



PHYSICAL THERAPY
BOARD OF CALIFORNIA

September 13–14, 2023
BOARD MEETING

West Coast University
590 North Vermont Ave.
Los Angeles, CA 90004
Room #372

PHYSICAL THERAPY BOARD OF CALIFORNIA

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

Phone: (916) 561-8200 Fax: (916) 263-2560

www.ptbc.ca.gov

PHYSICAL THERAPY BOARD OF CALIFORNIA NOTICE OF PUBLIC MEETING

September 13, 2023 9 a.m.

September 14, 2023 9 a.m.

West Coast University
590 North Vermont Ave.
Los Angeles, CA 90004
Room #372

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

Tonia McMillian, *President*

Dayle Armstrong, Ph.D., P.T., M.S., DPT, *Vice President*

Karen Brandon P.T., DSc P.T., *Member*

Katarina Eleby, M.A., *Member*

Sam Qiu, *Member*

Alicia Rabena-Amen, P.T., DPT, *Member*

Vacant, *Professional Member*

BOARD STAFF

Jason Kaiser, *Executive Officer*

Sarah Conley, *Assistant Executive Officer*

Brooke Arneson, *Legislation and Regulation Manager*

Carole Phelps, *Consumer Protection Services Manager*

Liz Constancio, *Administrative Services Manager*

Valerie Kearney, *Licensing Manager*

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.



CALIFORNIA DEPARTMENT OF
CONSUMER
AFFAIRS

Agenda – Wednesday, September 13th

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. **Review and Approval of March 22-23, 2023, Meeting Minutes** – *Kim Rozakis*
5. **President's Report** – *Tonia McMillian*
 - (A) **2023 Meeting Calendar**
 - (B) **2024 Proposed Meeting Calendar**
6. **Executive Officer's Report** – *Jason Kaiser*
 - (A) **Administrative Services**
 - i. **Staffing**
 - (B) **Licensing Services**
 - (C) **Consumer Protection Services**
7. **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)**
8. **Website Presentation** – *April Beauchamps & Vincent Azar*
9. **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
10. **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).)
11. **Recess**

Agenda – Thursday, September 14th

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

12. Call to Order - 9:00 a.m.

13. Roll Call and Establishment of Quorum

14. Reading of the Board's Mission Statement

15. Federal Military Spouse Licensing Relief Act – Michael Kanotz

16. Legislation Report – Brooke Arneson

(A) 2022/23 Legislative Session Summary

- 1) AB 47 (Boerner Horvath) Pelvic Floor Physical Therapy Coverage
- 2) AB 381 (Blanca Rubio) Teacher Credentialing: Services Credential with a Specialization in Health: Occupational and Physical Therapists
- 3) AB 796 (Weber) Athletic Trainers
- 4) AB 814 (Lowenthal) Veterinary Medicine: Animal Physical Rehabilitation
- 5) AB 820 (Reyes) State Boards and Commissions: Seniors
- 6) AB 931 (Irwin) Prior Authorization: Physical Therapy
- 7) AB 996 (Low) DCA: Continuing Education: Conflict-of-Interest Policy
- 8) AB 1028 (McKinnor) Reporting of Crimes: Mandated Reporters
- 9) AB 1163 (Luz Rivas) State Forms: Lesbian, Gay, Bisexual and Transgender Disparities Reduction Act
- 10) AB 1751 (Gipson) Opioid Prescriptions: Information: Nonpharmacological Treatments for Pain
- 11) SB 14 (Grove, Caballero, and Rubio) Violent Felonies: Serious Felonies: Human Trafficking
- 12) SB 143 (Committee on Budget & Fiscal Review): State Government
- 13) SB 268 (Gil) Crimes: Serious and Violent Felonies
- 14) SB 372 (Menjivar) DCA: Licensee and Registrant Records: Name and Gender Changes
- 15) SB 525 (Durazo) Minimum Wage: Health Care Workers
- 16) SB 544 (Laird) Bagley-Keene Open Meeting Act: Teleconferencing
- 17) SB 816 (Roth) Professions and Vocations

17. Rulemaking Report – Brooke Arneson

(A) 2023 Rulemaking Update for Pending or Proposed Regulations

- 1) Amendments to 16 CCR section 1398.26.5 – Clinical Service Requirements for Foreign Educated Applicants Completing a Supervised Clinical Practice in the United States
- 2) Update Regarding the Development of Possible Amendments to the Board's Continuing Competency Regulations

18. Communication & Education Update – April Beauchamps

(A) Outreach

19. Administrative Services Update – Alicia Hernandez

(A) Budget Report

20. Licensing Services Update – Valerie Kearney

(A) Program Updates

(B) Statistical Reports

21. Consumer Protection Services Update – Carole Phelps

(A) Program Updates

(B) Statistical Reports

22. Probation Monitoring Services Update – Carole Phelps

23. 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).)

24. 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. 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 Kim Rozakis at (916) 561-8279, e-mail: Kimberlie.Rozakis@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.

ROLL CALL

**Wednesday,
September 12, 2023**

	Present	Absent
Tonia McMillian, President		
Dayle Armstrong, Ph.D, PT, MS, DPT Vice-President		
Karen Brandon, P.T., DsC P.T.		
Katarina Eleby, M.A.		
Samuel Qiu		
Alicia Rabena-Amen, PT, DPT		

**Thursday,
September 13, 2023**

	Present	Absent
Tonia McMillian, President		
Dayle Armstrong, Ph.D, PT, MS, DPT Vice-President		
Karen Brandon, P.T., DsC P.T.		
Katarina Eleby, M.A.		
Samuel Qiu		
Alicia Rabena-Amen, PT, DPT		



1

Board Members

President

Tonia McMillian

Vice-President

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

Members

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

Daniel Drummer, PT, DPT

Katarina Eleby, M.A

Johnathon Ervin

Alicia Rabena-Amen, PT, DPT

Physical Therapy Board of California
Draft Meeting Minutes

March 22-23, 2023 9:00 a.m.

University of the Pacific
751 Brookside Rd., Stockton, CA 95211
Chan Family Health Sciences and
Learning Center
PHS 110/111

Board Staff

Jason Kaiser, Executive Officer

Sarah Conley, Assistant Executive

Officer

Brooke Arneson, Specialist

Liz Constancio, Manager

Carole Phelps, Manager

Vacant, 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.

5

6

7

8

9

1. Call to Order

10 The Physical Therapy Board of California (Board) meeting was called to order
11 by President Ms. McMillian at 9:00 a.m. and recessed at 2:46 p.m. on March 22,
12 2023.

13

14

2. Roll Call and Establishment of Quorum

15

16

17

18

19

20

21

22

23

McMillian - Present
Armstrong- Present
Brandon - Present
Drummer - Present
Eleby – Present
Ervin - Absent
Rabena-Amen - Present

24

25

26

27

28

29

30

All members were present with the exception of Mr. Ervin, 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; Carole Phelps,
Enforcement Manager; and Board staff Kim Rozakis and Alicia Hernandez.

31 **3. Reading of the Board's Mission Statement**

32
33 Dr. Brandon read the Board's mission statement: To advance and protect the
34 interests of the people of California by the effective administration of the
35 Physical Therapy Practice Act.
36

37 **4. Special Order of Business – 9:05 a.m.**

38 **(A) Petition of Early Termination – George Ghattas, PT**

39 *After submission of the matters, the Board will convene in CLOSED SESSION*
40 *to deliberate on the petitions pursuant to Government Code section 11126(c)(3)*
41

42 **5. Closed Session**

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

46 (B) Pursuant to Government Code section 11126(a)(1), the Board will convene
47 to Consider the Evaluation of Performance of the Executive Officer
48

49 The Board entered into closed session at 10:49 a.m. and reconvened into open
50 session to break for lunch at 12:02 p.m. on March 22, 2023.
51

52 **6. Review and Approval of December 7-8, 2022, Meeting Minutes – Kim**
53 **Rozakis**
54

55 Ms. Rozakis presented the draft December 7-8, 2022, meeting minutes. Dr.
56 Brandon requested that on page 13, line 176 "department" should be
57 "departments." Dr. Armstrong requested that page 15, line 246 should be
58 "pursuing" instead of "pursing." Dr. Armstrong requested that on page 15, line
59 25 should read " which will bring ads to people's phones where they will be
60 directed to CPTA's website." Dr. Brandon requested that on page 21, line 458
61 should read "PTBC's outreach program which educates soon to be graduates".
62 Ms. Rozakis notified the members that page 22, line 506 "CPS" should be "CC."
63 Dr. Brandon requested on page 22, line 524 "Alexander" should be "Alexandria."
64 Dr. Armstrong requested that page 23, line 550 should show "Performance
65 Measure one as Performance Measure 1 (PM1)." Dr. Brandon requested on
66 page 24, line 272 that "should" be changed to "there were".
67

68 **MOTION:** Adopt the proposed December 7-8, 2022, Meeting
69 Minutes as amended.
70

71 **M/S:** McMillian/Rabena-Amen

72
73 **VOTE:** McMillian - Present
74 Armstrong- Present
75 Brandon - Present
76 Drummer - Present
77 Eleby – Present
78 Ervin - Absent
79 Rabena-Amen - Present
80 6-0 Ayes, Motion Carried
81

82 **7. President's Report – Tonia McMillian**

83
84 (A) Board's Member Swearing In

85
86 Ms. McMillian swore in Dr. Brandon and Dr. Armstrong
87

88 (B) 2023 Meeting Calendar

89
90 Mr. Kaiser stated the next Board Meeting will be in Sacramento in June
91 and there is a tentative location in Southern California in September.
92 Additionally, he stated we are always looking for additional campuses and
93 one of the areas we are trying to center on is in the Bay Area for March.
94 Lastly, Mr. Kaiser asked the members to check their 2023 calendars for
95 any conflicts, but he had no additional changes to the calendar.
96

97 Dr. Rabena-Amen clarified if June will be a 3-day meeting. Mr. Kaiser
98 responded that June 2023 will be a 3-day meeting and the 1st day of the
99 June meeting will be focusing on PTBC's Strategic Planning session.
100

101 Ms. Eleby had a question regarding the dates for FSBPT in July, the dates
102 on the meeting materials show July 22 and 23, 2023. Mr. Kaiser verified
103 the date is July 15 and 16, 2023. PTBC staff stated that they would edit
104 the calendar to reflect this change.
105

106 (C) 2024 Proposed Meeting Calendar

107 Mr. Kaiser stated for the Sacramento meeting, PTBC has scheduled DCA-
108 NorthMarket-Hearing Room(1st Fl. South, #102) for June meeting, but we
109 are always looking for schools in Southern California or Bay Area to that are
110 willing to host the Board Meetings. Mr. Kaiser added that we currently do
111 not have any schools that will be hosting for 2024 yet.
112

113
114 **8. Executive Officer's Report – Jason Kaiser**
115

116 **(A) Administrative Services**

117 1) Staffing

118 Mr. Kaiser congratulated Dr. Brandon and Dr. Armstrong on their swearing
119 in and this will be the last meeting for Dr. Drummer and thanked Dr.
120 Drummer for his commitment and service.
121

122 Mr. Kaiser updated the members that the Board's Consumer Protection
123 Services Manager position has been filled by Ms. Carole Phelps. Mr. Kaiser
124 added the Analyst position under Admin has been filled by Ms. Alicia
125 Hernandez. Mr. Kaiser stated staff is finalizing recruitment for the
126 Application and Licensing Services Unit Manager vacancy and is expected
127 to make a hire in the near future.
128

129 Mr. Kaiser reported to the members there a few vacancies, 2 full-time
130 Analysts in the Consumer Protection Unit and effective July 1, 2023, 2 full-
131 time analysts in the Licensing Services Unit. Mr. Kaiser added we have a
132 new addition to the PTBC family, Outreach Liaison April Beauchamps has
133 welcomed a baby girl named Zinnia.
134

135 Lastly, Mr. Kaiser reported on Outreach to the members and acknowledged
136 the absence of the Communication and Education Liaison, April
137 Beauchamps who is out on maternity leave and that staff are trying to
138 maintain the level of excellence when it comes to PTBC's social media
139 presence and outreach and there may be some feedback upon April's
140 return.
141

142 **(B) Licensing Services**
143

144 Mr. Kaiser updated the member on Application Services and stated that
145 there are now 23 CAPTE accredited PTA programs in California with
146 another 7 in development and 18 CAPTE accredited PT programs with 1 in
147 development. Mr. Kaiser added that there is an anticipation of ongoing
148 increases in applications received and 35% of intake applications are
149 endorsement candidate or licensees who are coming from out of state. Mr.
150 Kaiser thanked Application Services staff for doing such a great job with
151 getting applicants licensed as quickly as possible.

152
153 **(C) Consumer Protection Services**

154 Mr. Kaiser updated the members on PTBC's Consumer Protection Services
155 Program and that he is appreciative of Ms. Phelps for stepping into the
156 management role and thanked staff for managing their own caseload and
157 keeping him on track while the CPS manager position was vacant.
158

159 **9. 2018-2022 Strategic Planning Final Report – Jason Kaiser & Sarah Conley**

160
161 Mr. Kaiser presented to the members he has been reflecting back on the
162 Strategic Planning Process of the last FY 2018-2022 Strategic Plan and how
163 quickly it went by. Mr. Kaiser shared since we last created the Strategic Plan,
164 we have seen 2 different Presidents, 2 different Governors, and 2 different
165 Directors of the Department of Consumer Affairs. He added that the Strategic
166 Plan has spanned over 10 different board members in the composition over the
167 PTBC and over 80% of PTBC Staff have seen the plan from beginning to end.
168 In addition, we didn't know what COVID was at the time and we couldn't of
169 predicated the changes it would bring. Mr. Kaiser stated that we learned how
170 to work from home, we learned how to work in new ways, and we learned how
171 to be nimble and as agile as possible in the future. Most importantly, we learned
172 we understood our mandate at a very core level and we were able to succeed
173 in a very trying time. We are now well into the endemic, but the lessons we
174 have learned during the pandemic are still fresh in our minds. Mr. Kaiser added
175 that the flexibility and resiliency will show up in the creation of the new Strategic
176 Plan and looking at the close of the strategic plan we wanted to look at the
177 successes and the shortcomings.
178

179 Mr. Kaiser shared the first set of goals, Enforcement. Goal 1.1, Identify and
180 implement improvement to the investigation and discipline process to decrease
181 enforcement processing times was complete. PTBC was able to assess and
182 update our performance measures with more reasonable timelines as well as
183 streamlining and modernizing those processes.
184

185 Mr. Kaiser shared Goal 1.2: Identify and establish additional position authority
186 for the probation monitoring program to help ensure effective monitoring of
187 probationers was complete. PTBC was able to establish a second probation

188 monitor position however that was sidelined by the pandemic, and we will
189 continue to review the need for additional monitor. But with combination of less
190 probationers and tele-means to monitor them, we have determined a single
191 monitor is sufficient for now and have reutilized that position authority for other
192 areas in the Enforcement Unit.

193
194 Mr. Kaiser shared Goal 1.3: Facilitate and promote consistent, effective,
195 efficient communication with enforcement stakeholders to optimize the quality
196 of services was complete. In an effort to go green and as a result of the
197 pandemic we now have better methods of communication with the Attorney
198 General's Office (AG) and the Division of Investigation (DOI). For example,
199 there are scheduled monthly meetings with both organizations where it is an
200 opportunity f to check in, trouble shoot caseloads, and make sure everybody's
201 on the same track where that ultimately shrinks down time it takes for each
202 case. Mr. Kaiser reported that in another way to go green and the result of the
203 pandemic we are also using new tools in technology like secure web portals
204 where we can deposit case materials for AG or DOI review and also receive
205 that material back, which is more efficient.

206
207 Mr. Kaiser shared Goal 1.4: Review and revise enforcement procedure
208 manuals to reflect current business process to enhance the quality,
209 consistency, and sustainability of the enforcement program was complete. He
210 added that procedure manuals have always been kept at the board and we
211 have managed to keep the manuals update and current and staff are always
212 maintaining procedure manuals as we streamline processes.

213
214 Dr. Rabena-Amen asked what metrics are used. Mr. Kaiser responded some
215 have definite metrics when it comes to Performance Measures (PM's) with the
216 days and being able to attain the goals. Some of them like Probation Monitor
217 or even improving communication, we will provide examples on how those
218 areas were improved. For example, in the effort to go green and as a result of
219 the pandemic, we now have better methods of communication with the
220 Attorney's Office and the Division of Investigation. For example, they schedule
221 monthly meetings with both organizations where it is an opportunity for them to
222 check in, trouble shoot caseloads, and make sure everybody's on the same
223 track where that ultimately shrinks down the time it takes for each case.

Dr. Rabena-Amen thanked the Enforcement Unit for all of their work and for meeting these goals.

Ms. Conley shared the second set of goals, Licensing to the members. Goal 2.1: Evaluate and optimize the continuing competency program to determine and improve the effectiveness of the program was incomplete. Ms. Conley reported that staff began activities towards this objective, however unfortunately, in March 2020 with the pandemic, DCA issued a waiver for continuing competency which was in effect until March 2022. She added that, during that time we had an applications team member that was assigned to contact tracing and the application unit was down resources. Ms. Conley stated that for those reasons, the application staff was redirected to the Applications and Licensing Program and continuing competency (CC) activities were put on hold. On July 1, 2022, CC staff resumed CC activities and are hoping to pick up where they left off and work on the proposed CC regulation in the coming years.

Ms. Conley shared Goal 2.2: Evaluate and establish position authority for the continuing competency program to help ensure effective operations was complete. She stated that the Competency Program and the Administrative Services Program worked together to determine what is needed to successfully administer the CC program. A hire was made to fill that position, however, unfortunately, the position was redirected to Applications

Ms. Conley shared Goal 2.3: Promote transparency and accessibility of licensing requirements and process to improve the stakeholder experience was complete. She added that we have done an evaluation of the material that is provided to applicants and licensees as far as the application process and license maintenance requests and updated that information on the website. Additionally, we are doing outreach, going out and explaining even further into detail requirements and process which has been a big part of improving that transparency and taking away any questions the applicants may have. PTBC staff are also sharing initial license information with the application, so they know what the expectations are, and they also have a program liaison so the program director can reach out with any questions and there is only one point of contact.

262 Dr. Rabena-Amen had a question on whether there was any surveying of
263 stakeholder experience to compare a pre and post change. Ms. Conley
264 responded that there are continuous surveys and survey data from the
265 beginning of the Strategic plan as well as the end.

266
267 Ms. Conley shared Goal 2.4: Analyst the program's operations and modify
268 them, if needed, to provide reasonable processing times while maintaining
269 consumer protection is incomplete. Ms. Conley stated that we have a new
270 application transaction in the BreEZe system which has streamlined the
271 process both for applicants as well as staff. In addition, we have evaluated the
272 processes just to see where we can internally cut additional time. PTBC staff
273 have also looked at what can fit in the process to make it easier and get it out
274 quicker while making sure they are maintaining consumer protection and
275 verifying all requirements are met. Ms. Conley thanked the applications team
276 for the improvements. Ms. Conley also added, BreEZe has helped a lot with
277 putting everything on their online account and communication through e-mail
278 and is seeing decreased processing time and increased satisfaction with
279 services.

280
281 Ms. Rabena-Amen asked how staff feels about Goal 2.4 being incomplete. Ms.
282 Conley responded that the foreign trained applicants did not get a full
283 evaluation of its process, and this is something we want to continue to work on.
284 Mr. Kaiser added with the efforts that were put into streamlining the U.S.
285 graduates process we want to be able to provide that same level of assessment
286 and efficiency for foreign trained. He added that we have not had a chance to
287 do that but there have been some steps that may have been improved like
288 adding coursework tool six or adding the performance evaluation tool from
289 FSBPT to the evaluation process. Mr. Kaiser stated the next step is to take a
290 look at the actual process and see if there are barriers that can be removed.

291
292 Ms. Conley shared Goal 2.5: Review and revise licensing procedure manuals
293 to reflect current business processes to enhance the quality, consistency, and
294 sustainability of the licensing program is complete. She added that Procedure
295 Manuals are important to meet the mandate and ensure requirements are met
296 for best customer services and we want to have consistency and well-informed
297 staff. Ms. Conley stated that a record is also provided so staff can periodically
298 assess these procedures and processes with the current environment and

make changes as necessary to be up to date and document why things are done.

Mr. Kaiser shared the third set of goals, Communication and Education. Goal 3.1: Identify and establish position authority and resources to enhance the relevant and timely information provided to stakeholders is complete. Mr. Kaiser shared that we were able to establish a full-time permanent position as the Communication Education Liaison, and during the transition of this strategic plan we created a limited-term position to see if there was on going workload that would make it necessary for a full-time position, which there was.

Mr. Kaiser shared Goal 3.2: Develop and promote an outreach campaign for consumers of physical therapy to enhance awareness and communicate for consumer protection was incomplete. Mr. Kaiser stated that during COVID-19 we focused the communication for consumers on pandemic related guidance that was department wide but struggled to find meaningful outreach opportunities to consumer directly as it pertained to physical therapy. He added that not being able to go out and meet face to face was one of the reasons this was a challenge and that there is room for improvements. This will discussed for the future strategic plan due to this being a challenging target to hit.

