., Hearing Room
Sacramento, CA 9815

Board Staff

Jason Kaiser, Executive Officer

Sarah Conley, Assistant Executive

Officer

Vacant, Manager

Vacant, Manager

Liz Constancio, Manager

Brooke Arneson, Specialist

2 For the sake of clarity, agenda items discussed during the meeting follow their original
3 order on the agenda in these minutes though some agenda items may have been taken
4 out of order during the meeting.

5

6

Wednesday, December 7, 2022

7

8

1. Call to Order

9

10 The Physical Therapy Board of California (Board) meeting was called to order by
11 President Dr. Rabena-Amen at 9:01 a.m. and recessed at 3:08 p.m. on December
12 7, 2022.

13

14

2. Roll Call and Establishment of Quorum

15

16

Armstrong - Present

17

Dominguez- Present

18

Drummer - Present

19

Eleby - Present

20

Ervin – Present

21

McMillian - Present

22

Rabena-Amen - Present

23

24

25 All members were present, and a quorum was established. Also present at the
26 meeting were: Michael Kanotz, PTBC Legal Counsel; Jason Kaiser, Executive
27 Officer; Sarah Conley, Assistant Executive Officer; April Beauchamps; Kim
28 Rozakis and Valerie Kearney, Carole Phelps and Board staff.

29

30

31

72 **M/S:** Rabena-Amen/Armstrong

73
74 **VOTE:** Armstrong - Aye
75 Dominguez- Aye
76 Drummer - Aye
77 Eleby - Aye
78 Ervin – Aye
79 McMillian - Aye
80 Rabena-Amen – Aye
81 7 Ayes, Motion Carried
82

83 **7. President’s Report – Alicia Rabena-Amen**

84
85 **(A) 2023 Proposed Meeting Calendar**

86
87 Dr. Rabena-Amen presented the 2023 Adopted Meeting Calendar to the
88 members. Mr. Kaiser confirmed that the University of the Pacific will be
89 hosting the March 2023 meeting. He added that the June 2023 meeting
90 would be held in Sacramento and that PTBC staff are looking for a Bay
91 Area school for the September 2023 meeting and that the December 2023
92 meeting would be held in Sacramento. Mr. Kaiser reported that PTBC staff
93 will bring before the Board the 2023 and 2024 meeting calendars for
94 Board consideration at the next meeting.
95

96 Dr. Drummer asked if scheduling meetings was done due to the
97 requirement of 100-day meeting for the ability to act on enforcement
98 cases. Mr. Kaiser responded there is a 100-day timeline to act on
99 enforcement cases and if the calendar is shifted back by one month,
100 PTBC risks going beyond the 100-day timeline and a teleconference
101 meeting will be needed.
102

103 **(B) 2024 Proposed Meeting Calendar**

104
105 Dr. Rabena-Amen presented the 2024 proposed Meeting Calendar to the
106 members. Mr. Kaiser stated that the Southern California and Bay are
107 dates that work for both March and April for Board meetings in 2024. He
108 added that December and June would be held in Sacramento where
109 resources are available, and that the calendar will also need to align with
110 the legislation calendar.

111 **MOTION:** Adopt the Proposed 2023 Meeting Calendar
112

113 **M/S:** McMillian/Ervin

114
115 **VOTE:** Armstrong – Aye
116 Dominguez- Aye
117 Drummer - Aye
118 Eleby - Aye
119 Ervin - Aye
120 McMillian - Aye
121 Rabena-Amen – Aye
122 7-0 Motion Carried
123

124 **8. Executive Officer’s Report – Jason Kaiser**

125
126 (A) Administrative Services
127 i. Staffing

128 Mr. Kaiser updated the members that the Board’s Assistant Executive
129 Officer position has been filled by Ms. Sarah Conley. Mr. Kaiser added CPS
130 Manager, Ms. Erika Calderon has been appointed as the Executive Director
131 with the Osteopathic Medical Board of California. Mr. Kaiser extended his
132 congratulations to both Ms. Sarah Conley and Ms. Erika Calderon.
133

134 Mr. Kaiser reported that the Board is currently recruiting for a few vacancies.
135 Mr. Kaiser stated that the Board is currently recruiting for a Staff Services
136 Manager for Consumer Protection Services Unit; a Staff Services Manager
137 for Licensing Services Unit; and a Budget Analyst in the Administrative
138 Services Unit.
139

