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Board Members

President

Tonia McMillian

Vice-President

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

Members

Karen Brandon, P.T., DSc P.T.

Katarina Eleby, M.A

Samuel Qiu

Alicia Rabena-Amen, PT, DPT

Vacant, PT, DPT

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

September 17-18, 2024 9:00 a.m.

California Department of Consumer
Affairs
2005 Evergreen St., Hearing Room
Sacramento, CA 95815

Board Staff

Jason Kaiser, Executive Officer

Sarah Conley, Assistant Executive
Officer

Brooke Arneson, Specialist

Liz Constancio, Manager

Valerie Kearney, Manager

Carole Phelps, Manager

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.

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Tuesday, September 17, 2024

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1. Call to Order

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10 The Physical Therapy Board of California (Board) meeting was called to order
11 by President McMillian at 9:00 a.m. and went into closed session at 12:51 p.m.
12 and recessed at 3:02 p.m..

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2. Roll Call and Establishment of Quorum

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McMillian - Present

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Armstrong- Absent

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Brandon - Present

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Eleby – Absent

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Qiu- Present

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Rabena-Amen - Present

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All Members except for Dr. Armstrong and Ms. Eleby were present, and a
quorum was established. Also present at the meeting were: Michael Kanotz,
PTBC Legal Counsel, Sarah Conley, Assistant Executive Officer; Brooke
Arneson, Legislation and Regulation Manager; Liz Constancio, Administrative
Manager, Carole Phelps, Enforcement Manager; Valerie Kearney, Licensing
Manager; and Board staff: Kim Rozakis, April Beauchamps, Vincent Azar and
Timothy Davis.

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3. Reading of the Board’s Mission Statement

Dr. Brandon read the Board’s mission statement: To advance and protect the interests of the people of California by the effective administration of the Physical Therapy Practice Act.

4. (A) Petition for Reinstatement – Charu Dave, P.T.

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.

The Board entered closed session at 12:51 p.m. and reconvened into open session at 2:00 p.m. on September 17, 2024.

6. Review and Approval of June 13-14, 2024, Meeting Minutes

Ms. Rozakis presented the draft of the meeting minutes for June 13-14, 2024. The Board reviewed the minutes and made grammatical and editorial changes.

MOTION: Adopt the June 13-14, 2024, Meeting Minutes, as amended.

M/S: Rabena-Amen/Brandon

VOTE: McMillian - Aye
Armstrong- Absent
Brandon - Aye
Eleby – Absent
Qiu - Aye
Rabena-Amen - Aye
4-0 Ayes, Motion Carried

7. President’s Report

(A) 2024 Adopted Meeting Calendar

70 Dr. Rabena-Amen suggested to make a note on the calendar to show
71 the March 2024 meeting was cancelled.

72
73
74 (B) 2025 Proposed Meeting Calendar

75
76 Mr. Kanotz, PTBC Legal Counsel stated that he has a conflict with the
77 March 20-21, 2025, proposed meeting. Mr. Kanotz added that if there is
78 a conflict with the dates for Board meetings, there is always a possibility
79 of getting an alternate counsel. Ms. Conley suggested to move the
80 March 2024 Board meeting to March 18-19, 2025. Board members
81 shared that they had no conflicts with those dates.

82
83 Ms. Conley recommended moving the September 2025 date to align
84 with the CPTA Annual Conference. Dr. Brandon asked if there is a
85 possibility to have the September meeting held at Loma Linda
86 University. Ms. Conley responded, if September dates work with Loma
87 Linda University, Loma Linda is a great location since it will be near
88 CPTA's Annual Conference.

89
90 Ms. Conley added if there are any travel restrictions, adjustments may
91 be needed and there is the possibility of teleconference meetings.

92
93 Ms. Conley shared the Board has been working with the Department of
94 Consumer Affairs Public Affairs Office on the WebEx-in-a-Box.
95 Recently, PTBC has loaned equipment to two other Boards to host
96 WebEx meetings on the road, and received feedback that for both
97 WebEx meetings the equipment was functional, and the on-the-road
98 WebEx meeting was successful.

99 Ms. Island from CTPA added CPTA will have their Boards of Directors
100 meeting on December 5, 2025.

101
102 **8. Assistant Executive Officer's Report**

103 (A) Executive Services

104
105 Ms. Conley highlighted the continued efforts to assist military
106 servicemembers and their families, including outreach events and
107 prioritized application and license maintenance services.