Mr. Kaiser shared Goal 3.3: Collaborate with educational programs to improve understanding about the application process and the role of the board was complete. He stated that we had a goal to complete outreach presentations for 32 PT and PTA programs of which we superseded, and we have now provided 40 out of 41 programs and the majority of these presentations were done multiple times. Mr. Kaiser stated that we try to provide two sessions to each cohort; one session that is all about the board, composition and its mandate (laws/ethics); and the second session is on the application process. Mr. Kaiser thanked Ms. Beauchamps for meeting this goal.

Mr. Kaiser shared Goal 3.4: Develop and adapt a communication and education strategy to inform all stakeholders about the regulation of the profession was complete. He stated that almost all of the publication has been revised and rebranded in one voice and as an example; our About Us, Menu of Services, Host a Board Meeting flyer, Newsletter, revised the Model Guidelines for Issuing Citations and Imposing Discipline all of which are out-facing documents for the public.

Mr. Kaiser shared Goal 3.5: Capitalize on the use of existing technologies (e.g., Facebook, website, Twitter, YouTube, e-blast, etc.) to enhance education and communication is complete. He added that content was provided for consumers, licensees, applicants and students via Facebook, Twitter, Instagram, LinkedIn, YouTube, listserv and Tick-Tock.

Mr. Kaiser shared Goal 3.6: Develop a procedure manual to reflect current business processes to enhance the quality, consistency, and sustainability of the communication and education program was complete. He stated that Ms. Beauchamps was tasked this, and her manual is so detailed that anyone could follow it.

Mr. Kaiser shared the fourth set of goals, Organizational Effectiveness. Goal 4.1: Relocate the board's office to an appropriately sized location to adequately support existing program operation and projected growth was complete. He stated that we managed to relocate to a larger space in a middle of a pandemic and under budget.

Mr. Kaiser shared Goal 4.2: Establish an assistant executive officer position to correct the structural imbalance faced by the board and further its mandate of consumer protection is complete. He stated that we have achieved this goal in establishing an AEO position for the Board.

Mr. Kaiser shared Goal 4.3: Establish appropriate position authority to effectively support board program and mandates is complete. He added that we have an established Probation Monitor, Continuing Competency Analyst, Outreach Liaison and Assistant Executive Officer and secure personnel for the Applications Unit and the Administrative Services Unit.

Mr. Kaiser shared Goal 4.4: Explore and establish effective methods to improve and expedite BreZE system functionality to enhance efficiency and provide better services to stakeholders is complete. He added that we have made numerous improvements to BreZE for both the applications and licensing side of things and the enforcement side is an ongoing project.

Mr. Kaiser shared Goal 4.5: Explore and develop an effective and consistent system to improve internal communication is complete. He added that part of

375 this is pandemic related, where we had a whole new communication system
376 like Outlook and Teams and Teams has created an ability for the Board to
377 communicate internally in an efficient way.
378

379 Mr. Kaiser shared Goal 4.6: Establish and improve expectations and methods
380 of communication and engaging with external stakeholders to strengthen
381 customer service and foster relationships while enforcing the board's mandate
382 is complete. He added that regular check-ins with our professional association
383 both post and prior to board meetings and we are in the process of establishing
384 a permanent position for the legislation and regulation liaison with the board.
385

386 Mr. Kaiser shared Goal 4.7: Review and revise administrative procedure
387 manuals to reflect current business processes to improve the quality,
388 consistency, and sustainability of the administrative unit is complete. He added
389 we have taken the lessons learned from the Application and Licensing and
390 Enforcement Units and applied those to creating procedure manuals for all
391 those tasks that would be considered executive or administrative.
392

393 **10. Strategic Planning Training SOLID – Shelly Jones**

394 Ms. Jones and Ms. Ronnie presented a brief overview on the importance of
395 Strategic Planning and the process DCA SOLID has in place to assist Boards
396 and Bureaus in developing and updating their Strategic Plans.
397

398 **11. Consumer and Professional Associations and Intergovernmental** 399 **Relations Report**

400
401 (A) Federation of State Board of Physical Therapy (FSBPT)
402

403 Mr. Kaiser updated the members that last month he attended the first in-
404 person meeting of the sexual misconduct committee for FSBPT to establish
405 best practices as it pertains to practitioners and what consumers can also
406 expect in certain situations, which included, resources for students, existing
407 practitioners, and consumers. Mr. Kaiser added that PTBC will present
408 some of those materials to the Leadership Issues Forum held in July 2023.
409

410 Mr. Kaiser added in addition to the Leadership Issues Forum being held in
411 July, FSBPT has added a third day and FSBPT has invited the board to
412 attend their model Practice Act workshop being held on July 17, 2023. He
413 stated that this invitation is collaborative and will be joined by
414 representatives from CPTA and that he looks forward to joining CPTA in
415 this venture.
416

417 (B) Department of Consumes (DCA) – Executive Office
418

419 Ms. Jones reported to the members DCA is currently implementing Diversity
420 Equity and Inclusion (DEI), there is a Steering Committee for that. Ms.
421 Jones added at the end of January the Committee met and focused on
422 training in Q1 2023, there will be regular reoccurring training opportunities
423 provided. Ms. Jones added March 3, 2023, Training Unit led a full day of
424 training for DEI Steering Committee, the training included four modules
425 (understanding the value of DEI in the workplace, learning to navigate
426 diverse conversations, decoding our unconscious biases and unleashing
427 the power of generalization differences).
428

429 Ms. Jones stated on March 20, 2023, executive officers and bureau chiefs
430 attended half hour DEI leadership training to gain a general understating of
431 DEI, in late April the SOLID trainers will be DEI certified and will offer DEI
432 related training to all DCA employees by June. Additionally, the DEI
433 Committee is scheduled to meet on May 12, 2023.
434

435 Ms. Jones added that SOLID has updated their Strategic Planning Process
436 that includes Equity Analysis, Environmental Scan Survey and the SWOT
437 Analysis and have now included DEI questions to assist Boards and
438 Bureaus in developing DEI related goals and objectives.
439

440 Ms. Jones stated DCA has launched a centralized page on DCA's website,
441 in that webpage they will house all of DCA's Board and Bureau strategic
442 plans.
443

444 Ms. Jones reminded the members now is a great time to review all the
445 required board member trainings and submit certifications of completion to
446 the Executive Officer and DCA at the member relations e-mail. Ms. Jones
447 added there are two DCA wide mandatory trainings for 2023, Sexual

448 Harassment Prevention Training and Information Security Awareness
449 Training and can be accessed through Learning Management System
450 (LMS). Additionally, Ms. Jones reminded the members that Board Member
451 Orientation must be complete within the 1st year of appointment or re-
452 appointment, Ethics Training within 6 months of appointment and every 2
453 years there-after and Defensive Drivers Training within the 1st year then
454 every 4 years there-after.

455 Ms. Jones added for more information on trainings a page has been created
456 to help members identify access and track trainings. This page can be found
457 on the DCA webpage under DCA Board Member Resource Center.
458

459 Ms. Jones added regarding the virtual meetings and Bagley Keene Open
460 Meeting Act, Legislation passed last year that amended provisions of the
461 Bagley Keen will extend the ability of State bodies to conduct public
462 meetings virtually until July 1, 2023. Under the current provision no physical
463 meeting location is necessary and board member locations do not need to
464 be open to the public and members of the public can participate virtually or
465 telephonically. Ms. Jones recently added SB 544 was amended to include
466 Bagley Keen provisions, more information will follow.
467

468 Ms. Jones stated after July 1, 2023, Boards and Bureaus will not be allowed
469 to conduct meetings virtually without noticing locations of Board members
470 and will need to return to those teleconferencing requirements unless
471 additional legislation is enacted. Additionally, Board Bureau Relations
472 (BBR) winter newsletter was published in January that includes an
473 introduction of DCA's Board and Bureau Relations team along with helpful
474 resources training details and Department updates. The newsletter can be
475 found on DCA webpage.
476

477 (C) California Physical Therapy Association (CPTA)

478
479 Ms. Island updated the members on a few reminders. She stated that CPTA
480 will be hosting its annual conference this year in Long Beach, CA and
481 extended an invitation to PTBC to have an exhibit. She added that CPTA
482 has been working on a legislative project 2 years ago CPTA created a task
483 force to look at the modernization of the PT scope in CA, and that workgroup
484 completed its charge and has developed proposed legislative language and
485 would like the opportunity to share that language with the Board for

486 feedback. Ms. Island stated that CPTA anticipates introducing this bill in
487 early 2024 or 2025 if they are successful in finding an author. She added
488 that in the next couple of months members of CPTA will have the
489 opportunity to view the proposed language and provide feedback.
490

491 Dr. Armstrong asked Ms. Island on an update from December 2022 meeting
492 regarding credentialing for PTs and OTs in the school district. Ms. Island
493 responded that a bill was introduced; AB 381, which members will have the
494 opportunity to look at and possibly discuss during the Legislation Report.
495 Ms. Island added that AB381 creates an opportunity for Physical Therapist
496 and Occupational Therapist to no longer be prohibited from obtaining a
497 Health Care Services credential. Currently the statutes read Physical
498 Therapist and Occupational Therapist are prohibited from obtaining a health
499 care service credential. Ms. Island clarified AB381 strikes the language
500 allowing that first step in PTs and OTs obtaining an Entry level credential
501 then advanced certification and education would allow the second step of
502 that which would secure health care service credential for those in the
503 school-based setting.
504

505 Mr. Kaiser added the Board is scheduled to provide a Webinar Wednesday
506 on April 12, 2023, that will cover ethics, law and regulation as well as a Q&A
507 portion.

508
509 **12. Communication & Education Update – Jason Kaiser**
510 **(A) Outreach**
511

512 Mr. Kaiser reported that Outreach is on track and once Ms. Beauchamps
513 returns there are some projects that are in the works for example, video
514 tutorials for the application process and a couple other transactions that
515 pertains to licensees.
516

517 Ms. Eleby asked Mr. Kaiser if the Board posts anything about association's
518 events so students and licensees are aware of opportunities. Mr. Kaiser
519 responded that has been done in the past and there will be a post regarding
520 the webinar on April 12, 2023, but there has not been a collaboration nature.
521

522 Ms. McMillian stated she has noticed more sign language opportunities to
523 reach the audience, Ms. McMillian asked if sign language will be included in

the future. Mr. Kaiser answered accessibility issues is one of the things that will be found within the webcast for today's meeting as there is a closed captioning option but to assign an interpreter would be a whole different venue and it is something that will be looked into.

Dr. Rabena-Amen asked if there is any news on the new PTBC website. Mr. Kaiser responded that he has been notified that there will be a new working template and redesign of the new website by July 1, 2023. Mr. Kaiser added a lot of work has been completed when it comes to the tabs and design, and in the June meeting 2023 if it's not already published, that the Board can provide a visual capture of the drafts and what the new website will look like.

Dr. Rabena-Amen asked if there will be any opportunity for stakeholder feedback on the new website. Mr. Kaiser responded there will be built-in survey links in different sections of the website will include a customer service-based survey. Mr. Kaiser added feedback is always welcome and if there are good ideas, he will try to implement them.

Dr. Brandon asked if there is a model the Board is drafting the website after. Mr. Kaiser answered there are typical website templates that are designated for state service and there are a few to choose from. Mr. Kaiser added they are similar in nature, but the outlines are a little bit different from others, but 60-70% of Boards and Bureau's within the Department of Consumer Affairs have transitioned to the more modern template

13. Public Comment on Items Not on the Agenda

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

14. Recess

The meeting recessed at 2:46 p.m. on March 22, 2023.

Thursday, March 23, 2023

15. 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 11:31 a.m. on March 23, 2023.

16. Roll Call and Establishment of Quorum

McMillian - Present
Armstrong- Present
Brandon - Present
Drummer - Present
Eleby – Present
Ervin - Absent
Rabena-Amen - Present

All members were present with the exception of Mr. Ervin, 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; Carole Phelps, Enforcement Manager; and Board staff Kim Rozakis and Alicia Hernandez.

17. Reading of the Board's Mission Statement

Dr. Drummer 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.

18. Legislation Report – Brooke Arneson

Ms. Arneson 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:

(A) 2023/23 Legislative Session Summary

1) AB 47 (Boerner Horvath) Pelvic Floor Physical Therapy Coverage

Ms. Arneson reported that AB 47 is currently in the Assembly Health Committee. Ms. Arneson added this bill would require a health care services plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2024, to provide coverage for pelvic floor physical therapy after pregnancy.

600
601 Dr. Brandon stated that she is support of AB 47 because the bill
602 supports quality and regulative care in California for at risk
603 consumers of physical therapy services. Dr. Rabena-Amen added
604 that she also agrees with this bill because it is very important for
605 consumers to have access to pelvic floor physical therapy care.

606
607 Ms. Defoe from CPTA stated that CPTA is also in support of AB
608 47. Ms. Defoe added she would appreciate the support of the
609 Board for this bill.
610

611 **MOTION:** Move to take a support position on AB 47 and direct
612 PTBC staff to work with the Board President to draft a
613 letter of support and send to the author's office and
614 legislature

615
616 **M/S:** Brandon/Rabena-Amen

617
618 **VOTE:** McMillian - Present
619 Armstrong- Present
620 Brandon - Present
621 Drummer - Present
622 Eleby – Present
623 Ervin - Absent
624 Rabena-Amen - Present
625 6-0 Ayes, Motion Carried
626

627 2) AB 229 (Patterson) Violent Felonies
628

629 Ms. Arneson reported that AB 229 was introduced on January 11,
630 2023 and is currently in the Assembly Public Safety Committee and
631 on March 15, 2023, it failed passage in that Committee. Ms.
632 Arneson added existing law defines the term "violent felony" for
633 various purposes, including, among others, enhancing the
634 punishment for felonies pursuant to existing sentencing provisions
635 commonly known as the Three Strikes Law. Ms. Arneson added
636 this bill would expand the crimes that are within the definition of a
637 violent felony for all purposes, including for purposes of the Three
638 Strikes Law, to include additional forms of sexual crimes, as

defined, human traffic, as defined, and felony domestic violence, as defined.

3) AB 381 (Blanca Rubio) Teacher Credentialing: Services Credential with a Specialization in Health: Occupational and Physical Therapists

Ms. Arneson reported that AB 381 was introduced on February 2, 2023, and is currently in the Assembly Education Committee. Ms. Arneson stated this bill would allow occupational therapists and physical therapists to use their specialization to hold teacher credentials with a specialized in health. Ms. Arneson added this bill specifically would delete the provision specifying that services as an occupational therapist or physical therapist are not health services for purpose of a services credential with a specialization in health.

Mr. Drummer asked if a form of this bill was presented last year. Mr. Kaiser responded yes, and that the Board took a support position on that bill at that time.

Ms. Defoe from CPTA, added that AB 381 is a CPTA sponsored bill, and this is the third iteration of the bill, and it is the same as the bill from the prior legislative session. Ms. Defoe added that CPTA has more support for this bill this year and they feel very positive and would appreciate the Board's support.

MOTION: Move to take a support position on AB 381 and direct PTBC staff to work with the Board President to draft a letter of support and send to the author's office and legislature

M/S: Drummer/Rabena-Amen

VOTE: McMillian - Present
Armstrong- Present
Brandon - Present
Drummer - Present

677 Eleby – Present
678 Ervin - Absent
679 Rabena-Amen - Present
680 6-0 Ayes, Motion Carried
681

682 4) AB 557 (Hart) Open Meetings: Local Agencies: Teleconferences
683

684 Ms. Arneson reported that AB 557 was introduced February 8,
685 2023, and is currently in the Assembly Local Government
686 Committee. Mr. Arneson added that this bill would until January 1,
687 2026, extend the time required to make specified findings related
688 to teleconferenced meetings being held by legislative bodies
689 operating under the Ralph M. Brown Act during declared states of
690 emergency.
691

692 5) AB 796 (Weber) Athletic Trainers
693

694 Ms. Arneson reported that AB 796 was introduced on February 13,
695 2023, and is currently in the Assembly Business and Professions
696 Committee and the Assembly Committee on Arts, Entertainment,
697 Sports and Tourism. Ms. Arneson added this bill would enact the
698 Athletic Training Practice Act, which would establish, until January
699 1, 2028, the California Board of Athletic Training within the
700 Department of Consumer Affairs to exercise licensing, regulatory,
701 and disciplinary functions under the Act. Ms. Arneson added this
702 bill would prohibit a person from practicing as an athletic trainer or
703 using certain titles or terms without being licensed by the new
704 board.
705

706 Dr. Rabena-Amen asked if in AB 796 there a duplicative service
707 similar to Physical Therapists. Mr. Kaiser responded that yes, there
708 would be inference overlap.
709

710 Ms. Defoe from CPTA added that CPTA are watching the bill but
711 haven't taken a formal position. Ms. Defoe added at this time, as it
712 is written, the bill doesn't adequately define the scope and is vague

713 in that specific area along with the supervision requirements are
714 not quite where they would like to see them.

715
716 6) AB 814 (Lowenthal) Veterinary Medicine: Animal Physical
717 Rehabilitation
718

719 Ms. Arneson reported that AB 814 was introduced on February 13,
720 2023, and is currently in the Assembly. Ms. Arneson added the
721 Veterinary Medicine Practice Act provides for the licensure and
722 regulation of veterinarians and the practice of veterinary medicine
723 by the Veterinary Medical Board, which is within the Department of
724 Consumer Affairs. Ms. Arneson added that act makes it unlawful
725 for any person to practice veterinary medicine in this state without
726 a license and provides that the practice of veterinary medicine
727 includes, among other things, the treatment of whatever nature for
728 the prevention, cure, or relief of a wound, fracture, bodily injury, or
729 disease of an animal. Ms. Arneson added this bill would state the
730 intent of the Legislature to enact subsequent legislation to
731 authorize a veterinarian to refer an animal to licensed physical
732 therapist holding an advanced certification to provided animal
733 physical rehabilitation under the supervision of the veterinarian.
734

735 Dr. Drummer asked if Mr. Kaiser knows where the Veterinary
736 Medical Board stands at this point in the legislative session. Mr.
737 Kaiser responded that he doesn't believe Vet Med has had an
738 opportunity to discuss or confirm an actual position on the
739 proposed legislation.
740

741 Dr. Brandon asked if there is any information regarding the
742 advance's certification requirements, and if there is one entity that's
743 identifying the requirement. Mr. Kaiser responded that he is aware
744 but would like Ms. Atlas from the Physical Therapy Coalition to
745 address this question.
746

747 Ms. Atlas presented to the members that APTA seeks to establish
748 common sense laws and regulations to increase safe access to
749 animal care in California and it has been established there is an
750 access to care crisis for owners seeking treatment for their pets.

Ms. Atlas added they recognize animal rehab is one area of care where access issues can be mitigated with a legislative remedy. Ms. Atlas added that it is the intent of the legislature to enact language to address the access to animal rehab care deficiency in California. She added that as amended, AB 814 does not create a new special license for PTs to practice physical therapy on animals but provides a pathway for licensed PTs who has received advanced education training and certification in animal rehab to register with the Veterinary Medical Board to become a legitimate provider of these services. Ms. Atlas added that a Doctor of Veterinary Medicine would then be empowered once they have examined, diagnosed, and determined that rehab care would be beneficial for their animal patient then they can refer their animal patient to an authorized physical therapist and provide their supervision. Ms. Atlas added there are numerous supporting AB 814 including CPTA, PTs, veterinarians, animal welfare organizations, educators and consumers.

Mr. Ayers, the lobbyist representing the Animal Physical Therapy Collation added that he is happy to work with the Board on this bill.

Dr. Rabena-Amen asked Mr. Kaiser if the Board is receiving notification from other Boards in a timely manner for possible violation on a dual licensee. Mr. Kaiser responded it is far and infrequent in between, a Board would need to have enough time to investigate a case before they make a decision as to defer to the PT Board for investigation. Dr. Rabena asked if an amendment would be necessary. Mr. Kaiser answered that the PT board are one those Boards with the Department of Consumer Affairs that has a lot of overlap with other Boards in the Department of Consumer Affairs. Mr. Kaiser added anytime where a Board within Department of Consumer Affairs sanctions their licensees who also happen to be a licensee with PTBC, the Board has the authority to look at that and determine whether to not there is a nexus to practice and whether it's substantially related to act accordingly.

Dr. Drummer had a question for Ms. Atlas regarding the advanced certification and if she has any insight as to what that may

789 potentially look like. Ms. Atlas answered that there are three
790 certifications' programs in the United States that certify physical
791 therapist and veterinarians to practice animal rehabilitation
792 confidently. She added that other states that have already enacted
793 legislation regarding animal rehabilitation instead of naming an
794 institution to certify these licensees, rather they outlined the criteria
795 and course work that is necessary to accomplish. Ms. Atlas added
796 this bill that is being proposed is to have the Veterinary Board and
797 Physical Therapy Board work together to figure out what that
798 competency looks like for the State of California.

800 Dr. Drummer asked how many states allow physical therapists to
801 practice on animals. Ms. Atlas answered she believes there are
802 seven, she stated that Nevada, Colorado, and Nebraska have
803 some really nice regulations that are clearly stated and are working
804 well. Ms. Atlas contacted the board authorities of those 3 states,
805 and they all had zero complaints of harm and negligence and zero
806 disciplinary actions and complaints.

