



Physical Therapy Board of California

STATE AND CONSUMER SERVICES AGENCY - GOVERNOR EDMUND G. BROWN JR.

# Physical Therapy Board of California

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### Board Members

Debra Alviso, PT, DPT, President

Martha Jewell, Ph.D., PT, Vice-President

Donald Chu, Ph.D., PT, ATC, CSCS

Sara Takii, PT, DPT, MPA

James Turner, MPA

Carol Wallisch, MA, MPH

## Physical Therapy Board of California **AMENDED** Notice of Public Meeting

**August 1, 2012 9:00 a.m.**

**August 2, 2012 9:00 a.m.**

### Board Staff

Rebecca Marco, Executive Officer

Liz Constancio, Manager

Jason Kaiser, Manager

Sarah Conley, Analyst

**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. 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.**

**A live webcast of the meeting will be available at [www.ptbc.ca.gov](http://www.ptbc.ca.gov).**

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## Amended Agenda

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### 1. Call to Order and Roll Call

### 2. Closed Session

(A) Pursuant to Government Code Section 11126(c)(3)

Deliberation on Disciplinary Actions

(B) Pursuant to Government Code section 11126(e)

US Equal Employment Opportunity Commission (EEOC) Charge

Number: 555-2012-00027

(C) Pursuant to Government Code section 11126(a)(1)

Appointment, Employment, Evaluation of Executive Officer

(D) Pursuant to Government Code section 11126(c)(1)

Discussion of California Law Exam (CLE) Security Concerns if CLE Used as a Component of the Continuing Competency Program and to Prepare, Approve, Grade or Administer the CLE

### 3. Approval of Meeting Minutes

(B) May 9 & 10, 2012

(C) May 30, 2012

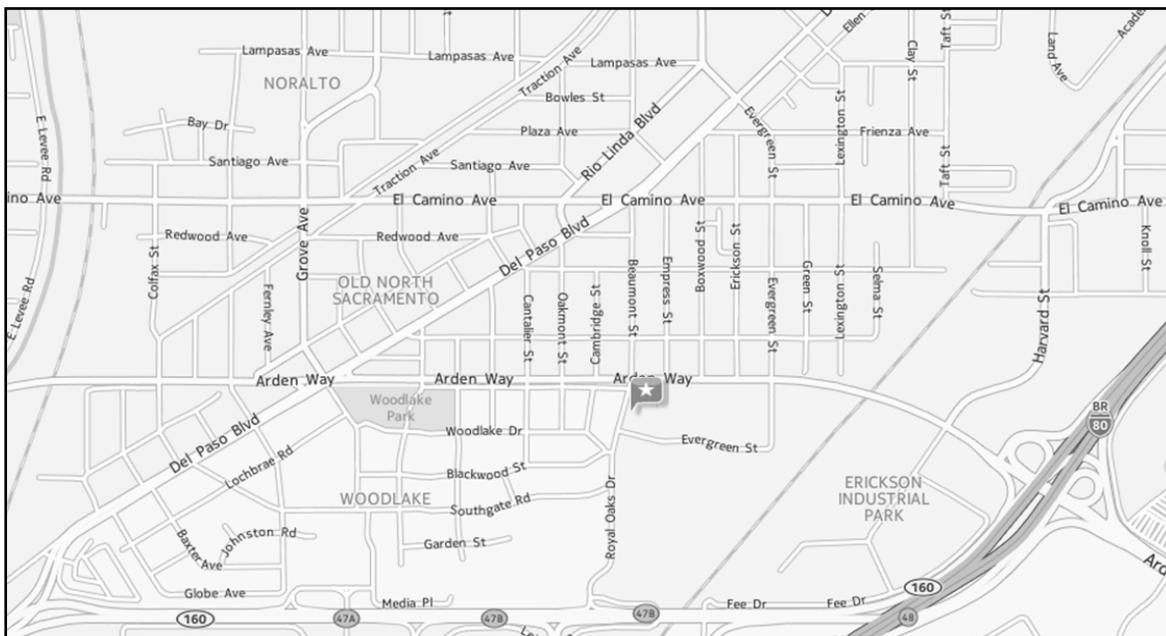
### 4. President's Report – *Dr. Debra Alviso*

- (A) 2012/2013 Meeting Calendar
- 5. **Executive Officer's Report** – *Rebecca Marco*
  - (A) Bureau of State Audits' Findings of Board Audit
- 6. **Administrative Services Report** – *Liz Constancio*
- 7. **Application & Licensing Services Report** – *Liz Constancio*
- 8. **Consumer Protection Services Enforcement Report** – *Jason Kaiser*
  - (A) Performance Measures
  - (B) Disciplinary Summary
- 9. **Continuing Competency Report** – *Jason Kaiser*
- 10. **Consumer and Professional Associations and Intergovernmental Relations Report**
  - (A) Department of Consumer Affairs (DCA) – *Reichel Everhart*
  - (B) California Physical Therapy Association (CPTA)
  - (C) Federation of State Boards of Physical Therapy (FSBPT)
- 11. **Legislation Report on Relevant 2011/2012 Bills with Staff Recommendations to Board** – *Sarah Conley*
- 12. **Special Order of Business – August 2, 2012 9:00 a.m. Hearing on Petition for Reinstatement** – **Anthony del Zompo**

After submission of the matter, the Board will convene in CLOSED SESSION to deliberate per Government Code section 11126(c)(3).
- 13. **DCA BreEZe Presentation** – *Sean O'Connor, BreEZe Business Project Manager*

BreEZe is an automation system that will provide all of the Department of Consumer Affairs' customers with an integrated licensing and enforcement information technology solution.
- 14. **2012 Rulemaking Calendar Update**– *Sarah Conley*
- 15. **Required E-mail Filing Draft Regulatory Language for Board Consideration and Possible Action for Section 1398.6 of Division 13.2 of Title 16 of the California Code of Regulations** – *Sarah Conley*
- 16. **Modified Text for Board Consideration and Possible Action for Guidelines for Issuing Citations and Imposing Discipline, Section 1399.15 of Division 13.2 of Title 16 of the California Code of Regulations** – *Elsa Ybarra*
- 17. **Uniform Standards Regarding Substance-Abusing Healing Arts Licensees (SB 1441) Language for Board Consideration and Possible Action for Section Number(s) to be Determined of Division 13.2 of Title 16 of the California Code of Regulations** – *Elsa Ybarra*
- 18. **Notice to Consumers Draft Regulatory Language for Board Consideration and Possible Action for Section Number(s) to be Determined of Division 13.2 of Title 16 of the California Code of Regulations** – *Sarah Conley*

19. **Board Consideration of Public Request for Regulatory Action Regarding Notification to Patient of Responsible Care Provider Pursuant to Government Code section 11340.7**
20. **Board Consideration of Continuing Competency Alternate Pathway**
  - (A) Presentation by Jason Tonley, PT, DPT, OCS, from the American Board of Physical Therapy Residency and Fellowship Education (ABPTRFE)
  - (B) Staff Comments
21. **Adoption of Precedential Decision**  
Ernest Sluder, PT  
PTBC Case Numbers ID 2008 66674 and 1D 2001 68256
22. **Public Comment on Items Not on the Agenda**
23. **Agenda Items for Next Meeting – Ohlone College, Newark, CA**
24. **Adjournment**



Times stated 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) 561-8210, e-mail [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.