



Physical Therapy Board of California

STATE AND CONSUMER SERVICES AGENCY – ARNOLD SCHWARZENEGGER, GOVERNOR

## Physical Therapy Board of California

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## REVISED

### PUBLIC NOTICE BOARD MEETING AGENDA

**May 12, 2010 8:30 AM**

**May 13, 2010 8:00 AM**

Loma Linda University  
24760 Stewart Street  
4<sup>th</sup> Floor Conference Room  
Loma Linda, California 92350  
<http://www.llu.edu/map/>

**Notice: Action may be taken on any item on the agenda. Agenda items may be taken out of order. Please refer to the informational notes at the end of the agenda.**

**Unless otherwise indicated, all agenda items will be held in OPEN SESSION. THE PUBLIC IS ENCOURAGED TO ATTEND.**

#### Call to Order and Roll Call

**1. Approval of Minutes**

(A) January 28 & 29, 2010 Board Meeting Minutes

**2. President's Report – Sara Takii, PT**

(A) Update

(B) 2010/2011 PTBC Meeting Dates

**3. Executive Officer's Report – Steven K. Hartzell**

(A) Update

(B) FY 2009-2010, FY 2010-2011 Budget

(C) Substance Abuse Coordination Committee

**4. Consumer Protection Services Enforcement Report – Elsa Ybarra**

(A) Update

(B) Statistics

**5. Application & Licensing Services Report – Ilda Romo**

(A) Update

(B) Statistics

**6. Consumer and Professional Associations and Intergovernmental Relations Report –**

*Steven K. Hartzell*

- (A) California Physical Therapy Association (CPTA)
- (B) FSBPT
- (C) DCA Director's Report – *DCA Representative*
- (D) Department of Consumer Affairs, Division of Investigation – *Jack Hagan*

**7. Legislation Update – Sarah Conley**

- (A) AB 1152 – Horse racing: advance deposit wagering: jockey retirement plan  
(Original bill discussed physical therapists being shareholders, officers, directors, or professional employees of a medical or podiatric corporation)  
Author(s): Anderson
- (B) AB 1478 – Written acknowledgement: medical nutrition therapy  
Author(s): Ammiano
- (C) AB 1518 – State and government: boards, commissions, committees: report  
Author(s): Anderson
- (D) AB 1542 – Medical homes  
Author(s): Committee on Health (Assembly Members Jones [Chair], Adams, Ammaino, Block, Carter, De La Torre, De Leon, Hayashi, Hernandez, Bonnie Lowenthal, Nava, V. Manuel Perez, and Salas)
- (E) AB 1659 – State government: agency repeals  
Author(s): Huber
- (F) AB 1822 – Massage therapy  
Author(s): Swanson
- (G) AB 2130 – Professions and vocations: sunset review  
Author(s): Huber
- (H) AB 2382 – California State University: Doctor of Physical Therapy degrees  
Author(s): Blumenfield
- (I) AB 2466 – Regulations: legislative validation: effective date  
Author(s): Smyth
- (J) AB 2529 – State agencies: regulations: review  
Author(s): Fuentes
- (K) AB 2603 – Administrative regulations: reductions  
Author(s): Gaines
- (L) AB 2699 – Healing arts: licensure exemption  
Author(s): Bass
- (M) AB 2738 – Regulations: agency statement of reasons  
Author(s): Niello
- (N) SB 700 – Healing arts: peer review  
Author(s): Negrete McLeod
- (O) SB 761 – Health manpower pilot projects  
Author(s): Aanestad
- (P) SB 1111 – Regulatory boards  
Author(s): Negrete McLeod
- (Q) SB 1172 – Regulatory boards: diversion programs  
Author(s): Negrete McLeod

**8. Draft Regulatory Language for Board Consideration and Possible Action for the Following Sections of Division 13.2 of Title 16 California Code of Regulations (Physical Therapy Board of California) – Rebecca Marco**

- (A) Abandonment of Applications  
1398.21, 1398.21.1, 1398.23, 1398.24, 1398.27, 1398.42, 1399.10

- (B) Credential Evaluation Services  
1398.25, 1398.26.1
- (C) Clinical Service Requirements for Foreign Educated Physical Therapist Applicants  
1398.26.5
- (D) Disciplinary Guidelines including Continuing Competency  
1399.15
- (E) Physical Therapy Assistant Equivalency Training and Experience  
1398.47
- (F) Unprofessional Conduct  
Regulation number(s) to be determined
- (G) Delegation of Executive Officer Authority  
Regulation number(s) to be determined
- (H) Components of SB 1111 (Consumer Protection Enforcement Initiative) that may be adopted through regulation  
Regulation number(s) to be determined

**9. CPTA's Request to Define the Terms "Patient" and "Client" in a Physical Therapist Clinical Setting in Regards to Wellness**

**10. Special Order of Business – Wednesday, May 12, 2010, 1:00 pm  
Regulatory Hearing on the Proposed Language for the Following Sections of the California Code of Regulations, Title 16, Division 13.2:**

- (A) Article 4, Physical Therapy Assistant. Section 1398.44: Adequate Supervision Defined
- (B) Article 6, Physical Therapy Aides. Section 1399: Requirements for Use of Aides
- (C) Article 12, Topical Medications. Section 1399.85: Patient Documentation

**11. Introduction of Board Members and Orientation for Students**

**12. Special Order of Business – Thursday, May 13, 2010, 8:30 am  
Hearing on Petition for Termination of Probation – Ruel Hernandez, PT**  
After submission of the matter, the Board will convene in CLOSED SESSION to deliberate per Government Code section 11126 (c) (3)

**13. Special Order of Business – Thursday, May 13, 2010, Immediately Following Agenda Item #12  
Hearing on Petition for Termination of Probation – Thomas Werderits, PT**  
After submission of the matter, the Board will convene in CLOSED SESSION to deliberate per Government Code section 11126 (c) (3)

**14. Disciplinary Decisions**  
The Board will convene in CLOSED SESSION to deliberate on disciplinary actions pursuant to Government Code section 11126 (c) (3).

**15. Public Comment on Items not on the Agenda**

**16. Agenda Items for Next Meeting – Wednesday, July 28, 2010 – Sacramento, California**

**17. Adjournment**

Times state are approximate and subject to change. Agenda order is tentative and may be changed by the Board without prior notice. This meeting will conform to the Bagley-Keene Open Meeting Act. Agenda discussions and report items are subject to action being taken on them during the meeting by the Board at its discretion. The Board

provides the public the opportunity at the meetings to address each agenda item during the Board's discussion or consideration of the item. Total time allocated for public comment on particular issues may be limited.

The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Sarah Conley at (916) 561-8200, email [Sarah\\_Conley@dca.ca.gov](mailto:Sarah_Conley@dca.ca.gov), or send a written request to The Physical Therapy Board of California 2005 Evergreen Street, Suite 1350 Sacramento, CA 95815. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.