807
808 Dr. Drummer asked Ms. Atlas if there are any states that are silent
809 on the issues and would passively allow physical therapists that
810 don't have express provisions against it and Ms. Atlas responded,
811 Oregon.

812
813 Dr. Drummer asked Ms. Atlas how she is able to work with animals.
814 Ms. Atlas responded she has a practice where she has a managing
815 veterinarian who holds a premise permit and requires a referral
816 from a veterinarian. Ms. Atlas added her on-site veterinarian
817 establishes a veterinarian client relationship and then is able to
818 work under their supervision. Ms. Atlas added that the Physical
819 Therapy Practice Act is only related to humans.

820
821 Ms. McMillian asked Ms. Atlas if a referral from a veterinarian is
822 mandated. Ms. Atlas answered no, veterinarians are only allowed
823 to refer to other veterinarians.

824
825 Mr. Kaiser asked Ms. Atlas what the proposal looks like on the VMB
826 side. Ms. Atlas responded they are calling it an authorization of it is

not necessarily a certification. Ms. Atlas added you are not able to receive one of these rehab premises permits unless the physical therapist is already qualified with the appropriate education.

Dr. Rabena-Amen asked if someone holds a premise permit, is that permit something VMB can take a disciplinary position on. Mr. Kaiser responded the premise permit allows the Veterinary Medical Board jurisdiction to the premise (inspection, approval). Dr. Rabena-Amend asked what disciplinary action equivalent is in this authorization. Mr. Kaiser responded based on the veterinarian onsite, VMB carves out jurisdiction appropriate clinical care, sanitization, etc. Mr. Kaiser added they can withdraw that as well, during an inspection, they can do a site and fine or a discipline against the actual premise permit.

Ms. Defoe from CPTA stated that they are in support of this bill and are working closely with Ms. Atlas. She added that this bill was seen before, and this bill as written, makes sense and provides more administration and oversight then there currently is and allows PTs to practice in their own site.

7) AB 820 (Reyes) State Boards and Commissions: Seniors

Ms. Arneson reported that AB 820 was amended on March 20, 2023, and is currently in the Assembly Aging and Long-Term Care Committee. Ms. Arneson added that this bill requires that the composition of various advisory groups and bodies to include a state agency official that advocates on behalf of older adults as defined, or a representative from an organization that serves or advocates on behalf of older adults. Ms. Arneson added older adults is defined as a person 60 years of age or older.

Dr. Raben-Amen asked if the bill is wanting someone who is an older adult on boards and committees or are they wanting someone who advocates for older adults. Ms. Arneson answered as the language stands now it's both, they want somebody who's going to advocate for that, or one representing the senior demographic to have a larger demographic of older adults on boards.

8) AB 931 (Irwin) Prior Authorization: Physical Therapy

Ms. Arneson reported that AB 931 was introduced on February 14, 2023, and is currently in the Assembly Health Committee. Ms. Arneson added this bill would prohibit a health care services plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2025, that provides coverage for physical therapy from imposing prior authorization for the initial 12 treatment visits for a new episode of care for physical therapy.

Ms. Defoe from CPTA stated AB 931 is a CPTA sponsored bill, and that this bill is another iteration of a bill from last session but even more simplified from last session due to this bill really focusing on the number of visits that would be allowed before prior authorization as needed. Ms. Defoe added CPTA thinks this is really important due to this issue creating a lot of barriers to care and delays for patient's interruptions of care and takes away from time of practice. Ms. Defoe would love the support of the board as CPTA sees this as an access to care and consumer issue.

Mr. Kaiser added this is a catch-up bill for AB 1000 and third-party payers would be paying for direct access and right now the difficulty is because they are not, it limits direct access to a cash pay basis. Ms. Defoe added this bill really is allowing the patient to get all the care that is needed and that's included in their insurance and that is decided by the physical therapist and many times referred by their physicians. Ms. Defoe added the ability to get that care right away and continue with that care without any delays or interruption that come from the prior authorization review process.

Dr. Drummer asked Ms. Defoe if there are specific insurance companies that are demanding prior authorization. Ms. Defoe answered it is across the board and is more a third-party payer issue.

Dr. Brandon asked Ms. Defoe if there is a reason or evidence supporting the 12 visits. Ms. Defoe responded studies show 12 is

903 the average number of visits that are required to get the patient
904 what they need. Dr. Rabena-Amen added that Physical Therapists
905 need to do what's right for the client, if that's six visits or twelve
906 visit, but when she gets three and can't see them the second week
907 and there is a problem. Dr. Rabena-Amen clarified insurances
908 sometimes only give three visits. Ms. Defoe added three is very
909 typical and the PT determines the level and have them available in
910 their insurance that is paid.

911 **MOTION:** Move to take a support position on AB 931 and direct
912 PTBC staff to work with the Board President to draft a
913 letter of support and send to the author's office and
914 legislature

915
916 **M/S:** Brandon/Rabena-Amen

917
918 **VOTE:** McMillian - Present
919 Armstrong- Present
920 Brandon - Present
921 Drummer - Present
922 Eleby – Present
923 Ervin - Absent
924 Rabena-Amen - Present
925 6-0 Ayes, Motion Carried

926
927 9) AB 996 (Low) DCA: Continuing Education: Conflict-of-Interest
928 Policy

929 Ms. Arneson reported that AB 996 was introduced on February 15,
930 2023 and is currently in the Assembly Business and Professions
931 Committee. Ms. Arneson added that this bill would require entities
932 within the DCA, who require licensees to satisfy continuing
933 education requirements, to develop and maintain a conflict-of-
934 interest policy that discourages the use of any continuing education
935 course, if the provider of that course has an economic interest in a
936 commercial product or enterprise promoted in that course. Ms.
937 Arneson added the Board has ready has a conflict-of-interest policy
938 defined in the Boards regulation for "standards for approval
939 agencies" specifically in CCR 1399.95(f).

940 Dr. Rabena-Amen asked that if this bill was to go through, would
941 this create a situation like the retired status where the Board
942 already has something, and the Board would have to review it all
943 over again. Mr. Kaiser responded no, the retired status provision
944 was granted when during the legislative session, a bill was
945 introduced that added the ability for any Board and Bureau under
946 the Department of Consumer Affairs in the general provisions to
947 create a retired status. Mr. Kaiser added the conflict at that time,
948 was there additional functionality, while the Board already had a
949 retirement status the Board like the new general provision better
950 because of its specificity.

951 10) AB 1028 (McKinnor) Reporting of Crimes: Mandated Reporters
952

953 Ms. Arneson reported that AB 1028 was introduced on February
954 15, 2023 and is currently in the Assembly Public Safety Committee.
955 Ms. Arneson added that the current law requires health
956 practitioners, as defined, to make a report to law enforcement when
957 they suspect a patient has suffered physical injury that is either self-
958 inflicted, caused by a firearm, or caused by assaultive or abusive
959 conduct, including elder abuse, sexual assault, or torture. Ms.
960 Arneson added this bill would, on and after January 1, 2025, remove
961 the requirement that a health practitioners make a report to law
962 enforcement when they suspect a patient has suffered physical
963 injury caused by assaultive or abusive conduct.

964
965 Ms. McMillian had a motion to draft a letter of opposition, but the
966 motion was not second. Therefore, the motion has died.

967
968 Ms. Eleby stated that this bill gives discretion more to the health
969 care practitioner and gives the patient a little more privacy if they
970 don't want law enforcement involved and they were injured before
971 assumptions are made. Ms. Eleby would like to learn more about
972 this bill before taking a hard position.

973
974 Ms. McMillian stated she was in favor of opposing this bill, she
975 added that if you are counting on a person who is being abused to
976 report it historically it will not happen. Ms. McMillian added you
977 cannot expect a health practitioner to ignore injuries they are

978 seeing because a patient does not want them to report it to law
979 enforcement, sometimes these decisions are lifesaving.

980
981 Ms. Rabena-Amen stated as a mandated reporter if there is
982 suspicion, we report it, the lines would be very blurred for her.

983
984 Dr. Drummer stated the bill as he sees it now, it does not prohibit
985 anybody from reporting, this bill only removed the obligation to
986 report. Dr. Drummer would like to wait until the June meeting to see
987 if more information is provided regarding the provisions of this bill.

988
989 Mr. Kaiser added that he and Ms. Arneson will have an open
990 conversation with the author and bring back the relevance to the
991 Board at the June meeting.

992
993 Ms. Defoe from CPTA stated that she will take this bill back to
994 CPTAs Government Affairs Committee.

995
996 11)AB 1070 (Low) DCA: Vacancies
997

998 Ms. Arneson reported that AB 1070 was introduced February 15,
999 2023. Ms. Arneson added this bill is spot bill relative to the
1000 Director's duty to notify the legislature of any chief or executive
1001 officer position.

1002
1003 12) AB 1751 (Gibson) Opioid Prescriptions: Information:
1004 Nonpharmacological Treatments for Pain
1005

1006 Ms. Arneson reported that AB 1751 was introduced on February
1007 17, 2023, and is currently in the Assembly Health and Business
1008 and Professions Committees. Ms. Arneson added current law
1009 requires a prescriber before directly dispensing or issuing for a
1010 minor the first prescription for a controlled substance containing an
1011 opioid in a single course of treatment, to discuss specified
1012 information with the minor, the minor's parent or guardian, or
1013 another adult authorized to consent to the minor's medical
1014 treatment. Ms. Arneson added this bill would extend that
1015 requirement for the prescriber by applying it to any patient, not only

1016 a minor and would also require the prescriber to discuss the
1017 availability of nonpharmacological treatments for pain. For
1018 purposes of this bill nonpharmacological treatments for pain are
1019 defined to include but are not limited to acupuncture, chiropractic
1020 care, physical therapy, occupational therapy and licensed mental
1021 health provider services.

1022
1023
1024 13) SB 14 (Grove, Caballero, and Rubio) Violent Felonies: Serious
1025 Felonies: Human Trafficking

1026
1027 Mr. Arneson reported that SB 14 was amended in the Senate on
1028 February 23, 2023, and is currently in the Senate Public Safety
1029 Committee. Ms. Arneson added current law defines the terms
1030 “serious felony” and “violent felony” for various purposes, including,
1031 among others, enhancing the punishment for felonies pursuant to
1032 existing sentencing provisions commonly known as the Three
1033 Strikes Law. Ms. Arneson added this bill would include human
1034 trafficking within the definition of a serious felony for all purposes,
1035 including for purposes of the Three Strikes Law.

1036
1037 14) SB 259 (Seyarto) Reports Submitted to Legislative Committees

1038
1039 Ms. Arneson reported that SB 259 was introduced on January 30,
1040 2023, and is currently in the Senate Appropriation Committee. Ms.
1041 Arneson added this bill would require a state agency to post on its
1042 internet website any report, as defined in this bill, that the state
1043 agency submits to committee of the Legislature. Ms. Arneson
1044 added for the purpose of this bill, report includes a study, audit or
1045 any report identified in the Legislative Analyst’s supplement Report
1046 of the Budget Act.

1047
1048 15) SB 764 (Padilla) DCA: Regulatory Boards: Removal of Board
1049 Members

1050
1051 Ms. Arneson reported that SB 764 was originally a spot bill
1052 regarding the removal of Board members if a member discloses
1053 questioned in advance of or during the examination; however, it

1054 was amended on March 22, 2023, to be a bill regarding minor users
1055 for social media platforms and is no longer an impact on the PTBC.
1056

1057 16) SB 770 (Wiener) State Boards and Commissions

1058 Ms. Arneson reported that SB 770 was originally a spot bill related
1059 to the composition of state boards and commission however it was
1060 amended on March 20, 2023, to address unified health care
1061 financing and is no longer an impact to the PTBC.

1062 17) SB 816 (Roth) Interior Designers)

1063 Mr. Arneson reported that SB 816 was introduced on February 17,
1064 2023, and is currently in the Senate Business and Professions and
1065 Economic Development Committee. Ms. Arneson added this bill is
1066 the Business and Professions Code omnibus bill. In addition, this
1067 bill would establish the California Council for Interior Design
1068 Certification to govern the certification and regulation of interior
1069 designers. Mr. Kaiser added this bill will be the Omnibus bill for all
1070 of the BMP, any kind of minor modification Department of
1071 Consumer Affairs boards and bureaus are asking to be included in
1072 this bill could hang onto the interior design conversation.

1073 **19. Rulemaking Report – Brooke Arneson**

1074 Ms. Arneson presented the rulemaking report. Ms. Arneson thanked the Boards
1075 regulatory attorney at DCA, Heather Hoganson, and stated that she has been
1076 instrumental in the forward progression of these final rulemaking packages. Ms.
1077 Arneson added Ms. Hoganson has accepted a promotional opportunity at
1078 another agency, and the Board will be assigned a new regulatory counsel in the
1079 upcoming months. Ms. Arneson wishes Ms. Hoganson all the best and
1080 expresses her appreciate for her dedication as PTBC has greatly enjoyed
1081 working with her over the past few years.

1082 **(A) 2023 Rulemaking Update for Pending or Proposed Regulations (Title**
1083 **16, California Code of Regulations (16 CCR))**

1084 1) Proposed Amendments to 16 CCR section 1398.26.1 –
1085 Satisfactory Documentary Evidence of Equivalent Degree for

Licensure as a Physical Therapist of Physical Therapist Assistant/Coursework Tool

Ms. Arneson reported that the Coursework tool regulation was approved by OAL on December 14, 2022, and the regulation became effective January 1, 2023, as the Board asked for an early effective date from OAL. She added that if the Board would have not requested an early effective date, this regulation would have been effective April 1st according to OAL's processing times.

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

Ms. Arneson reported that the Performance Evaluation Tool regulation's final rulemaking package was submitted to OAL on November 7, 2022. Ms. Arneson added during OAL's review they had concerns regarding clarity in the proposed language specifically in subsection (g) and PTBC withdrew the rulemaking package on December 21st and the proposed language was modified per OAL's recommendation. Ms. Arneson stated this modified text was noticed for a 15-day public comment period from February 9th to February 25th and no comments were received. Ms. Arneson reported that she will address the modified proposed language further for Board consideration under Agenda Item 19(B).

3) Proposed Amendments to 16 CCR 1399.18, 1399.50 and 1399.52 – Retired License Status and Physical Therapist and Physical Therapist Assistant Fees

Ms. Arneson reported that the retired license regulation was approved by OAL on December 8, 2022, and also became effective January 1, 2023, as PTBC asked for an early effective date from OAL.

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

Ms. Arneson reported on the continuing competency regulations and stated that PTBC staff are still in the process of researching and developing proposed language for consideration by the Board at future meeting date

Mr. Drummer suggested to add language that would include serving as a Board Member as a potential for satisfying requirements.

(B) Possible Adoption and Response to Comments on 16 CCR sections 1398.26.5, - Clinical Service Requirements for Foreign Educated Applications Completing a Supervised Clinical Practice in the United States

Ms. Arneson reported that during OAL's final review they had concerns regarding clarity in the proposed language and stated that:

"1398.26.5(g) is unclear. The text requires "the user" to create an account to access the PET. The issue is that "user" is ambiguous and could be interpreted to mean either the supervisor and/or the applicant. While the proposed text doesn't define "user," the Initial Statement of Reasons more specifically describes the effect of (g), which is that the "user" would be the supervisor of the applicant. As is, because the text doesn't align with the effect described in the record, and the term "user" could be reasonably interpreted to have more than one meaning, this proposed language is unclear. OAL recommends modifying the text to clarify the provisions of (g) and then making the modified text available for a 15-day notice and comment period."

Ms. Arneson reported that the Board withdrew the proposed rulemaking file and modified the proposed language per OAL's recommendation. No comments were received during the 15-day public comment period. Ms. Arneson stated as seen in the attachment of the proposed language, highlighted in yellow shows the edits most recently made to the text : the modified text first updates FSBPT's website to include the direct link for the PET and additionally clarifies that the email to be used is not the "user" as defined in the originally proposed language, but that of the "supervising physical therapist" which will address the clarity issue. Ms. Arneson added the modified proposed language presented today for Board consideration was discussed with OAL before being

1164 noticed for public comment and OAL indicated that the modifications met
1165 their concerns.
1166

1167 Ms. Arneson added the final steps to the rulemaking process for this
1168 regulation would be resubmitting the final rulemaking package with OAL
1169 for their review and then asking for this regulation to become effective
1170 upon filing with the Secretary of State, if that is not granted by OLA this
1171 regulation will become effective on July 1, 2023.
1172

1173 **MOTION:** Adopt Section 1398.26.5, including the incorporated
1174 forms, as amended by the noticed modifications, and
1175 authorize the Executive Officer to take all steps
1176 necessary to resubmit the rulemaking package to the
1177 Office of Administrative Law to complete the
1178 rulemaking process, including making any technical or
1179 non-substantive changes to the proposed regulations
1180 as necessary
1181

1182 **M/S:** Drummer/Eleby
1183

1184 **VOTE:** McMillian - Present
1185 Armstrong- Present
1186 Brandon - Present
1187 Drummer - Present
1188 Eleby – Present
1189 Ervin - Absent
1190 Rabena-Amen - Present
1191 6-0 Ayes, Motion Carried
1192
1193
1194

1195 **20. Administrative Service Update**
1196 **(A) Budget Report – Alicia Hernandez**
1197

1198 Ms. Hernandez reported to the members at this time they are at a status quo
1199 and are on track going into the Q2. Ms. Hernandez stated PTBC reports
1200 expenditures for Q2 for fiscal year 2022-2023 at 1.7 million which is a slight
1201 increase from last year's Q2, however, on the plus side PTBC has reported an
1202 increase of 5.52% in revenue collection about 2.2 million. Ms. Hernandez added
1203 there is no other action needed as part of the budget report.
1204

21. Licensing Services Update – Valerie Kearney

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

(C) Discussion and Possible Board Action on Removal of Continuing Competency Approval Agency Recognition

- 1) Life Care Centers of America
- 2) Los Robles Hospitals & Medical Center
- 3) Milestone Continuing Education
- 4) Pacific Alliance Medical Center
- 5) Pathways Home Health & Hospice

Ms. Kearney reported that the Applications Unit is headed into the PT and PTA graduation season with no backup of applications. She added that with regards to the applications statistics of the 46 non-captree accredited applications received in Q2, twenty of those were by endorsement, they also received two applications for Electroneuromyography certification bringing the total ENMG certified current PT licensees to 24 and there are 29 ENMG certified PT licenses.

Ms. Kearney stated the 1402 initial license application received represent an increase of 9% over Q1/2 in 2022, 98% of those applications received were submitted online, 93% were U.S. educated and 65% were exam applications and 35% were by endorsement. Foreign educated is non-captree accredited and Military applications were 7% and 3% respectively.

Ms. Kearney added two of these statistics reports are now system generated: the application services and licenses maintenance statistic reports. She stated that the licenses maintenance report included average processing times and she hopes to include processing times on the applications service's statistics report by the June board meeting.

Ms. Kearney stated that license maintenance staff has implemented the retired license status regulation January 1, 2023, and that also in January 2023, licensee request for verification sent to other states was reassigned from the CPS Unit to license maintenance with no impact. Ms. Kearney reported that

1240 there was an error on the continuing competency audit statistic report, the
1241 number of PTs who failed the audit should be 6 not 13 for a total of 19 for Q1
1242 and two. Ms. Kearney added there was a total of 229 PTs audited during the
1243 two quarters with a pass rate of 94% for PTs and 97% for PTAs, she stated that
1244 licensees overall are in compliance.

1245
1246 Ms. Kearney reported approval agency audits by the continuing competency
1247 team are ongoing and there are five agencies for which withdrawal of the
1248 agency approval status are being requested.

1249
1250 Ms. Eleby asked Ms. Kearney where most of the foreign educated applications
1251 comes from. Ms. Kearney responded she did not know off hand but would
1252 provide that at a later date. Mr. Kaiser added Philippines and India.

1253

1254 **MOTION:** Move to withdraw the Approval Agency recognition
1255 from Life Care centers of America as a reasonable
1256 opportunity was given for Agency to respond.

1257
1258 **M/S:** Rabena/Drummer

1259
1260 **VOTE:** McMillian - Present
1261 Armstrong- Present
1262 Brandon - Present
1263 Drummer - Present
1264 Eleby – Present
1265 Ervin - Absent
1266 Rabena-Amen - Present
1267 6-0 Ayes, Motion Carried

1268
1269
1270
1271 **MOTION:** Move to withdraw the Approval Agency recognition
1272 from Los Robles Hospital & Medical Center as a
1273 reasonable opportunity was given for Agency to
1274 respond.