108

109 (B) Administrative Services

110

111 Ms. Conley provided an update on staffing and reported that since the
112 June meeting, there were 3 vacancies and 2 have been filled: Licensing
113 Lead and Administrative File Clerk. She added that PTBC is currently
114 recruiting for the Continuing Competency Analyst and that there are 3
115 new vacancies: Administrative Services Lead, Consumer Protection
116 Services Lead and Licensing Services Applications Analyst.

117

118 Ms. Conley reported with Budget Letter 24-20 that came out in July
119 2024, part of the Governor's budget reduction plan included cost savings
120 by eliminating 10,000 vacant State positions effective fiscal year (FY)
121 2024-25 and ongoing with the positions being eliminated 2025-26.
122 Based on a shared total cost identified for DCA, the PTBC's identified
123 vacancy elimination target was two positions, if the vacancies existed.
124 At the time staff was asked to identify its vacancies for elimination and
125 cost savings, the PTBC did not have any vacancies, therefore, the PTBC
126 did not lose any positions, but this may change in the future.

127

128 Ms. Conley reported with Budget letter 24-24 that came out in August
129 2024, the PTBC was expected to reduce non-exclusionary spending by
130 8%. DCA's assessment of the Board budget identified about \$325K as
131 non-exclusionary, the Board's reduction was around \$26K. Additionally,
132 this year, the PTBC saw additional cost-saving opportunities with credit
133 card service fees now charged to licensees, along with fewer reasonable
134 accommodations for the exam with the implementation of Jurisprudence
135 Assessment Module (CAL-JAM).

136

137 Ms. Conley reported that Enforcement's budget stays enforcement's
138 budget, with no line-item adjustments, should there be an increase in
139 complaints or a case that requires significant investigative and/or
140 Attorney General resources, the money needs to be there. Ms. Conley
141 stated that, the Consumer Protection Services program continues to find
142 ways to increase efficiency and use enforcement tools that keep costs
143 down, such as closely monitoring expert review and Department of
144 Investigation (DOI) hours.

145

146 Ms. Conley thanked the DCA Budget Office for their efforts that have
147 significantly mitigated the fiscal impact to the PTBC's budget during
148 this time.

149
150 Ms. Conley added that there are no official travel restrictions, given the
151 State's current fiscal environment and that, travel may be scrutinized
152 closely. The majority of PTBC's travel is outreach, whether it is the
153 staff at specific events such as military service members and their
154 families or holding Board meetings at schools to reach the PT and PTA
155 students that is in line with DCA's priority.

156
157 Last, Ms. Conley shared that staff will be attending the CPTA
158 Conference in San Francisco on September 21-22, 2024.

159
160 (C) Licensing Services

161 Ms. Conley reported that on July 1, 2024, the Cal-JAM went live, and
162 staff has received positive feedback. For the first two months, July &
163 August – 1,069 PT and PTA applicants took the CAL-JAM with a 99%
164 pass rate.

165
166 Dr. Rabena-Amen asked when someone registers to take the Cal-
167 JAM, is there a time period they must take it? Ms. Conley responded
168 they will have to take it within 48 hours upon registering.

169
170 Ms. Conley shared, that on August 23, 2024, staff sent a recruitment
171 notice via ListServ and posted it to social media and the website for
172 Subject Matter Experts (SMEs) to assist DCA's Office of Professional
173 Exam Services (OPES) with the occupational analysis. The Board had
174 about 140 licensees that expressed interest in participating in the
175 workshops.

176
177 (D) Consumer Protection Service

178 Ms. Conley shared, that recently, Ms. Phelps organized two trainings,
179 one for DCA DOI Investigators and one for PTBC Expert Consultants.
180 Ms. Conley thanked Ms. Phelps, Mr. Gatschet for the training, and
181 those who attended the training for taking the time to participate.

182
183 (E) 2024-2029 – Physical Therapy Board of California Strategic Plan

184

185 Ms. Conley shared the 2024-2029 PTBC Strategic Plan is included in
186 the materials and that staff are excited to have this direction and have
187 already started to work on it. Ms. Conley thanked Sarah Irani and Ann
188 Fisher from DCA SOLID for facilitating the Strategic Plan development
189 and DCA Office of Publication, Editing and Design for the design. The
190 Board will continue to work with SOLID and has scheduled a meeting to
191 develop a formal action plan to achieve the Board's goals.