140 Mr. Kaiser stated the Strategic Planning plan will be reported at the March
141 2023 Board meeting.
142

143 (B) Licensing Services

144 Dr. Drummer asked about the process for License renewal notification and
145 stated that he had not received his renewal notification. Ms. Conley
146 reported there may be a printer issue with renewal and staff are working
147 on resolving this. Mr. Kaiser assured that this will be resolved and the
148 mandate for renewal notification is 60 days in advance from expiration.
149

150 (C) Consumer Protection Services
151

Mr. Kaiser thanked the Enforcement staff for doing such a great job with the vacancy of the Enforcement Manager.

9. Consumer and Professional Associations and Intergovernmental Relations Report

(A) Federation of State Boards of Physical Therapy (FSBPT)

Mr. Kaiser updated the members that in October 2022, FSBPT hosted the annual education meeting and Vice-President Ms. McMillian received positive feedback on her welcoming to CA opening statement. Mr. Kaiser also thanked Mr. Ervin for participating on a panel for the Value of Public Members and thanked Dr. Dominquez for his participation on the Education Committee. Mr. Kaiser also thanked the rest of the members and staff for joining and attending the Annual Education meeting.

(B) Department of Consumer Affairs (DCA) – Executive Office – Rose Turner

Ms. Turner updated the members on Governor Newsom's recently appointed positions: Melissa Gear as Deputy Director, Board and Bureau Relations on October 3, 2022; Yvonne Dorantes, Assistant Deputy Director, Board and Bureau Relations; and Kathleen Nicholls, Interim Chief, Division of Investigations on December 5, 2022.

Ms. Turner reported to the members Director Kimberly Kirchmeyer established the department's first, Diversity Equality and Inclusion (DEI) Steering Community. She added that DEI will focus on 3 core areas: Workforce (recruit and retain diverse talent); Workplace (actively educate leadership and staff to increase awareness and create inclusive culture); and Marketplace (serve consumer, applications and licenses with sensitivity to their diverse background and perspective).

Ms. Turner reported that Governor Newsom has an Executive Order on strategic planning that effective July 2023, Strategic Plans must be developed or updated to advance equity and to drive outcome for increased opportunity for all. Ms. Turner stated that in response, DCA is revising the strategic planning process to incorporate more inclusive public engagement, data analysis and embedding diversity equity and

189 inclusion to the strategic planning process. She added that by March
190 2023, DCA will begin implementing the revised process and working
191 with the Board on updating or developing new strategic plans. Ms.
192 Turner reported that on November 2, 2022, DCA released it's 2022-
193 2027 Strategic Plan as well as a new logo that represents the next
194 chapter and future of the Department. She explained that the shield on
195 the new logo represents the strong and long-standing protection
196 mandate, the State represents all 40 million Californians DCA has
197 pledged to honor and serve, and the star represents consumer
198 protection.

199
200 Ms. Turner stated that the DCA "Our Promise campaign" allows
201 Californians to donate to non-profit or non-profits of their choice
202 through December 2022.

203
204 Ms. Turner reminded all that State travel will need to be made through
205 CalTravel Store (Concur) and must use the most economical fair as
206 possible when traveling by air on official state business and that
207 additional charges would incur if changes are made to flights. She
208 added that flight changes for personal convenience are not approved
209 and that the traveler will be responsible for any associate charges.
210 Additionally, Ms. Turner reminded members to make sure all required
211 board member training is completed and to submit all certificates of
212 completion to the Executive Officer and DCA to
213 memberrelations@dca.ca.gov.

214
215 Ms. Turned stated DCA is partnering with the State Controller's Office
216 (SCO) on the Unclaimed Property Program.

217
218 (C) California Physical Therapy Association (CPTA) – Stacy DeFoe

219
220 Ms. DeFoe updated the Board that CPTA had a busy year with the Rose
221 Parade where they won the Grand Marshal award and were able to
222 promote physical therapy. She added that Geo-fencing was used for the
223 Breast Cancer Pink Walk and it went very well and CPTA will continue
224 that throughout the year. Ms. DeFoe also stated they have created a
225 Modernization review task force where they put together expert PTs to
226 look at the practice act, to ensure that the practice act is current and

227 modern and allows PTs to practice at the current level of education. She
228 added that the task force will continue over the next couple of months.