1275
1276 **M/S:** Eleby/Drummer

1277
1278 **VOTE:** McMillian - Present
1279 Armstrong- Present

1280 Brandon - Present
1281 Drummer - Present
1282 Eleby – Present
1283 Ervin - Absent
1284 Rabena-Amen - Present
1285 6-0 Ayes, Motion Carried
1286
1287
1288

1289 **MOTION:** Move to withdraw the Approval Agency recognition
1290 from Milestone Continuing Education as a reasonable
1291 opportunity was given for Agency to respond.
1292

1293 **M/S:** Drummer/Brandon
1294

1295 **VOTE:** McMillian - Present
1296 Armstrong- Present
1297 Brandon - Present
1298 Drummer - Present
1299 Eleby – Present
1300 Ervin - Absent
1301 Rabena-Amen - Present
1302 6-0 Ayes, Motion Carried
1303
1304
1305

1306 **MOTION:** Move to withdraw the Approval Agency recognition
1307 from Pacific Alliance Medical Center as a reasonable
1308 opportunity was given for Agency to respond.
1309

1310 **M/S:** Eleby/Brandon
1311

1312 **VOTE:** McMillian - Present
1313 Armstrong- Present
1314 Brandon - Present
1315 Drummer - Present
1316 Eleby – Present
1317 Ervin - Absent
1318 Rabena-Amen - Present
1319 6-0 Ayes, Motion Carried
1320
1321
1322

MOTION: Move to withdraw the Approval Agency recognition from Pathways Home Health & Hospice as a reasonable opportunity was given for Agency to respond.

M/S: Rabena-Amen/Eleby

VOTE: McMillian - Present
Armstrong- Present
Brandon - Present
Drummer - Present
Eleby – Present
Ervin - Absent
Rabena-Amen - Present
6-0 Ayes, Motion Carried

Ms. Defoe from CPTA stated that the continuing competency regulations are on the rulemaking calendar and looks like the regulations are still in development at this point. Ms. Defoe asked if there will be an opportunity for the public to be involved, and if so, will it be on the rulemaking calendar or will there be an opportunity earlier than that. Ms. Kaiser answered there are no plans for the Board to put together a task force, but there is always an opportunity for stakeholder participation during the promulgation of those regulations.

22. Consumer Protection Services Update – Carole Phelps

(A) Program Updates

(B) Statistical Reports

Ms. Phelps presented to the members that CPS Analyst Vincent Azar transferred to his new position in the Admin Unit in December and she became serving as the CPS Manager in February. She reported that , with those changes CPS are currently short staffed and are working to fill the vacant positions to alleviate the increased workload on the remaining analysts.

Ms. Phelps stated the new facility site visit inspection checklist is now being used by investigators during site visits, and that this checklist was created to aid them in conducting thorough investigations and they will provide an opportunity for feedback.

Ms. Phelps added as of the beginning of December, CPS staff now have access to Lexus Nexus, a public records database that allows the analyst to search individuals they are investigating.

Ms. Phelps stated CPS continues to meet monthly with supervising special investigator over DOI, to have an open line of communication between the Board and DFI. She added that CPS is currently working on reviewing and updating DFI procedures specific to investigating Physical Therapy Board cases, they also continue to meet monthly with the Dag Liaison on cases and to discuss and review improvements to specific procedures and to the overall discipline process.

Ms. Phelps added the CPS unit has experienced many changes this year and has implemented several new tools , procedure updates and improvements to make the Board's investigation process as efficient and effective as possible. Ms. Phelps added staff has met each new challenge and change with flexibility, cooperation and support both to each other and management and they are truly exceptional at what they do.

Ms. Phelps reported to the members on the statical reports. Ms. Phelps added the report covers fiscal year through Q2 which is October to December 2022. Performance Measure 1 (PM1) reports the number of consumer complaints and arrests, or conviction reports the board received. While they have received slightly fewer conviction and arrest reports which is great compared to this time last year, they have received slightly more consumer complaints in that same time.

Ms. Phelps added Performance Measure 2 (PM2) is the average number of days to initiate a complaint once received and to acknowledge receipt of the complaint to the complainant. She added that the target for this performance measure is 9 days and our year-to-date averages 4 days which means they are meeting this target.

Ms. Phelps stated Performance Measure 3 (PM3) is the average number of days to complete investigations and enforcement actions for complaints that are not transmitted to the AG's office for discipline. She added that case gaining averages went down in comparison to the same time period from last fiscal year, and that the numbers fluctuate greatly because they reflect an average of all

cases and encompasses the entire investigative process. Ms. Phelps stated that the target for PM3 is 180 days, and their year-to-date average is 169 days, which means they are meeting this target.

Ms. Phelps reported Performance Measure 4 (PM4) is the average number of days to complete investigations and enforcement actions for complaints that are transmitted to the Attorney General's Office for formal discipline. Ms. Phelps added case gaining averages for this performance measure have increased compared to this time last year, this can be partly due to cases being completed in this quarter that had experienced pandemic related delays. Ms. Phelps added 7 out of the 11 cases that were closed last quarter had aged over three years which means all of those cases were opened pre-pandemic.

Ms. Phelps reported that the discipline summary was included, and it reports all of the disciplinary actions taken by the Board on Q2, 1 licensee was issued a public letter of reprimand and 9 licenses were placed on probation.

Dr. Rabena-Amen asked how PTBC staff finds the utilization of BreEZe on voting. Mr. Kaiser responded guidance from DCA and OIS was to move voting to BreEZe since it is more secure and will not return to the e-mail platform due to the security of those documents.

23. Probation Monitoring Services Update – Carole Phelps

(A) Program Updates

(B) Statistical Reports

Ms. Phelps reported that at the end of Q2 there were 82 licensees on probation and of that total, 70 probationers were actively practicing in California, the remaining 12 were tolling, meaning they were not receiving credit towards the completion of probation because they were either practicing PT or practicing in another state.

Ms. Phelps added there were 8 licensees placed on probation in the quarter and 0 licensees completed probation. Ms. Phelps stated of the 70 licensees that were actively practicing at the end of the quarter, 8 were enrolled and participating in the Board's drug and alcohol recover monitory program which is about 11% of all licenses actively on probation, there were a high of 12 participants in the program during quearter,4 licensees enrolled in the program

and 2 licensees completed the program. Ms. Phelps added of the 4 licensees that entered the program 1 was deemed be clinically inappropriate after the clinical diagnostic evaluation and was released from the program. Ms. Phelps added that no licensees were terminated or withdrew from the program for any reason during this quarter.

Lastly, Ms. Phelps added the probation monitoring unit remains busy as usual with the 1 probation monitor along with moderating the 82 licensees on probation, she added that Mr. Martin has also been working on several petitions for early termination.

24. Public Comment on Items Not on the Agenda

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

**25. Agenda for Future Meeting- June 21-23, 2023
Sacramento, CA**

There were no items to add to the agenda at a future meeting.

26. Adjournment

The meeting adjourned at 11:55 a.m. on March 22, 2023.

Physical Therapy Board of California

Proposed 2023 Meeting Calendar

January							February							March							April						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
1	2	3	4	5	6	7				1	2	3	4				1	2	3	4							1
8	9	10	11	12	13	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11	2	3	4	5	6	7	8
15	16	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18	9	10	11	12	13	14	15
22	23	24	25	26	27	28	19	20	21	22	23	24	25	19	20	21	22	23	24	25	16	17	18	19	20	21	22
29	30	31						26	27	28				26	27	28	29	30	31		23	24	25	26	27	28	29
																					30						

May							June							July							August						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
	1	2	3	4	5	6					1	2	3							1			1	2	3	4	5
7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12
14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19
21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26
28	29	30	31				25	26	27	28	29	30		23	24	25	26	27	28	29	27	28	29	30	31		
														30	31												

September							October							November							December						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
					1	2	1	2	3	4	5	6	7				1	2	3	4						1	2
3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9
10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23
24	25	26	27	28	29	30	29	30	31					26	27	28	29	30			24	25	26	27	28	29	30
																					31						

January							February							March							April						
2	New Year's Day						20	President's Day						10-12	FSBPT REG Training						4-5	PTA NPTE					
4-5	PTA NPTE						22-25	APTA Sections Meeting							Virtual						9	Easter					
16	Martin Luther King Jr							San Diego, CA						22-23	PTBC Meeting						26-27	PT NPTE					
25-26	PT NPTE													31	César Chávez Day												

May							June							July							August						
14	Mother's Day						18	Father's Day						4	Independence Day												
29	Memorial Day						21-23	PTBC Meeting						5-6	PTA NPTE												
								Strategic Plan Meeting						15-16	FSBPT LIF												
								Sacramento, CA						25-26	PT NPTE												

September							October							November							December						
4	Labor Day						4-5	PTA NPTE						10	Veteran's Day						7-8	PTBC Meeting					
13-14	PTBC Meeting						7-8	CPTA Annual Meeting						23	Thanksgiving							Sacramento, CA					
	West Coast University,						19-21	FSBPT Annual Meeting													25	Christmas					
	Los Angeles, CA						25-26	PT NPTE																			
							31	Halloween																			

Physical Therapy Board of California

Proposed 2024 Meeting Calendar

January							February							March							April						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
	1	2	3	4	5	6					1	2	3						1	2		1	2	3	4	5	6
7	8	9	10	11	12	13	4	5	6	7	8	9	10	3	4	5	6	7	8	9	7	8	9	10	11	12	13
14	15	16	17	18	19	20	11	12	13	14	15	16	17	10	11	12	13	14	15	16	14	15	16	17	18	19	20
21	22	23	24	25	26	27	18	19	20	21	22	23	24	17	18	19	20	21	22	23	21	22	23	24	25	26	27
28	29	30	31				25	26	27	28	29			24	25	26	27	28	29	30	28	29	30				
														31													

May							June							July							August						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
			1	2	3	4							1		1	2	3	4	5	6					1	2	3
5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	31
							30																				

September							October							November							December						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
1	2	3	4	5	6	7			1	2	3	4	5						1	2	1	2	3	4	5	6	7
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
29	30						27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

1	New Year's Day	19	President's Day			
15	Martin Luther King Jr					
		31	César Chávez Day			

May		June		July		August	
12	Mother's Day	TBD	FSBPT REG Training Alexandria, VA	4	Independence Day		
TBD	FSBPT BM Training Alexandria, VA	16	Father's Day	2-3	PTA NPTE		
27	Memorial Day	20-21	PTBC Meeting Sacramento, CA	TBD	FSBPT LIF Alexandria, VA		
				29-30	PT NPTE		

September		October		November		December	
2	Labor Day	TBD	FSBPT Annual Meeting	11	Veteran's Day	5-6	PTBC Meeting Sacramento, CA
18-19	PTBC Meeting Loma Linda		TBD	28	Thanksgiving		
		8-9	PTA NPTE			25	Christmas
TBD	CPTA Annual Meeting	29-30	PT NPTE				
TBD	TBD	31	Halloween				



Briefing Paper

Date: August 15, 2023

Agenda Item 16

Prepared for: PTBC Members

Prepared by: Brooke Arneson

Subject: Legislation Report

Purpose:

To provide an update on the 2023/24 Legislative session.

Attachments:

1. [2023 Legislative Calendar](#)
2. [Definition of the Board's Legislative Positions](#)
3. [2023/24 Legislative Summary](#)

Background and Update:

The 2023 Legislative calendar is included in the meeting materials for your reference, along with a copy of the Board's Legislative positions taken from the PTBC's Board Member Administrative Manual.

Also included is the 2023/24 Legislative summary which notes all bills from the current Legislative session. The bills for Board members consideration are grouped into two categories in the legislative summary:

1. Physical Therapy Board Legislation: bills that could potentially impact the PTBC and physical therapy practice, regulation, or the operations of the PTBC.
2. Department-Wide Legislation: bills that could potentially have a department-wide impact or administrative impact to the PTBC.

Recent and Upcoming Legislative Calendar Highlights:

September 8, 2023	Last Day to Amend Bills on Floor
September 14, 2023	Last Day for Each House to Pass Bills
October 14, 2023	Last day for Governor to sign or veto bills passed by the Legislature on or before September 14 and in his possession after September 14
January 1, 2024	Statutes Take Effect

Action:

No action requested.

DEADLINES

JANUARY						
S	M	T	W	TH	F	S
<u>1</u>	2	3	<u>4</u>	5	6	7
8	9	<u>10</u>	11	12	13	14
15	<u>16</u>	17	18	19	<u>20</u>	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	<u>17</u>	18
19	<u>20</u>	21	22	23	24	25
26	27	28				

MARCH						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	<u>30</u>	<u>31</u>	

APRIL						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	<u>10</u>	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	<u>28</u>	29
30						

MAY						
S	M	T	W	TH	F	S
	1	2	3	4	<u>5</u>	6
7	8	9	10	11	<u>12</u>	13
14	15	16	17	18	<u>19</u>	20
21	22	23	24	25	26	27
28	<u>29</u>	<u>30</u>	<u>31</u>			

- Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 4 Legislature **reconvenes** (J.R. 51(a)(1)).
- Jan. 10 Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 16 Martin Luther King, Jr. Day
- Jan. 20 Last day to submit **bill requests** to the Office of Legislative Counsel
- Feb. 17 Last day for bills to **be introduced** (J.R. 61(a),(1)(J.R. 54(a)).
- Feb. 20 Presidents’ Day.
- Mar. 30 **Spring recess** begins upon adjournment of this day’s session (J.R. 51(a)(2)).
- Mar. 31 Cesar Chavez Day.
- Apr. 10 Legislature reconvenes from **Spring recess** (J.R. 51(a)(2)).
- Apr. 28 Last day for **policy committees** to hear and report to **fiscal committees** **fiscal bills** introduced in their house (J.R. 61(a)(2)).
- May 5 Last day for **policy committees** to hear and report to the floor **non-fiscal bills** introduced in their house (J.R. 61(a)(3))
- May 12 Last day for **policy committees** to meet prior to June 5 (J.R. 61(a)(4)).
- May 19 Last day for **fiscal committees** to hear and report to the Floor bills introduced in their house (J.R. 61(a)(5)).

Last day for **fiscal committees** to meet prior to June 5 (J.R. 61(a)(6)).
- May 29 Memorial Day.
- May 30-June 2 **Floor Session Only.** No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(a)(7)).

JUNE						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

- June 2Last day for each house to pass bills introduced in that house (J.R. 61(a)(8)).
- June 5Committee meetings may resume (J.R. 61(a)(9)).
- June 15Budget must be passed by **midnight** (Art. IV, Sec. 12(c)(3)).

JULY						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- July 4Independence Day.
- July 14Last day for **policy committees** to meet and report bills (J.R. 61(a)(10)).
- Summer Recessbegins upon adjournment of session provided Budget Bill has been passed (J.R. 51(a)(3)).

AUGUST						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- Aug. 14Legislature reconvenes from **Summer Recess** (J.R. 51(a)(3)).

SEPTEMBER						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

- Sept. 1Last day for **fiscal committees** to meet and report bills to Floor (J.R. 61(a)(11)).
- Sept. 4Labor Day.
- Sept. 5-14**Floor session only.** No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(a)(12)).
- Sept. 8Last day to **amend** on the floor (J.R. 61(a)(13)).
- Sept. 14Last day for **each house to pass bills** (J.R. 61(a)(14)).
Interim Study Recess begins at the end of this day’s session (J.R. 51(a)(4)).

*Holiday schedule subject to Senate Rules committee approval

IMPORTANT DATES OCCURRING DURING INTERIM STUDY RECESS

- 2023
Oct. 14Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 14 and in his possession after Sept. 14 (Art. IV, Sec.10(b)(1)).
- 2024
Jan. 1Statutes take effect (Art. IV, Sec. 8(c)).
Jan. 3Legislature reconvenes (J.R. 51(a)(4)).

Definitions of the Positions Taken by the Physical Therapy Board Regarding Proposed Legislation (Board Policy)

Watch: The watch position adopted by the Board will indicate concern regarding the proposed legislation. Board staff and members will closely monitor the progress of the proposed legislation and amendments.

Support, if Amended: The Board will take a supportive position and actively lobby the Legislature to amend the proposed legislation.

Support: The Board will actively support proposed legislation and demonstrate support through letter, testimony, and any other action necessary to communicate the support position taken by the Board.

The Board president has the authority to take interim positions on pending legislation on behalf of the Board, if necessary. The interim position taken by the Board president is the interim position of the Board until the next meeting of the Board at which the Board will decide to either ratify the interim position or reject it.

Physical Therapy Board Legislation:**AB 47****Pelvic Floor Physical Therapy Coverage**

Author: Boerner Horvath (D)

Status: 4/28/23 Failed Deadline Pursuant to Rule 61(a)(2). Last Location was Assembly Health Committee. May be acted upon Jan 2024.

Position: Support Position. [Support Letter](#)

Desk	2 Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would require a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2024, to provide coverage for pelvic floor physical therapy after pregnancy.

AB 381**Teacher Credentialing: Services Credential with a Specialization in Health: Occupational and Physical Therapists**

Author: Rubio (D)

Status: 5/19/23 Failed Deadline Pursuant to Rule 61(a)(5). Last Location was Assembly Appropriations Suspense File. May be acted upon Jan 2024.

Position: Support Position. [Support Letter](#)

Desk	2 Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would allow occupational therapists and physical therapists to use their specializations to hold teacher credentials with a specialization in health.

AB 796**Athletic Trainers**

Author: Weber (D)

Status: 7/14/2023 Failed Deadline Pursuant to Rule 61(a)(10). Last Location was Senate Business Professions Economic Development Committee on 6/14/2023. May be Acted Upon Jan 2024.

Position: No Position

Desk	2 Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would enact the Athletic Training Practice Act, which would establish, until January 1, 2028, the Athletic Trainer Registration Committee within the Medical Board of California to register athletic trainers and administer duties under the act. The bill would prohibit a person from practicing as an athletic trainer or using certain titles or terms without being registered by the Committee.

2023/24 Legislative Summary

Agenda Item 16

AB 814

Veterinary Medicine: Animal Physical Rehabilitation

Author: Lowenthal (D)

Status: 7/14/2023 Failed Deadline Pursuant to Rule 61(a)(10). Last Location was Senate Business and Professions Economic Development Committee on 6/14/2023. May be Acted Upon Jan 2014

Position: No Position.

Desk	2 Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would authorize a licensed physical therapist to be registered with the Veterinary Medical Board as a registered animal physical therapist and to provide animal physical rehabilitation, as defined, to an animal if specified requirements are met, including that the registered animal physical therapist performs all delegated animal rehabilitation tasks under the supervision of a veterinarian who has an established veterinarian-client-patient-relationship with the animal. This bill would authorize an animal physical rehabilitation assistant, as defined, to assist with delegated animal rehabilitation tasks subject to specified conditions, including that the tasks are performed under the direct supervision of a registered animal physical therapist. This bill would require the owner or operator of an animal physical rehabilitation facility, as defined, to submit a registration application to the Veterinary Medical Board and pay a registration fee, as prescribed.

AB 820

State Boards and Commissions: Seniors

Author: Reyes (D)

Status: 9/1/2023 Held Under Submission. Last Location was Senate Appropriations Committee Suspense File 8/14/2023.

Position: No Position.

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would require the composition of various advisory groups and bodies to include a state agency official responsible for administering programs that serve, or state commission official that advocates on behalf of, older adults, as defined, or a representative from an organization that serves or advocates on behalf of older adults. For purposes of this bill, "older adult" is defined as a person 60 years of age or older.

AB 931

Prior Authorization: Physical Therapy

Author: Irwin (D)

Status: 9/1/2023 From Committee. Amend and Do Pass as Amended. (Ayes 6 Noes 0). Read Second Time and Amended. Ordered to Second Reading.

Position: Support Position. [Support Letter](#)

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would prohibit a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2025, that provides coverage for physical therapy from imposing prior authorization for the initial 12 treatment visits for a new episode of care for physical therapy. The bill would require a physical therapy provider to verify an enrollee's or an insured's coverage and disclose their share of the cost of care, as specified. The bill would require a physical therapy provider to obtain separate written consent for costs that may not be covered by the enrollee's or insured's plan contract or policy, that includes

2023/24 Legislative Summary

Agenda Item 16

a written estimate of the cost of care for which the enrollee or insured is responsible if coverage is denied or otherwise not applicable. With respect to health care service plans, the bill would specify that its provisions do not apply to Medi-Cal managed care plan contracts.

SB 143

State Government

Author: Committee on
Budgets and Fiscal
Review

Status: 8/28/2023 From Committee with Author's Amendments. Read
Second Time and Amended. Re-referred to Committee on Budget.
Position: No Position.

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

The Bagley-Keene Open Meeting Act requires, with specified exceptions, that all meetings of a state body be open and public, and all persons be permitted to attend any meeting of a state body. The act authorizes meetings through teleconference under specified conditions, including, among others, that each teleconference location be accessible to the public and that at least one member of the state body be physically present at the location specified in the notice of the meeting. Prior to July 1, 2023, current law authorized, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and suspended certain requirements of the act, including the requirements referenced above. This bill, until December 31, 2023, would reinstate the above-described authorization for a state body to hold public meetings through teleconferencing.

SB 544

Bagley-Keene Open Meeting Act: Teleconferencing

Author: Laird (D)

Status: 9/1/2023 From Committee. Do Pass (Ayes 14 Noes 0).
Position: Board President Took an Interim Support Position. [Interim
Support Letter](#)

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

Current law, until July 1, 2023, authorized, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and suspended certain requirements of the Bagley-Keene Open Meeting Act, including the specified-described teleconference requirements. This bill would remove the teleconference requirements that a state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, and that each teleconference location be accessible to the public. This bill would require a state body to provide a means by which the public may remotely hear audio of the meeting, remotely observe the meeting, or attend the meeting by providing on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for at least one site, including, if available, access equivalent to the access for a member of the state body participating remotely. This bill would require any notice required by the act to specify the applicable teleconference telephone number, internet website or other online platform, and physical address indicating how the public can access the meeting remotely and in person. This bill would revise existing law to no longer require that members of the public have the opportunity to address the state body directly at each teleconference location but would continue to require

2023/24 Legislative Summary

Agenda Item 16

that the agenda provide an opportunity for members of the public to address the state body directly. This bill would require a member or staff to be physically present at the location specified in the notice of the meeting. This bill would require a majority of the members of the state body to be physically present at the same location for at least 1/2 of the meetings of that state body.