192
193 **9. Executive Services Update**

194 **(A) Legislation Report**

195 2023/24 Legislative Session Summary
196

197 Ms. Arneson stated that the Board is approaching the end of the two-year
198 legislative session. There were 9 bills that remained on the Board's watch
199 list going into the final part of the session. Of those 9 bills, 5 died and 4
200 passed out of both houses and went on to the Governor for his
201 consideration.

202
203 Ms. Arneson shared the Governor has until September 30th to sign or veto
204 bills and those bills go into effect on January, 2025, unless they have an
205 urgency clause.

206
207
208 1) AB 796 (Weber) Athletic Trainers
209

210 Ms. Arneson stated this bill was amended on June 25th and is now
211 a title protection bill. This bill was presented to the Governor on
212 September 3rd. AB 796, with its recent amendments prohibits a
213 person from identifying themselves to others as an athletic trainer, or
214 from using titles such as certified athletic trainer, licensed athletic
215 trainer, or registered athletic trainer, or other terms to imply or
216 suggest that the person is an athletic trainer, unless they meet
217 prescribed requirements, including that the person is certified by the
218 Board of Certification for the Athletic Trainer.

219
220 2) AB 814 (Lowenthal) Veterinary Medicine: Animal Rehabilitation
221

222 Ms. Arneson reported this bill did not pass out of the Senate
223 Business and Professions and Economic Development Committee
224 and is dead. This bill would have authorized a licensed PT who

225 meets requirements by the Veterinarian Medical Board to provide
226 animal rehabilitation to an animal patient if certain requirements are
227 met; including that the animal physical rehabilitation is performed on
228 premises registered with the VMB and that the PT works under the
229 supervision of a licensed veterinarian who has established
230 veterinarian-client-patient relationship with the animal.

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3) AB 1991 (Bonta) Licensee and Registrant Records

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4) AB 2269 (Flora) Board Membership Qualifications: Public Members

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Ms. Arneson report this bill was held in the Senate Business and Professions Committee and is dead. There were some suggested amendments and policy implementation concerns identified by the committee to be addressed. This bill would have revised requirements for public members of any Board within DCA related to business relationships with a licensee of that Board. This bill would

265 also have removed exemptions if the relationship with a licensee
266 constituted no more than two percent of the practice or business of
267 the license.
268

269 5) AB 2289 (Low) Vehicles: Parking Placards and Special License
270 Plates for Disabled Veterans and Persons with Disabilities
271

272 Ms. Arneson reported this bill is dead as it was held in the Senate
273 Appropriations Committee. This bill would have authorized a
274 licensed PT to certify a person's disability for purposes of applying to
275 the DMV for issuance of a disability placard, license plate or
276 temporary disability placard. A significant fiscal was identified by the
277 DMV and there were quite a few concerns as well from the DMV
278 regarding IT implementation challenges within their existing IT
279 systems as the DMV is currently in the process of an expansive multi-
280 year effort to modernize their IT systems.
281

282 6) AB 2725 (Rubio & Muratsuchi) Teacher Credentialing:
283 Administrative Services Credential: Occupational and Physical
284 Therapists
285

286 Ms. Arneson reported this bill was presented to the Governor on
287 August 31st. This bill would create a pathway for a school based
288 occupational therapist or a school based physical therapist to obtain
289 a credential that would allow them to pursue administrative and
290 leadership positions in schools. The Board did take a support
291 position on this bill at the June Board meeting and a copy of that
292 support letter is include on page 57 of the meeting materials.
293

294 7) AB 2862 (Gipson) Department of Consumer Affairs; African
295 American Applicants

296 Ms. Arneson report this bill was held in the Senate Business and
297 Professions Committee and is dead. This bill would have required
298 Boards to prioritize African American applicants seeking licensure,
299 especially applicants who are descended from a person enslaved in
300 the United States. There were implementation and clarity challenges
301 with this bill that that were identified in the Fiscal and Policy
302 Committees. Some of these challenges included many of DCA's
303 programs lack authority to request an applicant's race, which may
304 prevent this bill from being implemented; also, clarity was suggested
305 in the bill language on what is meant by prioritizing applicant's vs

306 expediting applicants and what documentation would be required to
307 establish eligibility for prioritization or expedition of licenses. In
308 addition, the Assembly Appropriations Committee identified a \$1.04
309 million fiscal impact for the implementation of this bill to many of
310 DCA's programs and additional one-time costs for DCA's Office of
311 Information Services.