229
230 Ms. DeFoe stated Webinar Wednesday was created during the
231 pandemic and has been a great success and will continue through 2023
232 and extended an invitation to the Board to attend.

233
234 Ms. DeFoe stated that the Annual Conference in Anaheim, had more
235 than 600 attendees and was a success and will be back on October 7-
236 8, 2023, and encouraged the PTBC to attend.

237
238 Mr. Kaiser thanked Ms. DeFoe for the invitation to CPTA's Annual
239 Conference and stated that PTBC would be happy to attend.

240
241 Ms. DeFoe stated CPTA Membership is going strong, and just hit 10,000
242 members since 2019. She added that the CPTA Board met on
243 December 2, 2022, and that the budget has been approved. Ms. DeFoe
244 stated that CPTA's Advisory front will be focusing on getting to know the
245 new legislators to educate them on physical therapy and to find out who
246 will be interested in their issues. She added that CPTA will be pursuing
247 utilization review for the next year and are currently working on the
248 language for the PTOT school credential and that there is a shortage of
249 PT's and OT's.

250
251 Ms. DeFoe stated that she appreciates the communication from the
252 Board and staff.

253
254 Dr. Rabena-Amen asked how geo-fencing works and Ms. DeFoe
255 responded that it is a way to promote physical therapy access and that
256 they set up a perimeter around a location which will bring ads to people's
257 phones where they will be directed to CPTA's website.

258
259 **10. Legislation Report – Sarah Conley**

260 (A) 2021/22 Legislative Session Summary
261

Ms. Conley presented the legislative report and referred the members to the legislative summary in the meeting materials and discussed the current status and changes to each bill since the last Board meeting as follows:

1. AB 1604 (Holden) The Upward Mobility Act of 2022: Boards and Civil Service: Examinations: Classifications

Ms. Conley reported that AB 1604 was chaptered on September 13, 2022, and will take effect January 1, 2023. She added that this bill was recently amended and is focusing on civil service and examination and core competencies and is no longer impacting the Board.

2. SB 731 (Durazo and Bradford) Criminal Records: Relief

Ms. Conley reported that SB 731 was chaptered on September 29, 2022, and will take effective July 1, 2023. She added that this bill expands felonies that are eligible for automatic record sealing to include convictions for certain felonies that resulted in incarceration as long as the individual had completed their sentence and has not been convicted of a new felony for four years.

3. SB 1237 (Newman) Licenses: Military Service

Ms. Conley reported that SB 1237 was chaptered on September 17, 2022, and will take effect January 1st, 2023. She added that this bill required the Boards within DCA to waive the renewal fee of any licensee or registrant who is called to active duty as a member of the United States Army or California National Guard if the licensee or registrant is stationed outside of California. Ms. Conley stated the Board is already implementing the provisions of this bill and it is already in effect.

4. SB 1438 (Roth) Physical Therapy Board of California

Ms. Conley reported that SB 1438 is the Board's Sunrise Bill and has extended the Physical Therapy Board until January 1, 2027. She added this bill also authorizes physicians and surgeons to conduct in-person or telehealth patient examination and evaluation in connection of physical therapy plan of care for direct access.

5. SB 1495 (Committee on Business, Professions and Economic Development) Professions and Vocations

Ms. Conley reported that SB 1495 was chaptered on September 23, 2022, and will take effect January 1, 2023. She added this has various updates for multiple Boards in the Business and Professions Code from the Sunset process.

11. Rulemaking Report

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

Ms. Conley reported that there were currently 3 rulemaking packages on the Board's Rulemaking Calendar which is submitted to the Office of Administrative Law each year to determine regulation workload.

1. 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

Ms. Conley reported that PTBC staff submitted the final rulemaking package of the Coursework Tool regulation to DCA on October 19, 2022, and it was approved on October 23, 2022. She added that it was then submitted to Agency on October 24, 2022 and approved on November 7, 2022. Ms. Conley reported that this regulation package is currently at OAL and was submitted on November 7, 2022.