Department-Wide Legislation:

AB 996 **DCA: Continuing Education: Conflict of Interest Policy**

Author: Low (D)

Status: 8/17/2023 Ordered to Inactive File at the Request of Senator Roth.

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would require entities within the Department of Consumer Affairs, who are responsible for approving continuing education providers or courses, to develop and maintain a conflict-of-interest policy that discourages the use of any continuing education course, if the provider of that course has an economic interest in a commercial product or enterprise promoted in that course and requires conflicts to be disclosed at the beginning of each continuing education course.

AB 1028 **Reporting of Crimes: Mandated Reporters**

Author: McKinnor (D)

Status: 9/1/2023 In Committee. Held Under Submission.

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would, on and after January 1, 2025, remove the requirement that a health practitioner make a report to law enforcement when they suspect a patient has suffered physical injury caused by assaultive or abusive conduct, and instead only require that report if the health practitioner suspects a patient has suffered a wound or physical injury inflicted by the person's own act or inflicted by another where the injury is by means of a firearm, a wound or physical injury resulting from child abuse, or a wound or physical injury resulting from elder abuse.

AB 1163 **Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act**

Author: Rivas (D)

Status: 9/1/2023 From Committee. Amend and Do Pass as Amended (Ayes 5 Noes 0). Read Second Time and Amended. Ordered Returned to Second Reading.

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

The Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act, requires prescribed state entities,

2023/24 Legislative Summary

Agenda Item 16

including the State Department of Health Care Services and the Civil Rights Department, in the course of collecting demographic data directly or by contract as to the ancestry or ethnic origin of Californians, to collect voluntary self-identification information pertaining to sexual orientation and gender identity, except as specified. Current law prohibits these state entities from reporting demographic data that would permit identification of individuals or would result in statistical unreliability and limits the use of the collected data by those entities, as specified. Current law requires these state entities to report to the Legislature specified information related to the data and make the data available to the public, except for personally identifiable information, which existing law deems confidential and prohibits disclosure of that information. This bill would add intersexuality to the voluntary self-identification information to be collected, would apply these provisions to additional state entities, and would require these state entities to come into compliance with these provisions as early as possible following January 1, 2024, but no later than July 1, 2025.

AB 1751

Opioid Prescriptions: Information: Nonpharmacological Treatments for Pain

Author: Gipson (D)

Status: 4/28/23 Failed Deadline Pursuant to Rule 61(a)(2). Last
Location was Assembly Health Committee. May be Acted Upon
January 2024.

Position: No Position

Desk	2 Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

Current law requires a prescriber, with certain exceptions, before directly dispensing or issuing for a minor the first prescription for a controlled substance containing an opioid in a single course of treatment, to discuss specified information with the minor, the minor's parent or guardian, or another adult authorized to consent to the minor's medical treatment. This bill would extend that requirement for the prescriber by applying it to any patient, not only a minor, under those circumstances. This bill defies nonpharmacological treatments for pain to include but are not limited to acupuncture; chiropractic care; physical therapy; occupational therapy; and licensed mental health provider services.

SB 14

Serious Felonies: Human Trafficking

Author: Grove (R)

Status: 9/1/2023 From Committee. Do Pass as Amended (Ayes 16
(Noes 0). Read Second Time and Amended. Ordered to
Second Reading.

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill designates human trafficking of a minor for purposes of a commercial sex act as a "serious felony," making it a strike for purposes of the Three Strikes Law.

SB 268

Crimes: Serious and Violent Felonies

Author: Alvarado-Gil (D)

Status: 7/14/2023 Failed Deadline Pursuant to Rule 61(a)(10). Last
Location was Public Safety on 6/8/2023. May be Acted Upon
Jan 2024.

Position: No Position

Desk	2 Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

Current law defines the terms “serious felony” and “violent felony” for various purposes, including, among others, enhancing the punishment for felonies pursuant to existing sentencing provisions commonly known as the Three Strikes Law. This bill designates rape of an intoxicated person where the defendant drugged the victim with intent to commit sexual assault as a violent felony.

[SB 372](#)

DCA: Licensee and Registrant Records: Name and Gender Changes

Author: Menjivar (D)

Status: 9/1/2023 Read Third Time and Amended. Ordered to Third Reading.
Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would require a board within the DCA to update a licensee’s or registrant’s license by replacing references to the former name or gender on the license or registration, as specified, if the board receives documentation, as described, from the licensee or registrant demonstrating that the licensee or registrant’s legal name or gender has been changed. If the board operates an online license verification system, this bill would require the board to replace references to the licensee’s or registrant’s former name or gender with the individual’s current name or gender, as applicable, on the publicly viewable information displayed on the internet. This bill would prohibit a board from publishing information relating to the licensee’s or registrant’s former name or gender online. Instead, this bill would require the board to post an online statement directing the public to contact the board for more information. For specified licensees or registrants, the board would be prohibited from posting enforcement records online but would be required to post an online statement stating that the individual was previously subject to an enforcement action and directing the public to contact the board, as prescribed. This bill would provide that all records related to a request to update an individual’s license or registration under these provisions are confidential and not subject to public inspection or disclosure.

[SB 525](#)

Minimum Wage Health Care Workers

Author: Durazo (D)

Status: 9/1/2023 From Committee. Do Pass (Ayes 11 Noes 4).
Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would, commencing June 1, 2024, and until June 1, 2025, require a health care worker minimum wage of \$21 per hour for hours worked in covered health care employment, as defined. Commencing June 1, 2025, this bill would require a health care minimum wage of \$25 per hour for hours worked in covered health care employment, as defined, subject to adjustment, as prescribed. This bill would provide that the health care worker minimum wage constitutes the state minimum wage for covered health care employment for all purposes under the Labor Code and the Wage Orders of the Industrial Welfare Commission. The

2023/24 Legislative Summary

Agenda Item 16

health care worker minimum wage would be enforceable by the Labor Commissioner or by a covered worker through a civil action, through the same means and with the same relief available for violation of any other state minimum wage requirement. By establishing a new minimum wage, the violation of which would be a crime, this bill would impose a state-mandated local program. This bill would require, for covered health care employment where the employee is paid on a salary basis, that the employee earn a monthly salary equivalent to no less than 150% of the health care worker minimum wage for full-time employment in order to qualify as exempt from the payment of minimum wage and overtime.

SB 816**Professions and Vocations**

Author: Roth (D)

Status: 9/1/23 From Committee. Do Pass (Ayes 11
Noes 3).

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chapters
1 st House					2 nd House							

Summary:

This bill is the Business and Professions omnibus bill. Current law, effective until January 1, 2025, sets forth an approval process for a vocational nursing school or program and authorizes the Board of Vocational Nursing and Psychiatric Technicians to reduce the continuing approval fees, by no more than 1/2 of the established fee, for a program that experiences a reduction in state funding that directly leads to a reduction in enrollment capacity. Current law, the Psychiatric Technicians Law, also grants the board authority to license and regulate psychiatric technicians. That law, effective until January 1, 2025, similarly establishes an approval process for a school or program for psychiatric technicians and authorizes the board to reduce the continuing approval fees, by no more than 1/2 of the established fee, for a program that experiences a reduction in state funding that directly leads to a reduction in enrollment capacity. This bill would instead authorize the board to reduce the continuing approval fees in the above-described circumstances for a program that experiences a reduction in enrollment capacity that directly leads to a reduction in state funding. This bill would revise related provisions to require the board to require a program to provide documentation for purposes of issuing the fee reduction.



April 13, 2023

The Honorable Jim Wood
Chair, Assembly Health Committee
State Capitol, Suite 390
Sacramento, CA 95814

**RE: AB 47 (Boerner Horvath), Pelvic Floor Physical Therapy Coverage:
Support Position**

Dear Assemblymember Wood,

The Physical Therapy Board of California (PTBC), at its March 2023 meeting, adopted a Support position on AB 47 (as introduced 12/5/2023), which would require a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2024, to provide coverage for pelvic floor physical therapy after pregnancy.

The PTBC recognizes that this bill improves access and quality of care for at-risk postpartum patients and would greatly benefit California consumers.

The PTBC is mandated by Business and Professions Code Section 2602.1 that the Board's highest priority is to protect the public. The provisions outlined in AB 47 would require health insurers to cover pelvic floor physical therapy after pregnancy to help women treat postpartum complications, therefore, the Board is in Support of AB 47.

If additional information is needed, please feel free to contact the Board's Legislative Manager, Brooke Arneson at (916) 561-8260.

Sincerely,

Tonia McMillian
President, Physical Therapy Board of California

Cc:

The Honorable Assemblymember Boerner Horvath
Honorable Members, Assembly Education Committee
Jennifer Simoes, Deputy Director, Legislative Affairs, Deputy Director, Division of
Legislative Affairs, Department of Consumer Affairs



April 13, 2023

The Honorable Al Muratsuchi
Chair, Assembly Education Committee
State Capitol, Room 2196
Sacramento, CA 95814

RE: AB 381 (Rubio), Teacher Credentialing: Services Credential with a Specialization in Health: Occupational and Physical Therapists: *Support Position*

Dear Assemblymember Muratsuchi,

The Physical Therapy Board of California (PTBC), at its March 2023 meeting, adopted a Support position on AB 381 (as introduced 2/2/2023), which would amend existing law by allowing occupational therapists and physical therapists who work in the schools to obtain a Health Services Credential like other health care professionals working in school settings.

The PTBC recognizes that this bill would minimize barriers by providing access to care for California consumers within the school districts. Occupational therapists and physical therapists have long recognized the benefits of authorizing a pathway to credentialing within the California public schools. Access to a credential will allow occupational therapists and physical therapists to have expanded professional growth opportunities within school systems and to have a broader positive impact on the students and families they serve.

Providing access to a credential will recognize the unique and specialized value of occupational therapists and physical therapists in school districts and allow for school districts to recruit, hire, and retain highly qualified therapists and in addition, open new opportunities that are already afforded to other related service providers that are already credentialed.

The PTBC is mandated by Business and Professions Code Section 2602.1 that PTBC's highest priority is to protect the public. The provisions outlined in AB 381 would greatly benefit California consumers and eliminate delays in services for children in school settings and provide timely access to care, therefore, we are in Support of AB 381.

If additional information is needed, please feel free to contact the Board's Legislative Manager, Brooke Arneson at (916) 561-8260.

Sincerely,

Tonia McMillian
President, Physical Therapy Board of California

Cc:

The Honorable Assemblymember Blanca Rubio

Honorable Members, Assembly Education Committee

Jennifer Simoes, Deputy Director, Legislative Affairs, Deputy Director, Division of
Legislative Affairs, Department of Consumer Affairs



April 13, 2023

The Honorable Jim Wood, DDS
Chair, Assembly Health Committee
State Capitol
Sacramento, CA 95814

RE: AB 931 (Irwin), Prior Authorization: Physical Therapy: *Support Position*

Dear Assemblymember Wood,

The Physical Therapy Board of California (PTBC), at its March 2023 meeting, adopted a Support position on AB 931 (as introduced 2/14/2023), which would prohibit a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2025, that provides coverage for physical therapy from imposing prior authorization for the initial 12 treatment visits for a new episode of care for physical therapy.

The PTBC recognizes that AB 931 is an important patient care and access to care issue and prevents unnecessary review and administrative burden and allows for early access to medically necessary physical therapy treatment by allowing physical therapists to provide 12 visits before continued authorization is needed which is a great benefit to the consumer.

Many health plans/insurers and third-party administrators are using computer algorithms and automated systems for determining the care their beneficiaries may receive. These practices are inconsistent with community standards of care for symptoms and diagnoses presented by patients and can directly limit the numbers of visits patients may obtain. This creates barriers and challenges to patients by delaying access to medically necessary care and increases the administrative burden required to navigate prior authorization, unnecessary reviews and manage appeals. Unfortunately, these barriers can result in delays and stoppages in care for consumers and these delays in treatment can result in poorer outcomes for the patient and increased health care costs.

The PTBC is mandated by Business and Professions Code Section 2602.1 that PTBC's highest priority is to protect the public. The provisions outlined in AB 931 would greatly benefit California consumers and eliminate delays and provide timely access to care and prevent unnecessary administrative burden, therefore, we are in Support of AB 931.

If additional information is needed, please feel free to contact the Board's Legislative Manager, Brooke Arneson at (916) 561-8260.

Sincerely,

A handwritten signature in black ink, appearing to read "Tonia McMillian". The signature is fluid and cursive, with the first name "Tonia" being more prominent than the last name "McMillian".

Tonia McMillian
President, Physical Therapy Board of California

Cc:

The Honorable Assemblymember Irwin

Honorable Members, Assembly Health Committee

Jennifer Simoes, Deputy Director, Legislative Affairs, Deputy Director, Division of
Legislative Affairs, Department of Consumer Affairs



July 7, 2023

Honorable Senator Laird
1021 O Street, Suite 8720
Sacramento, CA 95814

RE: SB 544, Bagley-Keene Open Meeting Act: Teleconferencing – *Support Position*

Dear Senator Laird,

The Physical Therapy Board of California (PTBC) Board President, Tonia McMillian took an interim support position on SB 544 on the April 27, 2023, version of the bill.

The PTBC's mission is to advance and protect the interests of the people of California by the effective administration of the Physical Therapy Practice Act. If this bill is passed, the PTBC intends to adhere to its mandate to meet in-person at least once in Northern California and once in Southern California (BPC section 2611). During the PTBC's 2021 Sunset Review, the Board recommended amending BPC section 2611 to require the Board to provide online access in addition to its existing mandate of in-person Board meetings. The PTBC believes that requiring the use of an online platform, would increase consumer and stakeholder access and participation; and is more effective than a teleconference. This requirement is intended as an additional point of access, not as a replacement or in lieu of the existing mandate.

SB 544 amends the Bagley-Keene Open Meeting Act to allow meetings to be conducted remotely, while maintaining a method for greater public access. The PTBC believes this legislation will provide an option to meet remotely at any time and allow for an enhanced method for public participation. While the PTBC fully intends to continue to meet in-person for each meeting, the PTBC has found that meeting remotely in the last three years has provided opportunities for increased public access.

Thank you on behalf of the PTBC for your thoughtful consideration of this request. If additional information is needed, please feel free to contact the PTBC's Executive Officer, Jason Kaiser at (916) 561-8278.

Sincerely,

Tonia McMillian
President, Physical Therapy Board of California

Cc:

Assembly Member Miguel Santiago, Chair of the Governmental Organization Committee
Jennifer Simoes, Deputy Director, Division of Legislative Affairs, Department of
Consumer Affairs



Briefing Paper

Date: August 15, 2023

Agenda Item 17(A)

Prepared for: PTBC Members

Prepared by: Brooke Arneson

Subject: Rulemaking Report

Purpose: To update the Board on the status of proposed rulemaking in progress and to provide an update on the rulemaking process.

Attachments:

1. [2023 Rulemaking Update](#)
2. [Rulemaking Processing Timelines](#)
3. [Overview of the Regulatory Process](#)

Background:

At the December 2022 meeting, the Board adopted the 2023 Rulemaking Calendar as required by Government Code (GC) § 11017.6. The rulemaking calendar prepared pursuant to this section sets forth the Board's rulemaking plan for the year and is published by the Office of Administrative Law (OAL) in the California Regulatory Notice Register (Notice Register); the Notice Register is available on OAL's website: http://www.oal.ca.gov/Notice_Register.htm

From the 2023 Rulemaking Calendar, staff developed a rulemaking tracking form on which all rulemaking progress is noted and reported to the Board at its quarterly meetings.

Effective September 7, 2016, all regulatory packages must be submitted to the Department of Consumer Affairs for Business, Consumer Services, and Housing Agency (Agency) review, prior to publicly noticing with the Office of Administrative Law (OAL). A copy of the current DCA Rulemaking process is included.

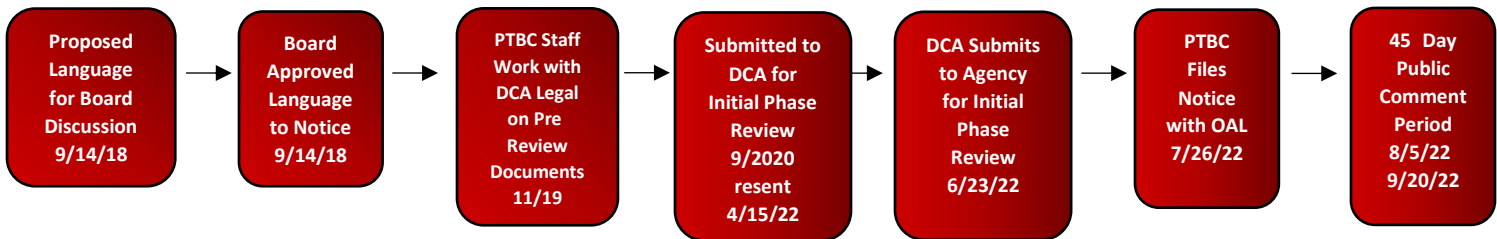
Action:

No action is requested on presentation of the rulemaking report.

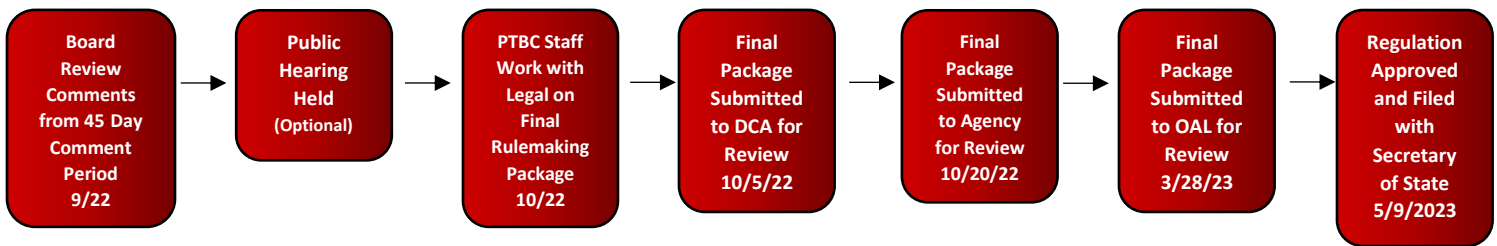
2023 Rulemaking Update

FSBPT's Performance Evaluation Tool (PET) for Foreign Educated Physical Therapists Completing a Supervised Clinical Practice in the United States

Initial Phase:



Final Phase:

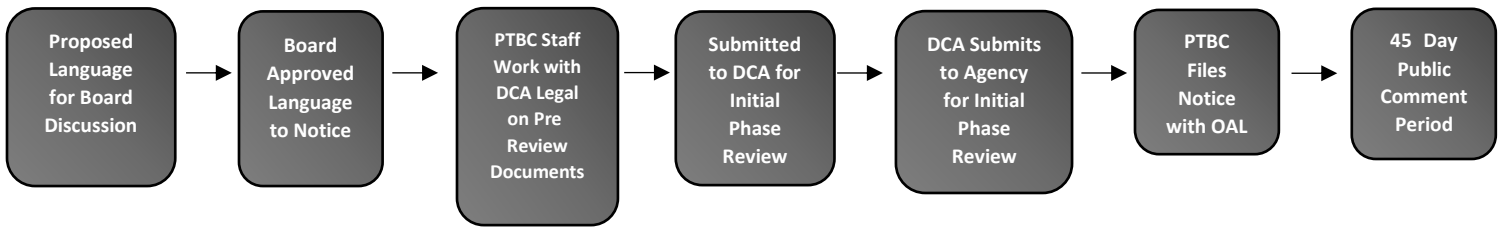


Notes: This regulation proposes to amend CCR 1398.26.5, Article 2, Division 13.2 of Title 16. This proposed regulation will allow supervising physical therapists the option to utilize FSBPT's Supervised Clinical Practice Performance Evaluation Tool (PET) for evaluating a physical therapist license applicant in addition to APTA's Clinical Performance Instrument. Proposed regulatory language was presented and adopted at the September 2018 Board Meeting. In September 2020, PTBC staff submitted the initial rulemaking package to DCA Legal for review and upon further review, DCA Legal and OAL determined that the PET and CPI would need to be incorporated by reference and since this is a non-substantive change the language will be modified to reflect this which is within the Executive Officer's delegation. PTBC staff submitted the final rulemaking package to OAL on November 7, 2022. During OAL's review, they had concerns regarding clarity in subsection (g) of the proposed language. PTBC staff withdrew the rulemaking package on December 21, 2022, and the proposed text was modified per OAL's recommendation. The modified text was noticed for a 15-day public comment period from February 9 to February 25, 2023, and no comments were received. The Board adopted the modified text at the March 2023 Board meeting and the final rulemaking package was submitted to OAL on March 28, 2023 and it was approved and became effective on May 9, 2023.

2023 Rulemaking Update

Continuing Competency

Initial Phase:



Final Phase:



Notes: This regulation proposes to amend CCR 1399.90 – 1399.99, Article 14, Division 13.2 of Title 16. This proposed regulation was placed on the 2023 Rulemaking Calendar that was adopted at the Board meeting on December 7, 2022. PTBC staff are in the process of researching and developing proposed language for consideration by the Board at a future meeting date.