312
313 8) AB 3127 (McKinnor) Reporting of Crimes; Mandated Reporting
314

315 Ms. Arneson reported this bill is dead as it was held in the Senate
316 Appropriations Committee. The Board took an opposition position at
317 the June meeting and a copy of this opposition letter is on page 59
318 of the meeting materials. This bill would have narrowed the
319 circumstances in which a health practitioner must make a report to
320 law enforcement because they suspect a patient has suffered
321 physical injury that was caused by assaultive or abusive conduct. A
322 significant fiscal was identified for this bill possibly in the hundreds of
323 thousands, to local public health departments, local government
324 agencies, and clinics or other types of facilities operated by a local
325 health department to provide brief counseling and education and
326 offer a warm handoff or referral to local and national domestic
327 violence or sexual violence advocacy services. In addition, training
328 and policy updates could be required which would be an increase in
329 the fiscal as well.

330 Ms. Arneson stated this bill is similar to AB 1028 (McKinnor) in 2023
331 and AB 2790 (Wicks) in 2022 both of which were held in Senate
332 Appropriations Committee. This bill is narrower than either of those
333 bills by continuing to require reporting when a wound or physical
334 injury is life threatening and caused by the use of nonaccidental
335 violence by another.

336
337 9) SB 1067 (Smallwood-Cuevas) Healing Arts: Expedited licensure
338 Process: Medically Underserved Population

339 Ms. Arneson reported this bill was presented to the Governor on
340 September 10, 2024. This bill would require specific Boards within
341 DCA to expedite applicants who will be serving in medically
342 underserved areas or underserved populations. It pertains to a
343 handful of other Boards in DCA including BRN, BBS, Pharmacy,

344 Dental and PA amongst a few others. PTBC is not included in the
345 Boards impacted by this proposed bill, so it is not applicable to us.

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347

(B) Rulemaking Report –

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2024 Rulemaking Update for Pending or Proposed Regulations

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1) Update Regarding the Development of Possible Amendments to
350 the Board's Continuing Competency Regulations

351

352

Ms. Conley reported internally there is progress towards developing
353 Rulemaking, but currently there is nothing to report.

354

355

Ms. Conley shared the Board has been working on collecting workload
356 data on Continuing Competency, and with the current vacancy, this has
357 been challenging but we are working to fill that vacancy.

358

359

(C) Communication & Education Update

360

Ms. Beauchamps presented the outreach report. Ms. Beauchamps reported
361 PTBC provided 5 virtual Outreach workshops and conducted 30 school
362 program workshops in total resulting in a 30% increase compared to last
363 FY. Ms. Beauchamps added the Board has also attended 2 military
364 Outreach resources fairs, which was for the Navy Metro in San Diego on
365 August 28, 2024, and Fort Irwin on September 4, 2024.

366

367

Dr. Brandon asked if there were any outreach workshops at new schools?
368 Ms. Beauchamps answered yes in February 2024 the Board held a
369 presentation at College of the Desert in Palm Springs.

370

371

Ms. Conley recognized Mr. Beauchamps and Mr. Azar on their hard work
372 on the Board's new website, DCA had the Office of Data and Innovation
373 review the Board's website and had positive feedback.

374

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10. Public Comments on Items Not on the Agenda

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

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11. Recess

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The Board entered into closed session at 3:02 p.m. and recessed at 3:49 p.m.

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Wednesday, September 18, 2024

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12. Call to Order

The Physical Therapy Board of California (Board) meeting was called to order by President Ms. McMillian at 9:00 a.m. and adjourned at 3:06 p.m.

13. Roll Call and Establishment of Quorum

McMillian - Present
Armstrong- Absent
Brandon - Present
Eleby – Absent
Qiu- Present
Rabena-Amen - Present

All Members were present except Dr. Armstrong and Ms. Eleby, and a quorum was established. Also present at the meeting were: Michael Kanotz, PTBC Legal Counsel; Jason Kaiser, Executive Officer; Sarah Conley, Assistant Executive Officer; Brooke Arneson, Legislation and Regulation Manager; Liz Constancio, Administrative Manager Carole Phelps, Enforcement Manager; Valerie Kearney, Licensing Manager; and Board staff: Kim Rozakis, April Beauchamps and Vincent Azar.