2. Proposed Amendments to 16 CCR 1398.26.5 – Clinical Service Requirements for Foreign Educated Applicants Completing a Supervised Clinical Practice in the United States

Ms. Conley reported that PTBC staff submitted the Performance Evaluation Tool regulation to Agency on October 24, 2022, and it was approved on November 7, 2022. She added that this

regulation package is currently at OAL and was submitted on November 7, 2022.

3. Proposed Amendments to 16 CCR 1399.18, 1399.50 and 1399.52 – Retired License Status

Ms. Conley reported that the Board reviewed the public comments received at the September 2022 Board Meeting and adopted the response to those comments to include in the final rulemaking package. She added that the final rulemaking package was submitted to DCA on October 7, 2022, and is now with OAL.

4. Update Regarding the Development of Possible Amendments to the Board’s Continuing Competency Regulations.

Ms. Conley reported that this regulation was still in the concept phase and would be brought forward to the Board at a later date.

12. Discission and Possible Board Action on the 2023 Rulemaking Calendar – Sarah Conley

Ms. Conley presented the 2023 Rulemaking Calendar for Board consideration and reported that there was no current legislation that would require rulemaking on Schedule A. She reported that Schedule B includes any pending rulemaking that that the Board may promulgate or any carry over, from the prior year. She stated that the Coursework Tool, PET, Retired License Status and Continuing Competency were listed as rulemaking the Board would complete for 2023.

MOTION: Adopt the proposed 2023 Rulemaking Calendar

M/S: Rabena-Amen/Eleby

VOTE: Armstrong – Aye
Dominguez- Aye
Drummer - Aye
Eleby - Aye
Ervin - Aye
McMillian - Aye
Rabena-Amen – Aye
7-0 Motion Carried

376
377 **13. Public Comment on Items Not on the Agenda**

378 The Board requested public comment on items not on the agenda, and there
379 was no public comment.
380

381 **14. Recess**
382

383 The meeting recessed at 2:15 p.m. from closed session on December 7, 2022.

384 **Thursday, December 8, 2022**
385

386 **15. Call to Order**

387 The Physical Therapy Board of California (Board) meeting was called to order by
388 President Dr. Rabena-Amen at 9:04 a.m. and adjourned at 11:31 a.m. on
389 December 8, 2022.
390

391 **16. Roll Call and Establishment of Quorum**
392

393 Armstrong - Present
394 Dominguez- Present
395 Drummer - Present
396 Eleby - Present
397 Ervin – Present
398 McMillian – Absent
399 Rabena-Amen - Present
400

401 All members were present with the exception of Ms. McMillian, and a quorum was
402 established. Also present at the meeting were: Michael Kanotz, PTBC Legal
403 Counsel; Jason Kaiser, Executive Officer; Sarah Conley, Assistant Executive
404 Officer; April Beauchamps; Kim Rozakis, Valerie Kearney, Carole Phelps and
405 Board staff.
406

407 **17. Reading of the Board's Mission Statement**
408

409 Dr. Drummer read the Board's mission statement: To advance and protect the
410 interests of the people of California by the effective administration of the
411 Physical Therapy Practice Act.
412

413 **18. DCA Budget Office Presentation of Services- Renee Milano & Sarah Hinkle**

Ms. Milano and Ms. Hinkle presented an overview on what services the DCA Budget Office provides.

19. Administrative Services Update
(A) Budget Report

Mr. Kaiser reported things are status quo for Quarter 1 (Q1) with 31% expended of the current year's budget and that there is a slight increase in expenditures where that is balanced out from revenues received.

(B) Outreach Report

Ms. Beauchamps reported that PTBC's website in FY 2022-23 Q1 had 41,581 web hits which was an 6% decrease from last fiscal year. She stated that this is attributed to efforts to go paperless and directing applicants and licensees to use BreEZe and also due to the process of revamping PTBC's website.

Ms. Beauchamps reported that the social media report has changed from how the prior reports were due to only being able to show reporting for Facebook. She added that the report will now show stats for all of the social media platforms utilized. She reported that for Tik Tok, the year-to-year changes are all zeroed out due to Tik Tok being created this quarter, she added that LinkedIn does not allow us to go far back but we will be able to compare this report next year. Ms. Beauchamps added that with this new chart we can compare all social media platforms to each other.