Processing Times

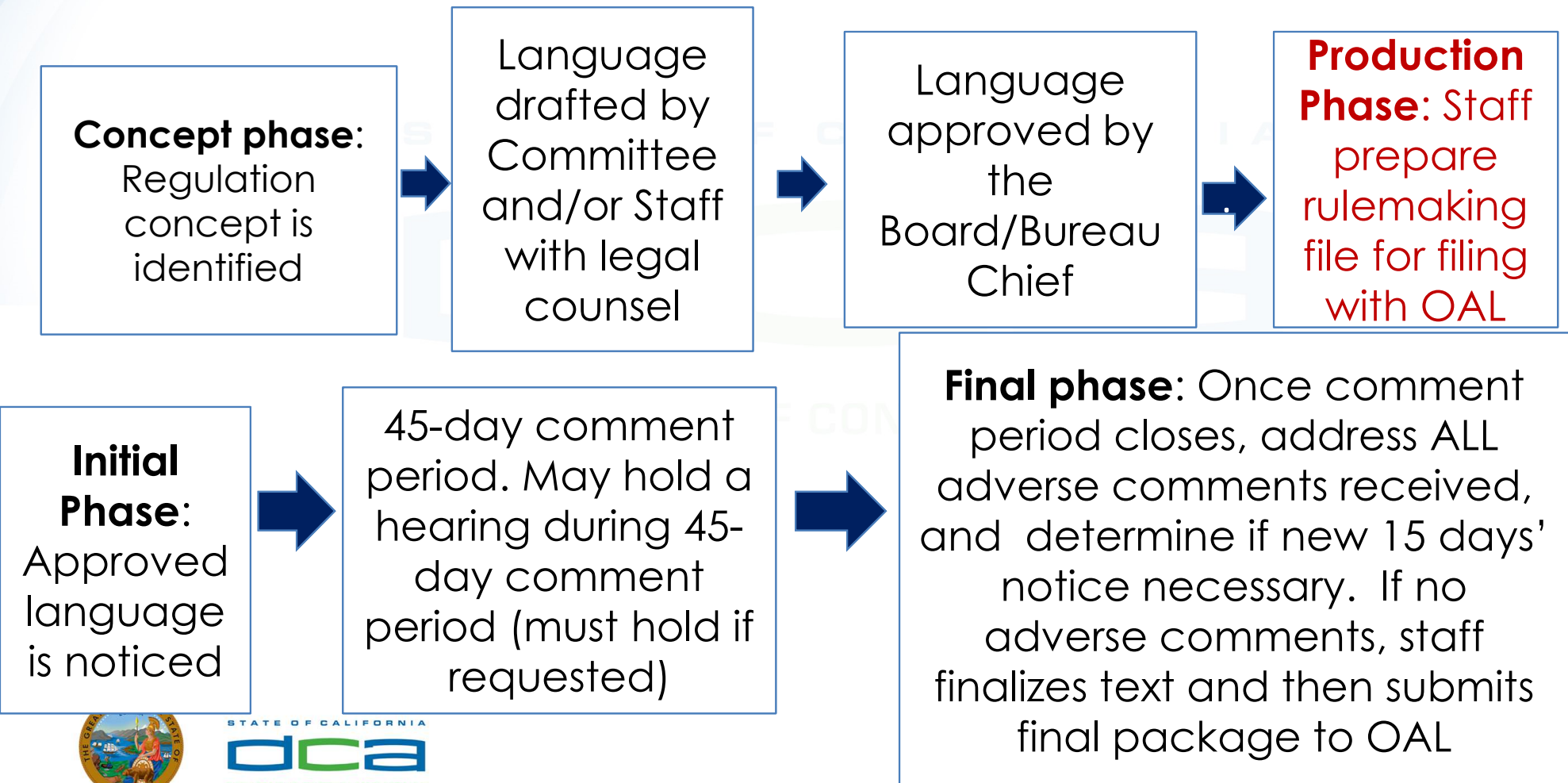
- A rulemaking file must be completed within one year of the publication date of the Notice of Proposed Action. The OAL issues the Notice File Number upon filing the Notice of Proposed Action.
- The DCA is allowed thirty calendar days to review the rulemaking file prior to submission to the Department of Finance (DOF).
- The DOF is allowed thirty days to review the rulemaking file prior to submission to the OAL.
- The OAL is allowed thirty working days to review the file and determine whether to approve or disapprove it. The OAL issues the Regulatory Action Number upon submission of the rulemaking file for final review.
- Pursuant to Government Code section 11343.4, as amended by Section 2 of Chapter 295 of the Statutes of 2012 (SB 1099, Wright), regulation effective dates are as follows:

Date Filed with the Secretary of State

Effective Date

September 1 st – November 30 th	January 1 st
December 1 st – February 29 th	April 1 st
March 1 st – May 31 st	July 1 st
June 1 st – August 31 st	October 1 st

General Overview of Regulatory Process





Briefing Paper

Agenda Item 18(A)

Date: 8/9/2023

Prepared for: PTBC Members

Prepared by: April Beauchamps

Subject: Outreach Report

Purpose: To provide PTBC's Outreach activities and statistics for FY 2022-23 (Q4) and end of year.

Attachments: [1. Website Statistics](#)
[2. Social Media Statistics](#)

Background:

The PTBC Outreach Report is a quarterly review of the Website and Social Media activities and analysis of those activities for the current fiscal year in comparison to the previous fiscal year. The website statistics is collected from Google Analytics, and Social Media statistics are collected directly from the "insight reports" from Facebook reporting system; and, generated by PTBC staff on a quarterly basis: Jul -Sep (Q1), Oct-Dec (Q2), Jan-Mar (Q3) and Apr- Jun (Q4).

During Quarter (Q4) PTBC had two outreach events virtually. PTBC provided Outreach school presentations to Gurnick Academy on 4/5/2023 and California Baptist University on 4/11/2023. For FY 2022-23 the PTBC conducted 23 school program outreach workshops. The PTBC also attended the CPTA Annual Conference in Anaheim and hosted the FSBPT Annual Meeting in Orange County.

Analysis:

Website – The PTBC had 138,067 web-hits through its web page tabs, resulting in a 0.35% decrease over last fiscal year (Q4). Year to date (YTD), the PTBC had 549,348 web-hits through its web page tabs, resulting in an 2% decrease over last fiscal year.

Social Media¹:

Facebook – The PTBC received 20 "likes" resulting in a decrease of 64% for page "likes" compared to last fiscal year (Q4). In comparison to last fiscal year (Q4), there was also an increase of 149% in page visits and a decrease of 10% of page reach/impressions which is the number of people who saw any content from the PTBC Facebook page. YTD the PTBC had 6,802 page reach/impressions, 3,965 page visits, and 161 new followers.

Instagram – This fiscal year (Q4) PTBC had a 33% increase in page reach for Instagram and a 69% increase in profile visits in comparison to last fiscal year (Q4). YTD the PTBC had 1,468 page reach/impressions and 475 profile visits.

Tik Tok – When looking at Tik Tok stats for FY 2022-23 (Q4), PTBC had 27 new video views/impressions and 7 new followers. All year-to-year comparison stats for Tik Tok will show zero because we did not have a Tik Tok account last FY 2021-22 to compare. YTD the PTBC had 1,407 page reach/impressions, 52 likes, and 35 new followers.

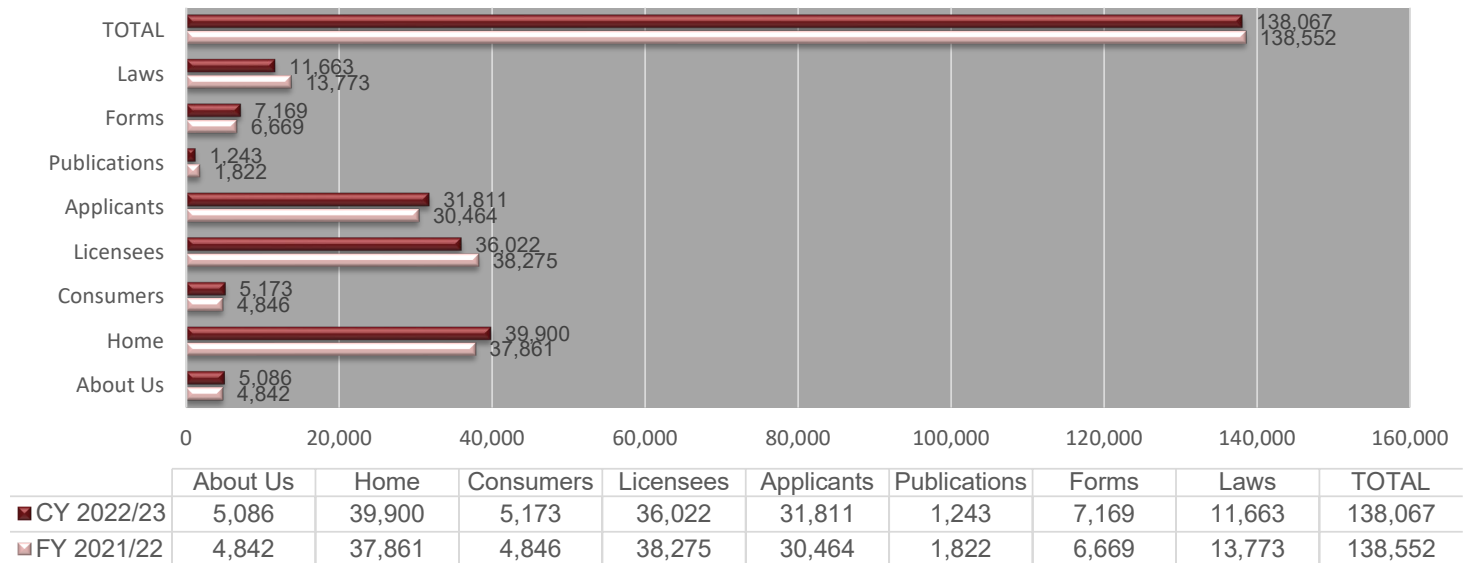
Twitter – When looking at Twitter stats for FY 2022-23, the PTBC had an increase of people reached by 38% and a 37% decrease of page engagements compared to last fiscal year (Q4). YTD the PTBC had 6,527 page reach/impressions, 143 engagements, and 12 new followers.

¹ **Insights Definitions:** **Likes**-Number of people who have liked the page. **Reach/Impressions**-The number of people who have had any content from your page enter their screen. **Engagements**-Number of people who interacted with your page.

LinkedIn – When looking at LinkedIn stats for FY 2022-23 (Q4) the PTBC had 385 impressions, 90 page visits, and 8 engagements. All year-to-year comparison stats for LinkedIn for this year would show a zero until we are able to compare data to a previous fiscal year. We will be able to show these stats starting next fiscal year. YTD the PTBC had 3,173 page reach/impressions, 316 page visits, and 42 new engagements.

Action: No action is requested on presentation of the outreach report.

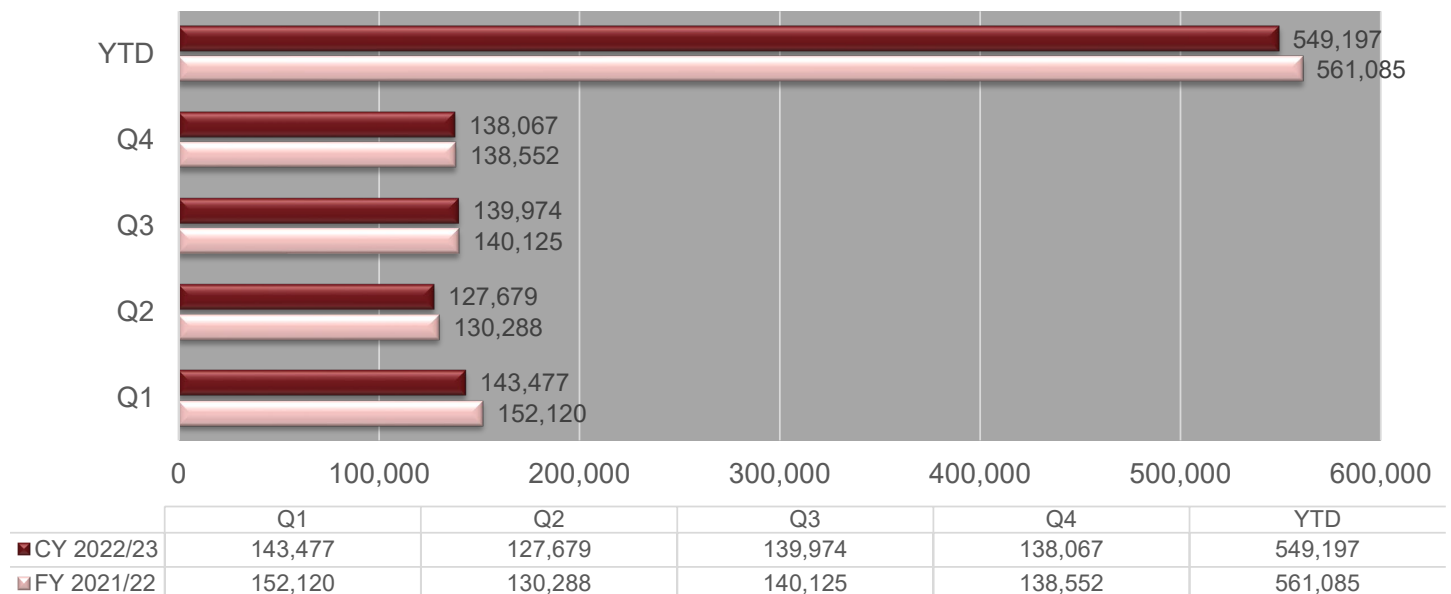
**Website Activity
Q4 (April-June)**



This chart reflects no change in traffic over last Q4 (FY 2021/22).

This chart also shows the Home tab was accessed the most and the publications tab had the least amount of access this Q4.

**Website Activity
(Year-to-date)**



This chart reflects an 0.35% decrease over last Q4, year-to-date and a 2% decrease for the whole year.

Social Media Statistical Reports								
Facebook								
	FY 2021/22	Fiscal Year 2022/23						Year → Year Change
	Q4	Q1	Q2	Q3	Q4	YTD	Q4	
Page Reach/Impressions	1,639	1,912	1,825	1,580	1,485	6,802	1,485	↓ -10%
Page Visits	480	697	980	1,094	1,194	3,965	1,194	↑ 149%
New Followers (Likes)	55	83	36	22	20	161	20	↓ -64%
Instagram								
	FY 2021/22	Fiscal Year 2022/23						Year → Year Change
	Q4	Q1	Q2	Q3	Q4	YTD	Q4	
Page Reach/Impressions	240	409	413	327	319	1,468	319	↑ 33%
Profile Visits	58	185	103	89	98	475	98	↑ 69%
Tik Tok								
	FY 2021/22	Fiscal Year 2022/23						Year → Year Change
	Q4	Q1	Q2	Q3	Q4	YTD	Q4	
New Video Views (Impressions)		1,143	99	138	27	1,407	27	→ 0%
New Likes		50	1	1	0	52	0	→ 0%
New Followers		19	3	6	7	35	7	→ 0%
Twitter								
	FY 2021/22	Fiscal Year 2022/23						Year → Year Change
	Q4	Q1	Q2	Q3	Q4	YTD	Q4	
Page Reach/Impressions	704	1,746	2,102	1,551	1,128	6,527	1,128	↑ 38%
Page Engagements	35	53	46	22	22	143	22	↓ -37%
New Followers	6	8	1	0	3	12	3	↓ -50%
LinkedIn								
	FY 2021/22	Fiscal Year 2022/23						Year → Year Change
	Q4	Q1	Q2	Q3	Q4	YTD	Q4	
Page Reach/Impressions		937	1,006	845	385	3,173	385	→ 0%
Page Visits		16	130	80	90	316	90	→ 0%
Reactions to Content (Engagement)		15	15	4	8	42	8	→ 0%

Page Reach/Impressions is the number of people who saw any content from the PTBC's social media pages.

Engagements is the number of interactions (likes, comments, and/or any action done) on your page.



Briefing Paper

Agenda Item 19(A)

Date: September 14, 2023

Prepared for: PTBC Members

Prepared by: Alicia Hernandez, Budget Liaison

Subject: Budget Report

Purpose: To provide an update on the PTBC's Budget activities and statistics for quarter three (Q3) and quarter four (Q4) for CY 2022-23.

Attachments: [1. Expenditure Report](#)
[2. Expenditure Measure Report Q3](#)
[3. Expenditure Measure Report Q4](#)
[4. Expenditure 3-Year Milestone Report](#)
[5. Revenue Report](#)
[6. Revenue Measure Report Q3](#)
[7. Revenue Measures Report Q4](#)
[8. Revenue 3-Year Milestone Report](#)

Background:

The PTBC Budget Report is a quarterly review of the expenditures and revenues, including budget activities and analysis for the current fiscal year. The report reflects data collected from the Quarterly Department of Consumer Affairs Budget Office Projection Report and is generated by staff quarterly: Jul-Sep (Q1), Oct-Dec (Q2), Jan-Mar (Q3) and Apr-Jun (Q4).

CY2022-23, according to the Governor's Budget, the PTBC is authorized \$7,127,000 which includes personnel services, operating expenses, and equipment, and 27.5 positions to support program operations. The PTBC's Operating Expenses (PERS SVS/OE&E) budget for (CY22-23) has increased \$493,000 or 7.43% over previous fiscal year's budget allotment of \$6,634,000 (PY2021-22). The increases included, staff salaries and benefits, equipment, and ProRata.

As of Q4 (6/30/23), the PTBC had a reversion of \$686,884. PTBC's fund is projected at 7.2 months reserve CY 2022-23, and 5.7 reserve in BY 2023-24.

Analysis of Q3:

PTBC spent \$1,152,033 Q3 (CY22-23), an overall 0.9% decrease from previous fiscal years' (PY21-22) Q3 expenditures of \$1,160,635. The PTBC had a decrease of \$22,689 in Personnel services, \$30,244 increase in General services, \$7,280 increase in Departmental services, and \$37,545 increase in Enforcement expenditures.

PTBC collected \$1,796,172 during Q3 (CY22-23), an overall 8% increase over Q3 revenue of \$1,594,623 from last fiscal year (PY21-22). The PTBC had a \$5,680 increase in Other Regulatory fees, \$11,910 increase in Initial Applications, \$111,150 increase in Renewals, \$1,200 increase in

license delinquent fees, \$26,527 increase in Miscellaneous fees, \$4,562 increase in Scheduled Reimbursements, and \$49,644 increase in Unscheduled Reimbursements.

Analysis of Q4:

PTBC spent \$1,551,378 Q4 (CY22-23), an overall 0.9% decrease from last fiscal years' (PY21-22) Q4 expenditures of \$1,730,726. The PTBC had a decrease of \$10,799 in Personnel services, \$164,612 increase in General services, \$7,280 increase in Departmental services, and \$260,506 decrease in Enforcement expenditures.

In comparison to CY22-23 and PY21-22, the PTBC spent \$6,498,306 CY22-23 and \$6,462,413 PY21-22, a \$35,893 or 9% increase in year-end expenditures over previous fiscal year (PY21-22). PTBC expended \$2,186,428 in Q1 (CY22-23), a 47% increase from previous fiscal year's Q1 expenditures of \$1,610,637 (PY21-22). The PTBC's expenditures in Q2 (CY22-23) are \$1,707,467, a 14.8% increase over previous year's Q2 expenditures of \$1,152,033 (PY21-22). PTBC expended \$1,160,635 in Q3 (CY22-23), a 11.4% increase from previous fiscal year's Q3 expenditures of \$1,040,963 (PY21-22). PTBC expended \$1,551,378 in Q4 (CY22-23), a 14.3% increase from previous fiscal year's Q4 expenditures of \$1,392,100 (PY21-22).

PTBC collected \$1,313,316 during Q4 (PY22-23), an overall 8% increase over Q4 revenue of \$1,149,208 from last fiscal year (FY21-22). The PTBC had a \$6,480 increase in Other Regulatory fees, \$86,045 decrease in Initial Applications, \$690,100 increase in Renewals, \$4,350, increase in license delinquent fees, \$25,876 increase in Miscellaneous fees, \$5,689 decrease in Scheduled Reimbursements, and \$11,892 increase in Unscheduled Reimbursements.

In comparison to CY22-23 and PY21-22, the PTBC collected \$7,267,576 CY22-23 and \$6,575,533 PY21-22, a \$692,043 or 10.52% increase in year-end revenues over previous fiscal year (PY21-22). PTBC collected \$1,907,848 during Q1 (CY22-23) a 11% increase over Q1 revenue of \$1,796,000 last fiscal year (PY21-22). PTBC's revenues for Q2 of (CY22-23) were \$2,250,240, a 15% increase from Q2 last fiscal year \$2,099,683 (PY21-22). PTBC collected \$1,796,172 during Q3 (CY22-23), a 1.96% decrease over Q3 revenue of \$1,565,695 last fiscal year (PY21-22). PTBC collected \$1,313,316 during Q4 (CY22-23), a 0.67% decrease over Q4 revenue of \$1,088,734 last fiscal year (PY21-22).