14. Reading of the Board’s Mission Statement

Dr. Rabena-Amen read the Board’s mission statement: To advance and protect the interests of the people of California by the effective administration of the Physical Therapy Practice Act.

15. Consumer and Professional Associations and Intergovernmental Relations Reports

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

Ms. Conley reported that Mr. Kaiser has been serving on the Sexual Boundaries Task Force. The Task Force has created several resources for licensees, educators, and recently students, including electronic and printed materials as well as videos. This information is being disseminated

420 at a national level for all physical therapy licensing jurisdictions. Once
421 complete, the PTBC will be adding this information to its website.

422
423 Ms. Conley added FSBPT has created an audit tool that licensing
424 jurisdictions may use to assess their website for trauma-informed
425 approach performance. This tool can be found on FSBPT's website.

426
427 Dr. Rabena-Amen asked is staff looking to implement the FSBPT audit
428 tool. Ms. Conley answered it is something the Board is looking at but can
429 report back on updates.

430
431 (B) Department of Consumer Affairs (DCA)

432
433 Ms. Bucciarelli, Staff Services Manager with the DCA Board and Bureau
434 Relations Office, thanked the members for their service and dedication on
435 protecting the consumers of California. Ms. Bucciarelli shared with Budget
436 Letter 24-20 vacancy savings position elimination, DCA continues to
437 address the state's budget deficit. At the end of July, the Department of
438 Finance issued Budget Letter 24-20 that outlines the assumed reduction of
439 the state's workforce by 10,000 vacancies and 1.5 billion dollars. Ms.
440 Bucciarelli added the Department of Finance estimated a target reduction
441 for each state department by reviewing the department's vacancies and then
442 assuming half of the savings from those vacant positions. DCA worked
443 closely with California Business, Consumer Services and Housing Agency
444 (Agency) and each board and bureau to provide detailed notes, requested
445 exclusions, and justifications position by position. DCA submitted a
446 proposed vacancy reduction plan to the Department of Finance in mid-
447 August and is waiting on approval.

448
449 Ms. Bucciarelli shared that on August 16, 2024, the Department of Finance
450 issued Budget Letter 24-24 Government Efficiency Reductions, which
451 outlines the reduction of the state departmental budget by 7.95% in order to
452 achieve state savings of \$2.1 billion in the 2024-25 FY and future FY
453 Additionally, DCA is identifying fixed costs that cannot be reduced, such as
454 the Office of Attorney General and Office of Administrative Hearings, which
455 are excluded from consideration. The final reduction plan will be submitted
456 to Agency and the Department of Finance for approval in September 2024.
457 Ms. Bucciarelli added that the DCA Budget Office continues to work closely
458 with each Board and Bureau on these reduction requests while always

459 balancing DCA's mission of consumer protection. Ms. Bucciarelli wanted to
460 remind the Board, DCA will continue to scrutinize expenditures and
461 maximize cost savings, only authorizing expenditures that are mission
462 critical and essential to operations and public services.

463
464 Ms. Bucciarelli shared on August 20, 2024, that Mr. Piccione, DCA's Deputy
465 Director of the Office of Information Services, was honored for developing
466 DCA's Federal Professional License Portability and State Registration
467 portal. Mr. Piccione received the Best of California award in the Innovation
468 Serving the Public Category at the 2024 California Government Innovation
469 Summit. Additionally, the website Mr. Piccione designed has been used by
470 the US Department of Defense as a model for other states.

471
472 Dr. Rabena-Amen is concerned with the Board meeting quorum with 2
473 vacancies and 2 members terming off in March. Ms. Bucciarelli will bring this
474 concern to her manager. Ms. Conley added Mr. Kaiser is in communication
475 with Board and Bureau Relations and trying to get these vacancies filled.

476
477 (C) California Physical Therapy Association (CPTA)

478 Mr. Kiuchi, Member of CPTA and quality subcommittee, reported to the
479 members that CPTA has ended the registration for the Annual Conference
480 with almost 700 attendees and the exhibit hall is sold out. The 2025 annual
481 conference will be in September at the Palm Springs Renaissance. Mr.
482 Kiuchi added CPTA membership continues at more than 10,000.

483
484 Mr. Kiuchi shared webinar Wednesdays have been very successful, and the
485 goal for this year was 3 webinar Wednesdays each month with 1 specialty
486 course on Saturday each month. Mr. Kiuchi shared CPTA received positive
487 feedback and thanked Mr. Kaiser for presenting a Q&A on August 7, 2024.