Ms. Beauchamps reported on outreach workshops and webinars for Q1 and she stated that virtual and in-person Outreach workshops were provided to 11 PT and PTA programs, and PTBC is looking forwarding to providing more in the future, and that the 2022-23 outreach calendar is continuing to fill up.

Additionally, Ms. Beauchamps stated that the Fall 2022 Progress Notes is now available.

20. Application Services Update
(A) Program Updates
(B) Statistical Reports

Ms. Kearney reported that applications received was up 7% from the same quarter last year with 580 received, endorsement applications and non-CAPTE accredited applications are constant throughout the year with a slight increase in the spring and summer. She added that the average turnaround time overall for Q1 through October 30, 2022, was 93 days. Ms. Kearney reported that applications received without deficiencies were 23 days on average which can be attributed to several factors: PTBC's outreach program which educates soon to be graduates on the application process so that applications received are complete; the application process which has been streamlined and online digitization; as well as the flexibility of staff.

Dr. Rabena-Amen asked if the trends of decrease/increase in military applications vary from quarter to quarter or year to year. Ms. Kearney responded that they are pretty consistent, with a slight increase a couple years ago when service members were being deployed. Mr. Kaiser added we may see an increase overtime due to the legislation being more known and with the addition of more latitude for military services members and spouses. He added that PTBC staff are happy to provide these accommodations as an appreciation for military service.

Dr. Drummer asked what the total length of time from initial license submittal when a student has not completed all the necessary requirements for graduation and the application is closed. Ms. Conley responded that the overall processing time for last year was about 90 days, however she stated that the time that PTBC is responsible for the application is completed in about 20 days. She explained that there is a time where the application is in the applicant's hands for example, when they must sit for the exam; completing fingerprinting requirements or need to provide additional information to the Board. Ms. Kearney added applications that are fully completed where they have passed both exams before applying are licensed on average within 2 to 3 weeks.

Ms. Kearney reported that the examination statistics for PT's pass and fail rates have remained constant, however, PTA's passing rate has declined. Ms. Kearney added that she believes that PTA's did not do well during the pandemic and improvement may be in the near future.

Ms. Kearney reported that initial license applications received increased 3% from FY 2020/21 Q4 to FY 2021/22 Q4 and most of those applications were

received online. She added that the composition of initial license applications was as follows: Endorsement 34%; Exam 66%; U.S. Educated 92%; Foreign Educated 8% and Military 4%.

21. Licensing Services Update

(A) Program Updates

(B) Statistical Reports

Ms. Kearney reported resources have remained consistent and PTBC staff are preparing to implement the upcoming retired license status regulation, which will hopefully be approved by OAL soon and anticipate it becoming effective January 1, 2023.

22. Continuing Competency Services Update

(A) Program Updates

(B) Statistical Reports

Ms. Conley reported that CC staff have started auditing licensees after CCstaff were redirected to help with applications during the pandemic. She stated that Q1 PT's pass rate was 86% and PTA's pass rate was 83% with a few outstanding audits where staff were working with the licensees on completing their audits. Ms. Conley stated that the audit sample is 4% of licensees that are renewing for Quarter April-June. Ms. Conley added that PTBC staff are getting ready to look at the continuing competency regulations. Ms. Conley added that all agencies that were approved to have their recognition withdrawn have been removed from the Board's website, so licensees know those are no longer Board approved agencies.

23. Consumer Protection Services Update

(A) Program Updates

(B) Statistical Reports

Ms. Phelps congratulated Elsa Ybarra on her retirement and Ms. Erika Calderon on her promotion.

Ms. Phelps reported that the new in-house expert consultant, Dr. Alexandria Jones DPT has been working with PTBC staff since August 2022 and assists with cursory review of cases involving patient care along with helping to create

the inspection checklist, once finalized, this checklist will be used by investigators and expert consultants during site visits to aid them in conducting a thorough investigation. Ms. Phelps stated that 14 new expert consultants have been onboarded and are now ready to assist staff with case reviews.

Ms. Phelps informed members that the new Consumer complaint form is now available on the Board's website and includes an attachment of authorization of release of patient health information, and that this new form has saved time in waiting for the authorization form.

Ms. Phelps stated that CPS are continuing monthly meetings with the Supervising Special Investigator over Division of Investigation Enforcement Support Unit.