Action Requested: No action requested.

Physical Therapy Board of California
Expenditure Statistics Report
CY 2022-23 (Q3/Q4)

Agenda Item 19(A) - Attachment 1

Expenditure Statistics Report

Budget Line Items	PY (2021 22)				CY (2022 23)							
	Authorized Budget	Q3 Jan - Mar	Q4 Apr - Jun	YTD (As of 06/31/22)	Authorized Budget	Q1 Jul - Sep	Q2 Oct - Dec	Q3 Jan - Mar	Q4 Apr -Jun	YTD (As of 6/31/23)	Percent Budget Spent	Balance
PERSONNEL SERVICES												
Civil Services Permanent	1,799,000	445,029	456,118	1,789,565	1,861,000	436,329	414,227	385,497	451,139	1,687,192	91%	173,808
Statutory Exempt	77,000	20,953	32,672	110,569	77,000	30,475	30,835	30,810	35,717	127,837	166%	(50,837)
Temp help	0	28,602	28,727	98,622	0	50,299	90,355	45,994	13,718	200,366	-	(200,366)
Board Members	12,000	14,532	14,300	48,532	12,000	8,500	14,100	12,700	18,100	53,400	445%	(41,400)
Overtime	0	0	0	0	0	0	0	0	0	0	-	0
Staff Benefits	1,125,000	281,474	291,123	1,151,053	1,221,000	329,697	301,036	292,901	293,467	1,217,101	100%	3,899
TOTAL PERS SVS	3,013,000	790,590	822,940	3,198,341	3,171,000	855,300	850,553	767,901	812,141	3,285,895	104%	(114,895)
OPERATING EXPENSES & EQUIPMENT												
General Services Totals	604,000	215,863	19,313	431,473	621,000	89,484	114,907	183,925	180,762	569,078	92%	51,922
Fingerprints	99,000	2,264	3,724	16,545	99,000	5,194	1,421	4,508	8,490	19,613	20%	79,387
General Expense	7,000	95,070	-82,431	22,589	7,000	2,867	1,734	5,123	6,553	16,277	233%	(9,277)
Minor Equipment	10,000	24,321	2,101	30,273	26,000	933	901	0	8,006	9,840	38%	16,160
Major Equipment	0	0	0	0	0	0	0	43,114	0	43,114	-	(43,114)
Printing	17,000	4,332	3,016	16,066	17,000	305	9,186	6,939	12,795	29,225	172%	(12,225)
Communications	17,000	1,941	15,641	20,563	17,000	655	2,163	3,548	2,428	8,794	52%	8,206
Postage	9,000	903	4,519	7,984	9,000	678	344	3,437	3,961	8,420	94%	580
Insurance	0	0	48	48	0	0	0	38	0	38	-	(38)
Travel in State	13,000	2,502	385	3,200	13,000	0	9,845	12,094	6,567	28,506	219%	(15,506)
Training	6,000	0	0	0	6,000	0	1,250	5,880	1,398	8,528	142%	(2,528)
Facilities Operations (Utilities/Leases)	261,000	61,269	47,485	226,049	261,000	59,670	62,345	62,455	71,334	255,804	98%	5,196
C&P SRVS Internal	12,000	0	179	662	12,000	0	0	0	181	181	2%	11,819
C&P SRVS External	153,000	23,261	24,646	87,494	154,000	19,182	25,718	36,790	59,049	140,739	91%	13,261
Departmental Services Totals	1,101,000	1,684	259,082	1,021,692	1,062,000	479,299	245,395	8,157	190,315	923,166	87%	138,834
Consumer Client Services - ProRata	1,030,000	0	155,000	911,750	991,000	479,000	239,500	0	171,686	890,186	90%	100,814
Interagency Services	37,000	807	90,000	90,807	37,000	3	5,465	1,560	2,014	9,042	24%	27,958
Consolidated Data Center	18,000	0	13,469	13,469	18,000	0	0	0	13,790	13,790	77%	4,210
Information Technology	16,000	877	613	5,666	16,000	296	430	6,596	2,825	10,147	63%	5,853
Exams Totals	0	493	725	4,631	0	0	0	2,500	0	2,500	-	0
Exam Admin External -FSBPT	0	493	725	4,631	0	0	0	2,500	0	2,500	-	(2,500)
Enforcement Totals	2,015,000	152,005	628,666	1,905,276	2,372,000	762,345	496,612	189,550	368,160	1,816,667	77%	555,333
Attorney General	794,000	129,171	323,252	774,245	794,000	133,819	160,646	145,652	202,895	643,012	81%	150,988
Office of Admin Hearings	110,000	12,915	23,745	73,001	110,000	0	15,507	43,404	10,854	69,765	63%	40,235
Evidence/Witness	100,000	8,775	14,925	46,866	100,000	10,538	11,259	0	0	21,797	22%	78,203
Court Reporters	0	1,144	494	3,164	0	488	450	494	600	2,032	-	(2,032)
DOI Investigation (ProRata)	1,011,000	0	266,250	1,008,000	1,368,000	617,500	308,750	0	153,811	1,080,061	79%	287,939
TOTAL OE & E	3,720,000	370,045	907,786	3,363,072	4,055,000	1,331,128	856,914	384,132	739,237	3,311,411	82%	743,589
Reimbursements												
*Scheduled/Unscheduled Reimbursements	-99,000	0	0	-99,000	-99,000	0	0	0	0	-99,000	-	-
TOTALS, PERS SVS/OE&E	6,634,000	1,160,635	1,730,726	6,462,413	7,127,000	2,186,428	1,707,467	1,152,033	1,551,378	6,498,306	91%	628,694

*The PTBC is authorized to allocate \$99k of its revenues collected from scheduled/unscheduled reimbursements towards CY expenditures. Revenues over 99k are transferred/deposited directly to fund (year-end).

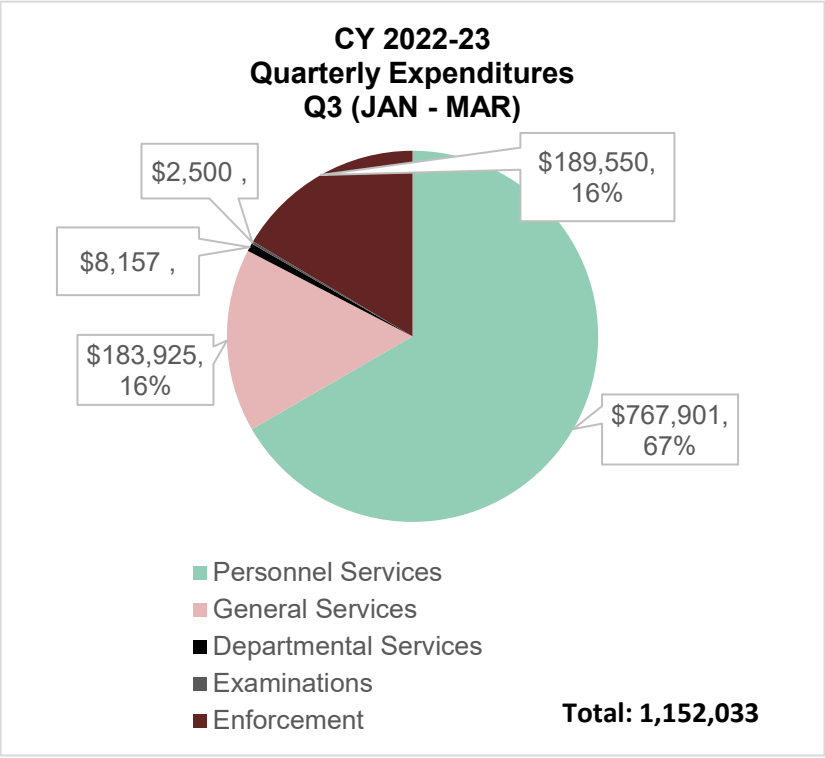
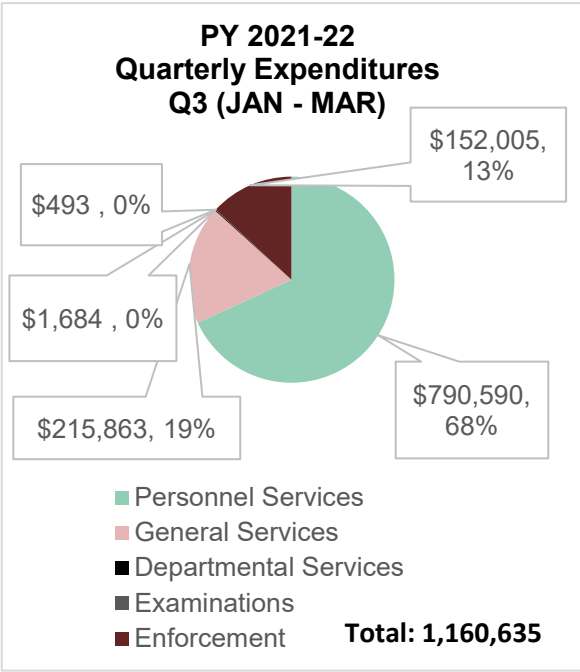


Chart reveals a \$8,601 or 9% increase in expenditures over previous year Q3 .

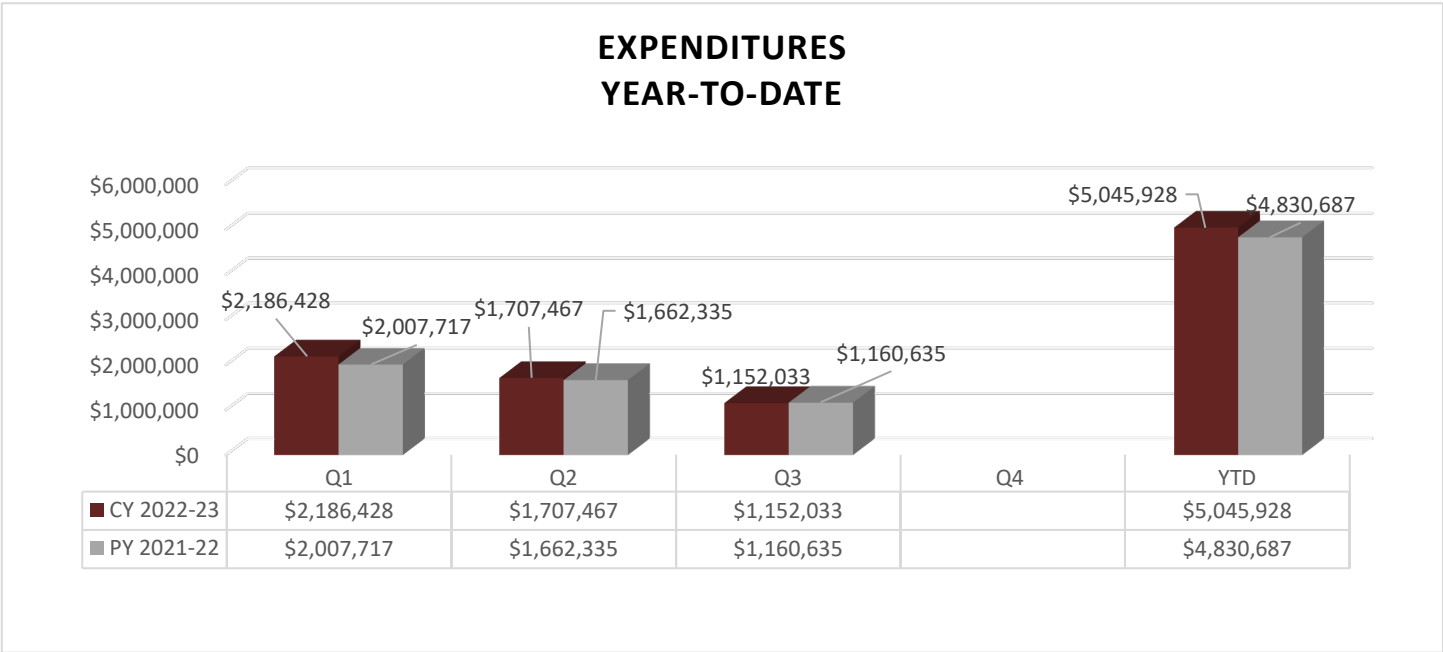


Chart reveals a year-to-date increase of \$215,241 or 9.5% in expenditures over previous fiscal year.

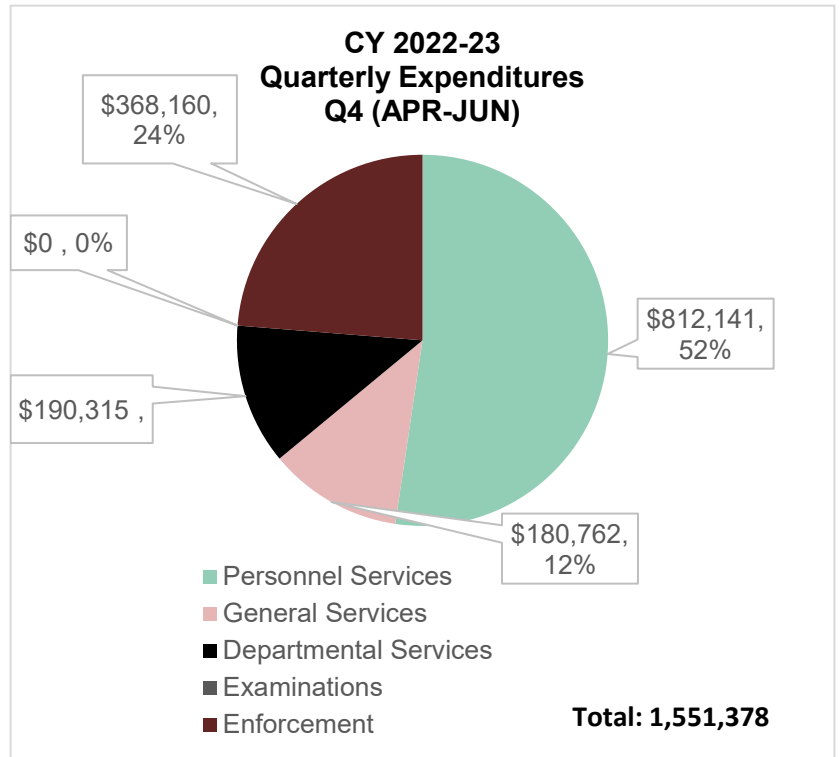
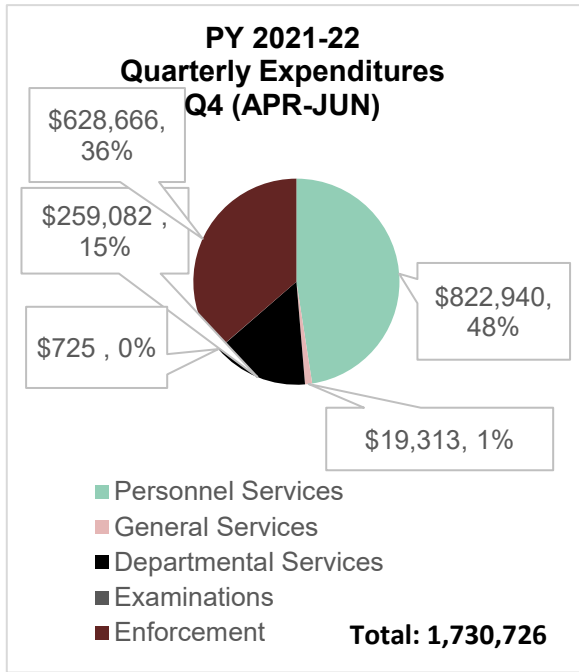


Chart reveals a \$179,348 or 8% decrease in expenditures over previous year Q4.

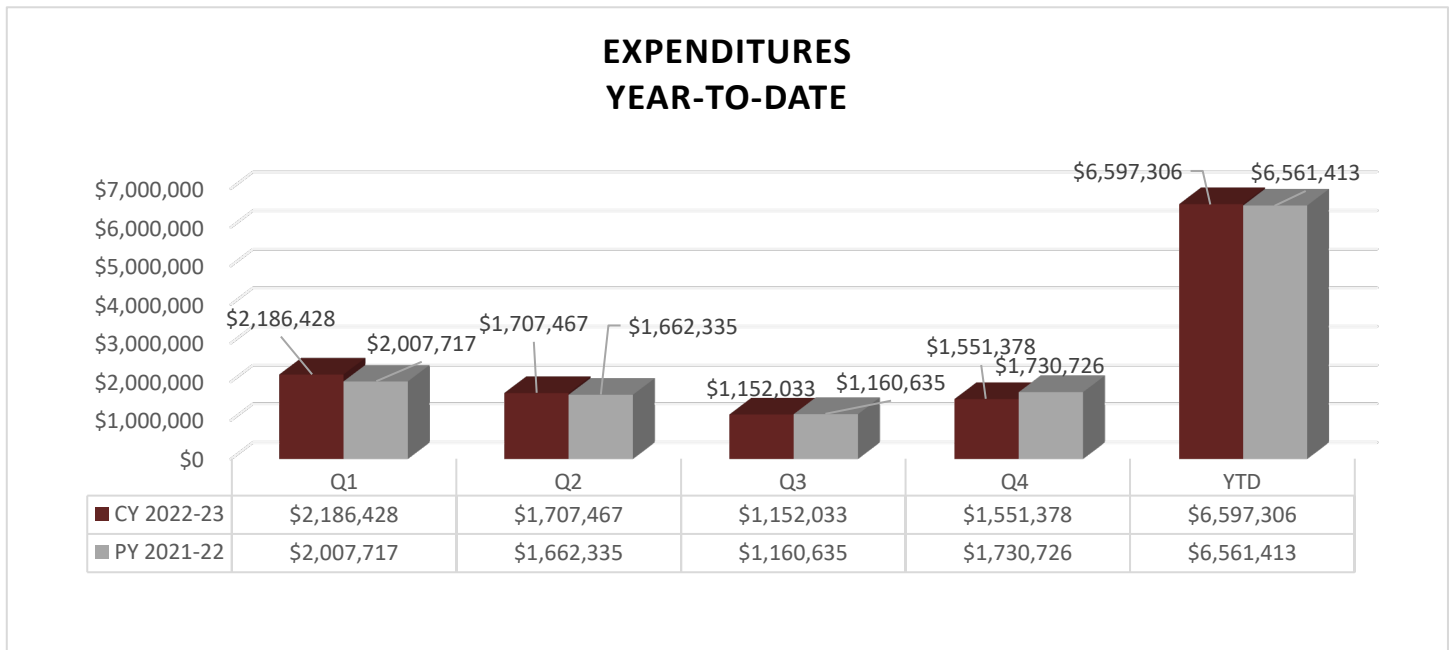


Chart reveals a year-to-date increase of \$35,893 or 9% in expenditures over previous fiscal year.

Physical Therapy Board of California
Expenditure Statistics Report
CY 2022-23 / 3-Year Milestone

Agenda Item 19 (A) - Attachment 4

Expenditure Statistics Report

Budget Line Items	FY2020/21	PY2021/22	CY2022/23
	(As of 06/30/21)	(As of 06/30/22)	(As of 06/30/23)
PERSONNEL SERVICES			
Civil Services Permanent	\$1,464,214	\$1,789,565	\$1,687,192
Temp help	\$42,212	\$94,918	\$200,366
Statutory Exempt	\$99,472	\$114,273	\$127,837
Board Members	\$42,036	\$48,532	\$53,400
Overtime	\$0	\$0	\$0
Staff Benefits	\$962,809	\$1,151,053	\$1,217,101
TOTAL PERS SVS	\$2,610,743	\$3,198,341	\$3,285,896
OPERATING EXPENSES & EQUIPMENT			
General Services Totals	\$377,725	\$431,477	\$569,078
Fingerprints	\$25,156	\$16,545	\$19,613
General Expense	\$35,721	\$22,593	\$16,277
Minor Equipment	\$11,878	\$30,273	\$9,840
Major Equipment	\$8,530	\$0	\$43,114
Printing	\$16,986	\$16,066	\$29,225
Communications	\$8,241	\$20,563	\$8,793
Postage	\$5,836	\$7,984	\$8,420
Insurance	\$368	\$48	\$38
Travel in State	\$216	\$3,200	\$28,506
Training	\$0	\$0	\$8,528
Facilities Operations	\$182,545	\$226,049	\$255,804
C&P Services Interdepartmental	\$1,986	\$662	\$181
C&P Services External	\$80,262	\$87,494	\$140,739
Departmental Services Totals	\$937,809	\$1,021,692	\$923,166
Consumer Client Services - Various (Pro Rata)	\$726,000	\$545,000	\$890,186
Interagency Services	\$0	\$14,276	\$9,042
Consolidated Data Center	\$19,430	\$0	\$13,791
Information Technology	\$0	\$0	\$10,147
Exams Totals	\$5,492	\$4,631	\$2,500
Exam Administrative External (FSBPT)	\$5,492	\$4,631	\$2,500
Enforcement Totals	\$1,489,884	\$1,905,272	\$1,816,666
Attorney General	\$689,167	\$774,245	\$643,012
Office of Admin Hearings	\$60,215	\$73,001	\$69,765
Evidence/Witness	\$43,047	\$46,862	\$21,797
Court Reporters	\$9,955	\$3,164	\$2,031
DOI Investigation (ProRata)	\$687,500	\$1,008,000	\$1,080,061
*Scheduled/Unscheduled Reimbursements	-\$99,000	-\$99,000	-\$99,000
TOTAL OE & E	\$2,810,910	\$3,363,072	\$3,311,410
TOTALS, PERS SVS	\$2,610,743	\$3,198,341	\$3,285,896
TOTALS, PERS SVS/OE&E	\$5,322,653	\$6,462,413	\$6,498,306

*The PTBC is authorized to allocate \$99k of its CY revenues collected from scheduled/unscheduled reimbursements towards CY expenditures. Revenues over 99k are transferred/ deposited directly to fund (year-end).