488
489 Mr. Kiuichi gave an update on SB 525 minimum wage for health care
490 workers. CPTA has submitted 3 requests for clarification with the California
491 Labor Commission office. In September they stated that the new law does
492 not apply to outpatient PT clinics or clinics with PT, OT, or speech services
493 without physician services. The delay of implementation of SB 525 will end
494 sometime between October 1,2025, and January 15, 2025.

495
496
497 **16. Ethical Decision Making & Bagley Keene Presentation**

498
499 Mr. Kanotz presented on the Bagley Keene Open Meetings Act and Ethical
500 Decision-Making presentation.

501 **17. Administrative Services Update**

502 (A) Program Update

503 (B) Budget Report

504 Ms. Constancio shared the budget letter that was issued by the Department of
505 Finance, which was to reduce expenditures. The Board has reduced expenditures
506 and will continue to do so and thanked the Administrative Services staff for their
507 hard work.

508
509 Ms. Constancio stated that travel is only mission critical with outreach being a
510 priority, and any other travel needed is being reviewed by leadership and will be
511 addressed accordingly.

512
513 Ms. Constancio reported training has been limited to state-required training only
514 and utilizes DCA's SOLID's unit for training needs. The training cost comes out of
515 the Board's pro-rata, which is a benefit to the Board. Ms. Constancio added any
516 job required training that is not offered by SOLID leadership will be reviewed.
517 Additionally, Ms. Constancio reported all PTBC employees are up to date and in
518 compliance in their training and mandatory reporting requirements.

519
520 Ms. Costancio added the Board is currently recruiting for 4 permanent full-time
521 positions and one of those vacancies is the lead analyst position within
522 Administrative Services Unit as Ms. Hernandez has accepted a promotion with the
523 Veterinary Board of California. Ms. Constancio congratulated Ms. Hernandez on
524 her promotion and that PTBC will miss Ms. Hernandez.

525
526 Ms. Costancio stated the Board had 2,962 transactions for cashiering with a total
527 collection of \$7,820,808 during Q4. DCA's Accountants Receivable assisted the
528 Board with the accounts receivable business processes and ensured the Board is
529 adhering to the policy and procedures that are required within DCA. Ms.
530 Constancio thanked DCA's Accountants Receivable.

531
532 Ms. Constancio added the Board is in compliance with the Americans with
533 Disabilities Act. Mr. Azar works with the PTBC staff on documents that are sent
534 over for the public and on the website that needs to meet ADA requirements.

535
536 Ms. Constancio shared Administrative Services is working on the annual audit on
537 assigned equipment. Mr. Azar has identified all assigned equipment that are now

538 on a master equipment list. The next phase will be auditing the equipment and
539 what they are being used for.

540
541 Ms. Constancio added all contracts will be automated. Administrative Services Unit
542 and Executive Unit are now on SharePoint, Mr. Azar will be assisting other units
543 to transition to SharePoint.

544
545 Ms. Hernandez, prior Administrative Services Unit Lead, presented the budget
546 report. Ms. Hernandez shared that the Board spent 92% of the FY 23/24 budget
547 of \$7,200,000; at the end of FY 23/24 the Board is at \$6,639,268, an increase from
548 last FY with prior FY 22/23 expenditures were at \$6,500,000. This increase is
549 attributed to staff salaries and benefits, primarily due to filling vacancies. Ms.
550 Hernandez added that the Board has a positive revenue collection ending FY
551 23/24 with \$7,400,000, roughly a \$165k increase over the prior year. Ms.
552 Hernandez shared the Boards current budget moving into FY 24/25 has been
553 approved at \$7,324,000.

554
555 Ms. Hernandez thanked the members and PTBC staff for all the support.

556
557 Dr. Brandon asked when looking at the percentage of budget spent, specifically
558 those that are low like information technology at 9% of the \$16,000 that was
559 budgeted, is that something that was over budgeted? Ms. Hernandez answered
560 during FY 23/24 with the budget letters, the Board had intended to purchase new
561 laptops but with the budget cut in the program, laptops were not purchased.

562
563 Dr. Brandon asked why Exam Admin External FSBPT line item had no budget. Ms.
564 Constancio answered there is no budget for that and it is taken off the bottom line
565 and no budget is set aside specifically for it.