Ms. Phelps reported that CPS staff have now completed the National Certified Investigator and Inspector Training (NCIT) Basic and Specialized training courses that were held in September and November 2022. She added that both courses were in-person training courses hosted by DCA covering topics ranging from principles of administrative law, the investigative process, investigator safety, inspection overview and procedure, testifying and administrative, criminal proceedings, interviewing techniques and investigative analysis.

Ms. Phelps reported that the number of complaints and arrest conviction reports are reported in Performance Measure 1 (PM1) which has increased by 26% compared to this time last year. She added that this number fluctuates regularly, and increases are expected. Ms. Phelps reported that Performance Measure two target is 9 days on average; Q1 was 4 days which that mandate is met. She added that Performance Measures three and four went down compared to the same quarter last year, and that these numbers are known to fluctuate, as they reflect the entire investigative process that involves timeline, workload and response time. Ms. Phelps stated that in Q1 for disciplinary actions, there were three disciplinary licenses surrenders, two license revocations and four licenses placed on probation.

Dr. Rabena-Amen asked how long PTBC staff have been having monthly meetings with DOI. Ms. Phelps responded these meetings began with Ms. Calderon in the last three or four months. Additionally, Dr. Rabena-Amen asked about Performance Measure three and the target date of 90 days and if that is

566 changing. Mr. Kaiser responded that as of the September 2022 Board Meeting,
567 the target date was changed from 90 to 180 days.

568
569 **24. Probation Monitoring Services Update**

570 **(A) Program Updates**

571 **(B) Statistical Reports**

572
573 Mr. Martin reported there were for Q1 FY 2022-23 there was 75 licensees on
574 probation, sixty-five licensees on probation in the state, ten probationers outside
575 of the state who weren't receiving credit towards the completion of their
576 probation, four licensees placed on probation and one licensee completed
577 probation. He added that of the sixty-five probationers that were in the state,
578 eight were participating in the Board's drug and alcohol recovery monitoring
579 program at the end of the quarter equaling about 12% of the licensees on
580 probation. Mr. Martin reported that one licensee enrolled in the alcohol recovery
581 monitoring program and zero licensees completed the program. He added that
582 one licensee entered the program but was removed approximately a month later
583 with the designation terminated public risk for another violation of their probation
584 and that person is in the process of having their license revoked by the Board.
585 Mr. Martin reported that probation monitoring is still being held via
586 teleconferences.

587
588 Dr. Rabena-Amen asked what Mr. Martin's role is regarding early termination
589 probation reinstatement of license. Mr. Martin responded that he compiles a
590 history of if they are on probation; how they've been doing on probation; if it is
591 someone for reinstatement, he gives a history of how they did on probation while
592 on probation and maybe why they were revoked. Mr. Martin added that he
593 interviews the petitioners, and they have to provide two letters of
594 recommendation, and then he interviews those people, and once that is
595 complete, he writes his report that is sent to the Deputy Attorney General's
596 Office.

597
598 **25. Board Member Training – Kim Rozakis**

599
600 Mr. Rozakis presented an overview on the Form 700 Training.

601
602 **26. Board Member Elections**

603 **(A) President**

604 **NOMINATION:** Dr. Rabena-Amen nominated Mr. Ervin as Board President.

605
606 **NOMINEE:** Mr. Ervin

607
608 Mr. Ervin declined the nomination for Board President.

609
610 **NOMINATION:** Dr. Armstrong nominated Ms. McMillian as Board President.

611
612 **NOMINEE:** Ms. McMillian

613
614 Mr. Kaiser spoke on behalf of Ms. McMillian and accepted the nomination.

615
616 **MOTION:** To elect Ms. McMillian as Board President.

617
618 **M/S:** Armstrong/Eleby

619
620 **VOTE:**
621 Rabena-Amen – Aye
622 Armstrong- Aye
623 Dominguez- Aye
624 Drummer - Aye
625 Eleby - Aye
626 Ervin - Aye
627 McMillian – Not Present
628 6-0 Motion Carried

629 Ms. McMillian elected President for 2023.

630
631 **(B) Vice-President**

632 **NOMINATION:** Dr. Rabena-Amen nominated Dr. Armstrong as Board Vice-
633 President.