566
567 Dr. Brandon asked what C&P means. Ms. Hernandez responded it is Consult &
568 Professional Services. Ms. Constancio added, the cost of OPES would come out
569 of C&P line item.

570
571 Dr. Rabena-Amen asked why there was a decrease in Q4 in initial applications.
572 Ms. Constancio answered it could be a matter of timing and depending on when
573 the examination is scheduled. Ms. Conley added it could also be a small
574 percentage of new graduates, depending on the number of endorsement
575 applicants. Ms. McMillian asked what an endorsed applicant is. Ms. Conley
576 answered it is an application for someone who already holds a license in another
577 state and is applying to California using their qualification that they hold a license
578 in another state, and they do not have to take the national exam to obtain licensure.

579

580 Dr. Rabena-Amen asked for examples of unscheduled reimbursements? Ms.
581 Constancio stated that examples are the receipt of a fine imposed in a citation or
582 cost recovery from a formal disciplinary matter.
583

584 Ms. Qiu asked why the initial license in the revenue line item had decreased
585 \$70,000 from year to year. Ms. Constancio answered that could be when
586 applicants apply before they get licensed, and they pay their initial license fee.
587

588 **18. Licensing Services Update**

589 (A) Program Updates

590 (B) Statistical Reports

591 Ms. Kearney shared Mr. Row was appointed as Lead Analyst for the Licensing
592 Services Program effective July 31, 2024, and is responsible for addressing the
593 most complex issues related to the program, including military application review
594 and military licenses. Mr. Row also monitors program workflow and process
595 effectiveness. Currently, Licensing Services is recruiting for a Staff Services
596 Analyst position to fill behind Mr. Row's old position.
597

598 Mr. Row introduced himself to the members. Ms. Row is very excited to do
599 outreach and has already completed a few events; one in San Diego and another
600 in Fort Irwin. Mr. Row has been working with license portability for military spouses,
601 explaining to military spouses on how to use their license out of state or get a
602 regular renewable license or what would better suit them for their particular
603 situation.
604

605 Dr. Brandon asked if the Board knows what countries the foreign educated
606 applicants are from? Ms. Kearney answered Puerto Rico, India and Mexico.
607

608 Dr. Rabena thanked Ms. Kearney on how helpful and knowledgeable she has been
609 especially to her students.
610

611 Ms. Conley added DCA has been working on data and reporting for annual reports
612 to get some consistency on what is being reporting within each Board. Ms. Conley
613 added the Boards is working with DCA on phone call workload reports, and is
614 figuring out what the impact is for the organization. The Board is an alpha tester
615 on a new reporting system for tracking phone calls called Clobba.

616 **19. Consumer Protection Services Update**

617 (A) Program Updates

618 (B) Statistical Updates

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Ms. Phelps thanked Consumer Protection Services staff for all they do.

Ms. Phelps shared with the Board there is currently 1 Enforcement Analyst vacancy due to Consumer Protection Lead Ms. Livramento taking a position in the Enforcement Program at the Osteopathic Medical Board.

Ms. Phelps added the Board recently held the first training for investigators from the DOI on August 14, 2024, and was held online. Attendees included DOI investigators and supervisors as well as PTBC enforcement staff. The training was presented by Deputy Attorney General John Gatschet. Additionally, Mr. Gatschet presented an expert consultant training online on September 9, 2024. The goal of this expert consultant training was to train new experts as well as to serve as a refresher course for current experts.

Dr. Brandon asked if the trainings are held online and if Board members are allowed to attend. Ms. Phelps answered the trainings are held online and Board members are more than welcome to attend.

Ms. Phelps presented the statistical report. Last FY Consumer Protection Services received a total of 512 complaints. Performance Measure 3 shows the average case age and days for all cases that did not result in a referral to the Attorney General's office for formal discipline.

Ms. Phelps added the average case age was 166 days, or 6% higher in comparison to last FY. The target for this performance measure is 180 days and the Board is currently meeting this target.

Ms. Phelps stated that Performance Measure 4 captures the average case age and days for the cases that were referred to the Attorney General's (AG's) office for formal discipline. In Q4 there were 13 cases were finalized at the AG's office, which took an average of 535 days from receipt of complaint to final outcome, with the total for the FY being 41 cases finalizing, taking an average of 764 days to complete.

Ms. Phelps shared that this FY, 512 new cases completed, 501 desk investigations were completed, 44 citations were issued, and the Board referred

656 58 cases to the Office of the Attorney General and closed 41 cases after referral
657 to the Office of the Attorney General.

658
659 Ms. Phelps shared that the current workload is 410 open cases being reviewed
660 and/or investigated, and 20 cases initiated in 2021 or earlier. Some of these are
661 complicated investigations, but most are companions to a more recent case,
662 that must be investigated before the outcome of the earlier cases can be
663 decided. She added several of these cases represent individuals on probation
664 where the case has been returned to the enforcement analyst for further
665 investigation and further action due to additional violations. Additionally, there
666 were 49 cases opened in 2022, 142 cases from 2023, and 199 cases initiated
667 in 2024.

668
669 Ms. Phelps reported that the 3-year performance report shows the complaint
670 volume has slowly increased from year to year, with a total of 50 more
671 complaints received last FY, compared to FY 21/22, where other performance
672 measures have fluctuated minimally, which is expected due to the average
673 being reported over hundreds of cases per year.

674
675 Ms. Phelps shared the disciplinary summary for all discipline issues in Q4: 2
676 public letters of reprimand were issued, 2 licenses were placed on probation,
677 and 2 licensees lost their privilege to practice: 1 stipulated surrender and 1 by
678 default revocation order.

679
680 **20. Probation Monitoring Services Update**

681 (A) Program Updates

682 (B) Statistical Updates

683
684 Mr. Martin reported that in Q4 there was a high of 74 licensees on probation at any
685 one time or another for various causes. Besides the 53 licensees on probation and
686 actively working in the State of California, there were an additional 7 probationers
687 on probation that are out of state or tolling or not receiving credit toward the
688 completion of the probation and 14 in state probationers tolling either
689 underemployed or not employed in the State. Additionally, there were 2 licensees
690 placed on probation, and 2 licensees successfully completed probation in the final
691 quarter.

692

693 Mr. Martin added that of the 53 licensees that are not tolling, 10 are enrolled in
694 participating in the Board substance abuse rehabilitation program, which equals
695 about 19% of the licensees that are in state and on probation; 1 license enrolled in
696 that program in the final quarter, and 0 license completed the program in the
697 quarter.

698
699 Ms. Martin shared there were 9 instances of non-compliance with probation in the
700 quarter for the entire FY 23/24. There were approximately 22 instances of non-
701 compliance, where 12 of those were for out- of- state licensees not showing up for
702 scheduled interviews; 3 licensees are currently being revoked for non-compliance.
703 The other was due to not showing up for scheduled interviews with Mr. Martin or
704 not turning in quarterly reports or turning them in late.

705
706 Mr. Martin added that over the past 3 years, the number of licensees on probation
707 has fluctuated from 72 participates in FY 21/22, to 80 participants in FY 22/23 and
708 back down to 74 in FY 23/24. In FY 21/22, 23 licensees were placed on probation
709 as opposed to 16 in FY 22/23, due to the end of the COVID-19. Additionally, there
710 was also a significant decrease in the number of licensees that entered probation
711 in FY 23/24 from 16 to 9, which is a number closer to the average number of
712 licensees placed on probation in any given year according to past data.

713
714 Lastly, Mr. Martin shared the number of licensees that completed probation over
715 the last 3 years dipped down from 9 in FY 21/22 to 6 in FY 22/23 and back up to 9
716 in FY 23/24. The number of Maximus participants has decreased from 11
717 participants in FY 21/22 to 8 in FY 22/23 and back up to 10 in FY 23/24.

718

719 **21. Student Q&A**

720
721 Students from Sacramento State University, Sacramento went before the Board
722 and introduced themselves. Students from Sacramento State University asked
723 questions, which ranged from what the investigation process is for Physical
724 Therapist that participate in unsafe activities and is Artificial intelligence being
725 discussed or concerned about.

726
727 Ms. McMillian thanked the students for asking members questions.

728 729 **22. Public Comment on Items Not on the Agenda**

730
731 The Board requested public comment on items not on the agenda, and there was
732 no public comment.

733

734 **23. Agenda for Future Meeting**

December 5-6, 2024

735

Department of Consumer Affairs

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737

738

Dr. Rabena-Amen asked for a discussion on dry needling.

739 **24. Adjournment**

740

741

The meeting adjourned at 3:06 p.m. p.m. on September 18, 2024.

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