634
635 **NOMINEE:** Dr. Armstrong

636
637 Dr. Armstrong accepted the nomination for Vice-President.

638
639 **NOMINATION:** Dr. Rabena-Amen nominated Dr. Armstrong as Board Vice-
640 President.

NOMINEE: Dr. Armstrong

MOTION: To elect Dr. Armstrong as Board Vice-President.

M/S: Rabena-Amen/Eleby

VOTE:

Rabena-Amen – Aye
Armstrong- Aye
Dominguez- Aye
Drummer - Aye
Eleby - Aye
Ervin - Aye
McMillian – Not Present
6-0 Motion Carried

Dr. Armstrong elected Vice-President for 2023.

(C) FSBPT Delegate

NOMINATION: Dr. Armstrong nominated Mr. Ervin as FSBPT Delegate.

NOMINEE: Mr. Ervin

Mr. Ervin accepted the nomination for Board FSBPT Delegate.

M/S: Armstrong/Rabena-Amen

VOTE:

Rabena-Amen – Aye
Armstrong- Aye
Dominguez- Aye
Drummer - Aye
Eleby - Aye
Ervin - Aye
McMillian – Absent
6-0 Motion Carried

Mr. Ervin elected FSBPT Delegate for 2023.

(D) FSBPT Alternate Delegate

NOMINATION: Dr. Armstrong nominated Ms. Eleby as FSBPT Alternate Delegate.

NOMINEE: Ms. Eleby

Ms. Eleby accepted the nomination for Board FSBPT Alternate Delegate.

MOTION: To elect Ms. Eleby as FSBPT Alternate Delegate.

M/S: Armstrong/Rabena-Amen

VOTE:

Rabena-Amen – Aye
Armstrong- Aye
Dominguez- Aye
Drummer - Aye
Eleby - Aye
Ervin - Aye
McMillian – Not Present
6-0 Motion Carried

Ms. Eleby elected FSBPT Alternate Delegate for 2023.

(E) FSBPT Back-up Alternate Delegate

The Board determined to use the procedure of establishing back-up alternate delegates in alphabetical order by last name of Board members.

NOMINATION: Alphabetical order by last name of the remaining Board Members

NOMINEE: Alphabetical order by last name of remaining Board Members

MOTION: Alphabetical order by last name of the remaining Board Members

M/S: Rabena-Amen/Dr. Dominguez

VOTE:

Rabena-Amen
Armstrong- Aye

718 Dominguez- Aye
719 Drummer - Aye
720 Eleby - Aye
721 Ervin - Aye
722 McMillian – Not Present
723 6-0 Motion Carried

724 The board elected alphabetical order by last name of the remaining Board
725 Members for FSBPT Back-up Delegate for 2023.
726 Backup Alternate Delegates for 2023 are:

727
728 Dr. Armstrong
729 Dr. Dominguez
730 Dr. Drummer
731 Ms. McMillian
732 Dr. Rabena-Amen
733

734 **27. Public Comment on Items Not on the Agenda**

735
736 The Board requested public comment on items not on the agenda, and there
737 was no public comment.

738
739 **28. Agenda for Future Meeting- March 22-23, 2023**
740 **University of the Pacific, Stockton CA**

741
742 Mr. Kaiser stated that the University of the Pacific will be hosting the March 2023
743 Board Meeting.

744
745 **29. Closed Session**

746 (A) Pursuant to Government Code section 11126(c)(3), the Board will convene
747 to Deliberate on Disciplinary Actions and Decisions to be Reached in
748 Administrative Procedure Act Proceedings

749 (B) Pursuant to Government Code section 11126(a)(1), the Board will convene
750 to Consider the Evaluation of Performance of the Executive Officer

751 (C) Pursuant to Government Code section 11126, subdivisions (e)(1) and (2)(A),
752 the Board will convene to confer with, or receive legal counsel regarding the
753 following litigation: Alan Kun-Sien Kyo v. Physical Therapy Board of California
754 (Superior Court of California, County of Sacramento, Case number 34-2021-
755 80003743)

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The Board did not enter into closed session on December 8, 2022, day two of the meeting.

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30. Adjournment

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The meeting adjourned at 11:31 a.m. on December 8, 2022.

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