Physical Therapy Board of California
Budget Revenue Statistics Report
CY 2022-23 (Q3/Q4)

Agenda Item 19(A) - Attachment 5

Revenue Statistics Report														
Revenue Line Items	PY 2021-22					CY 2022-23								
	Q3		Q4		YTD As of 6/30/2022	Q1		Q2		Q3		Q4		YTD As of 06/30/2023
	Jan	Mar	Apr	Jun		Jul -Sep	Oct	Dec	Jan	Mar	Apr	Jun		
OTHER REGULATORY														
Cite and Fine (Citations)						\$7,775	\$1,850							
Endorsement (License Verification)						\$20,760	\$21,060							
Duplicate License / Certificate						\$3,800	\$3,900							
Retired License App PT														
Retired License App PTA						\$0	\$0							
TOTALS						\$32,335	\$26,810							
INITIAL APPLICATION & LICENSE														
ENMG Exam Fee						\$0	\$1,000							
ENMG Application Fee						\$0	\$200							
KEMG Exam Fee						\$0	\$0							
KEMG Application Fee						\$0	\$0							
PTA Application & Initial License Fee						\$67,800	\$45,900							
FPTA Application & Initial License Fee						\$3,600	\$2,100							
PT Application Fee						\$160,800	\$119,599							
PT Initial License Fee						\$89,749	\$66,447							
FPT Application Fee						\$14,449	\$11,149							
Refunded Reimbursements						\$0	\$0							
Overt/Short Fees						\$0	\$0							
Suspended Revenue						\$2,404	\$4,598							
Prior Year Revenue Adjustment						-\$4,753	\$349							
TOTALS						\$334,049	\$251,342							
LICENSE RENEWAL														
PTA Renewal Fee	\$283,500	\$168,300		\$1,110,950		\$333,450	\$386,250		\$288,600	\$185,400		\$1,193,700		
PT Renewal Fee	\$1,000,500	\$536,850		\$4,040,251		\$1,120,800	\$1,455,600		\$1,106,700	\$558,900		\$4,242,000		
ENMG	\$300	\$0		\$300		\$0	\$200		\$150	\$0		\$350		
KEMG	\$200	\$250		\$600		\$150	\$100		\$200	\$50		\$500		
Automated Revenue Refund Claim	\$0	\$150		\$1		\$0	\$0		\$0	\$0		\$0		
Overt/Short Fees	\$0	\$0		\$0		\$0	\$0		\$0	\$0		\$0		
TOTALS	\$1,284,500	\$705,550		\$5,152,102		\$1,454,400	\$1,842,150		\$1,395,650	\$744,350		\$5,436,550		
DELINQUENT LICENSE RENEWAL														
PTA Delinquent Fee	\$2,700	\$2,700		\$9,400		\$3,300	\$2,250		\$2,850	\$2,400		\$10,800		
PT Delinquent Fee	\$9,000	\$5,850		\$34,675		\$9,000	\$8,850		\$10,050	\$8,100		\$36,000		
ENMG Delinquent Fee	\$0	\$0		\$0		\$0	\$0		\$0	\$0		\$0		
KEMG Delinquent Fee	\$0	\$0		\$75		\$0	\$25		\$0	\$0		\$25		
TOTALS	\$11,700	\$8,550		\$44,150		\$12,300	\$11,125		\$12,900	\$10,500		\$46,825		
MISCELLANEOUS														
Public Sales	\$0	\$0		\$0		\$0	\$0		\$0	\$0		\$0		
Surplus Money Investments	\$3,550	\$4,821		\$25,961		\$0	\$19,741		\$30,050	\$86,105		\$135,896		
Attorney General Proceeds	\$0	\$0		\$0		\$0	\$0		\$0	\$0		\$0		
Unclaimed/Cancelled Warrants	\$620	\$0		\$4,353		\$2,708	\$1,140		\$647	\$0		\$4,495		
Misc Revenue	\$0	\$0		\$108		\$0	\$0		\$0	\$15		\$15		
Dishonored Check Fees	\$0	\$0		\$0		\$0	\$0		\$0	\$50		\$50		
TOTALS	\$4,170	\$4,821		\$30,422		\$2,708	\$20,881		\$30,697	\$86,170		\$140,456		
SCHEDULED REIMBURSEMENTS														
Fingerprint Reports	\$8,771	\$9,898		\$34,478		\$1,666	\$1,720		\$4,209	\$5,390		\$12,985		
External/Private/Grant	\$0	\$0		\$0		\$0	\$0		\$0	\$0		\$0		
TOTALS	\$8,771	\$9,898		\$34,478		\$1,666	\$1,720		\$4,209	\$5,390		\$12,985		
UNSCHEDULED REIMBURSEMENTS														
Cost Recovery - Investigations	\$14,657	\$4,200		\$90,412		\$66,640	\$89,137		\$63,418	\$45,168		\$264,363		
Cost Recovery - Probation Monitoring	\$5,500	\$53,709		\$19,475		\$3,750	\$7,075		\$6,384	\$6,286		\$23,495		
TOTALS	\$20,157	\$57,909		\$109,887		\$70,390	\$96,212		\$69,801	\$51,454		\$287,857		
TOTAL REVENUES	\$1,594,623	\$1,149,208		\$6,575,533		\$1,907,848	\$2,250,240		\$1,796,172	\$1,313,316		\$7,267,576		

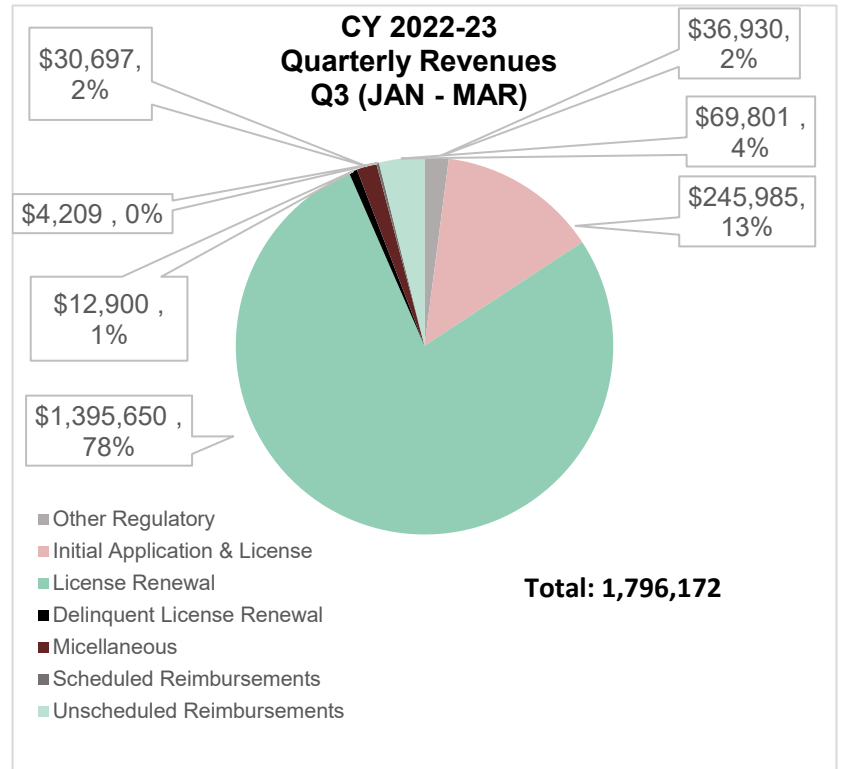
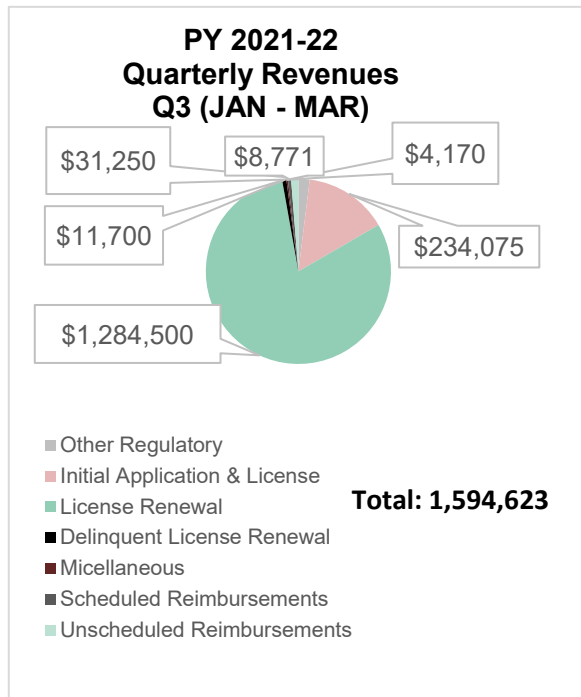


Chart reveals a \$8,601 or 9% increase in expenditures over previous year Q3.

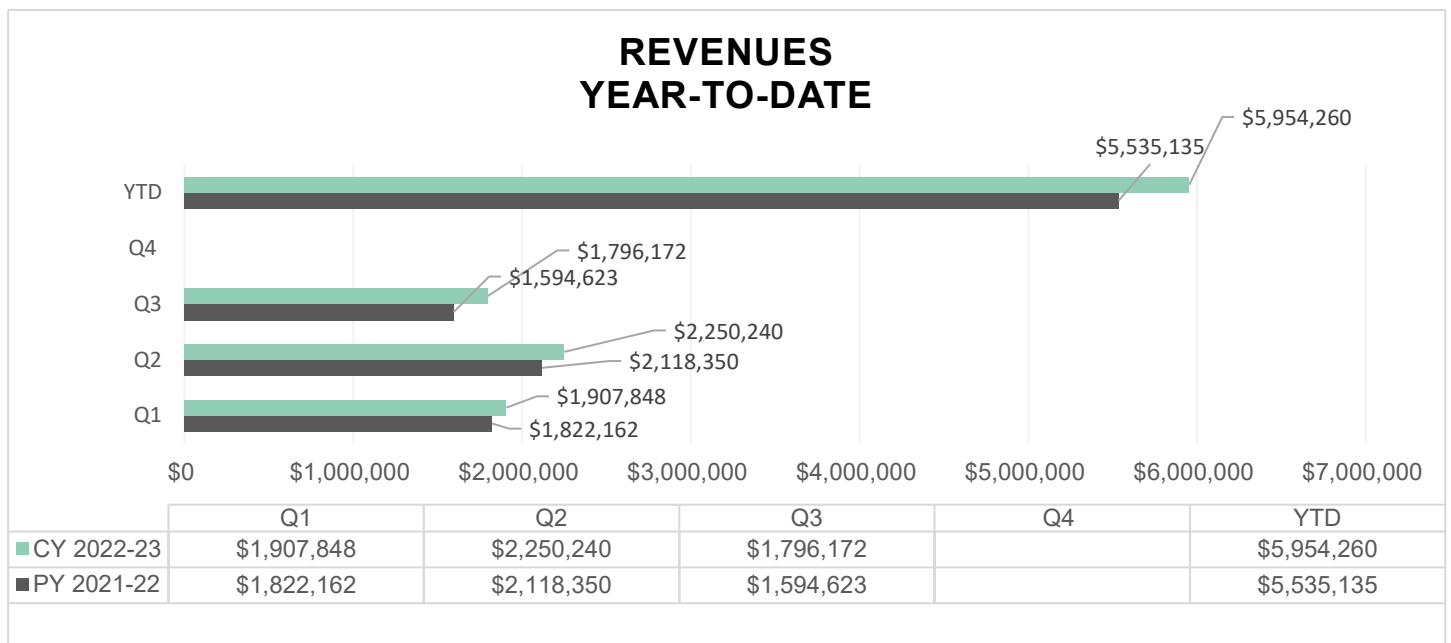


Chart reveals a year-to-date increase of \$419,125 or 9.3% in revenues over previous fiscal year.

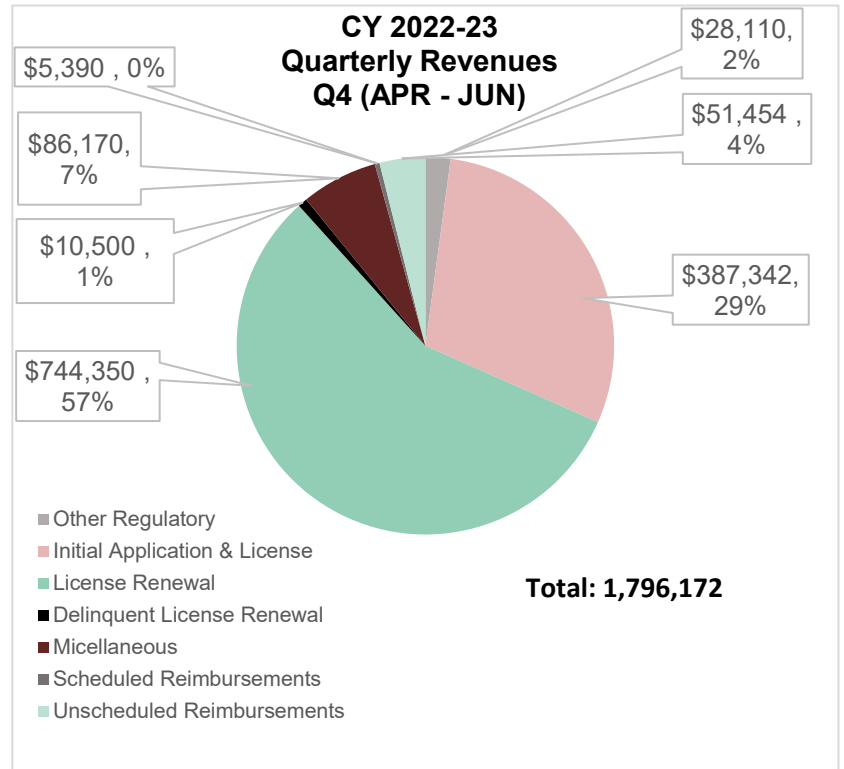
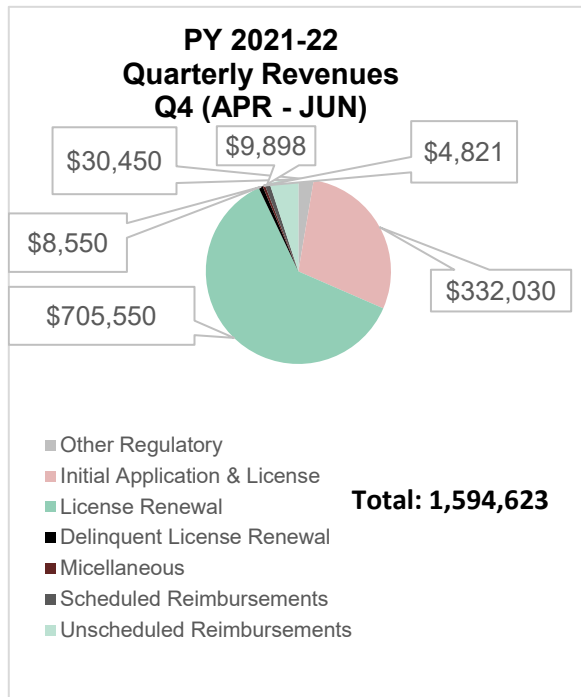


Chart reveals a \$164,108 or 8% increase in expenditures over previous year Q4 .

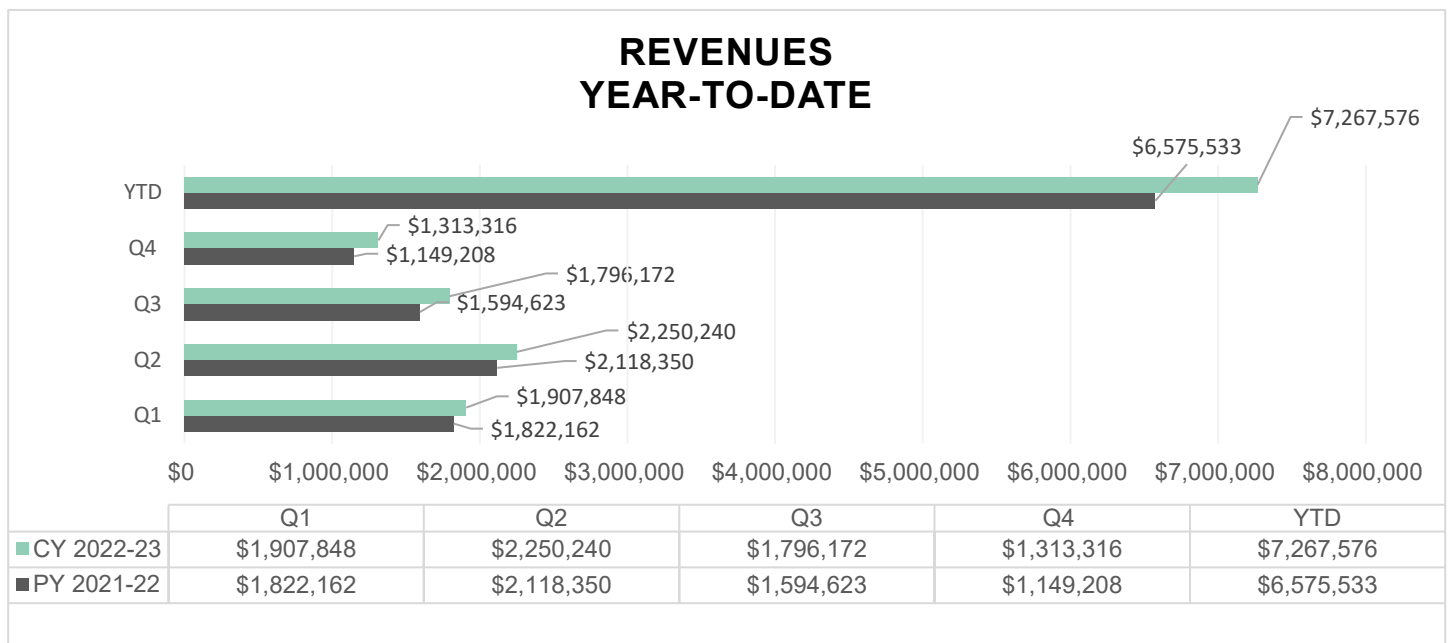


Chart reveals a year-to-date increase of \$692,043 or 10.52% in revenues over previous fiscal year.

Revenue Statistics Report

Budget Line Items	FY2020-21 (As of 6/30/21)	PY2021-22 (As of 6/30/22)	CY2022-23 (As of 6/30/23)
OTHER REGULATORY			
Cite and Fine (Citations)	\$15,200	\$17,110	\$17,625
Endorsement (License Verification)	\$80,040	\$85,080	\$87,460
Duplicate License / Certificate	\$8,700	\$14,000	\$14,800
Retired License Application PT	\$0	\$0	\$3,800
Retired License Application PTA	\$0	\$0	\$500
TOTALS	\$103,940	\$116,190	\$124,185
INITIAL APPLICATION & LICENSE			
FPTA Application & Initial License Fee	\$14,149	\$11,400	\$13,500
FPT Application Fee	\$50,329	\$47,449	\$50,489
ENMG Exam Fee	\$0	\$0	\$1,500
ENMG Application Fee	\$0	\$0	\$300
KEMG Exam Fee	\$0	\$0	\$0
KEMG Application Fee	\$0	\$0	\$0
PTA Application & Initial License Fee	\$189,349	\$203,400	\$244,500
PT Application Fee	\$503,147	\$533,350	\$584,339
PT Initial License Fee	\$269,948	\$292,599	\$321,288
<i>Refunded Reimbursements</i>	-\$2,157	-\$899	\$0
<i>Over/Short Fees</i>	\$0	\$2	\$0
<i>Suspended Revenue</i>	\$15,496	\$14,767	\$9,306
<i>Prior Year Revenue Adjustment</i>	-\$11,934	-\$13,764	-\$6,504
TOTALS	\$1,028,327	\$1,088,304	\$1,218,718
LICENSE RENEWAL			
PTA Renewal Fee	\$1,078,049	\$1,110,950	\$1,193,700
PT Renewal Fee	\$3,929,750	\$4,040,251	\$4,242,000
ENMG	\$600	\$300	\$350
KEMG	\$800	\$600	\$500
<i>Automated Revenue Refund Claim</i>	\$0	\$1	\$0
<i>Overt/Short Fees</i>	\$0	\$0	\$0
TOTALS	\$5,009,199	\$5,152,102	\$5,436,550
DELINQUENT LICENSE RENEWAL			
PTA Delinquent Fee	\$7,000	\$9,400	\$10,800
PT Delinquent Fee	\$27,450	\$34,675	\$36,000
EN Delinquent Fee	\$0	\$0	\$0
EK Delinquent Fee	\$0	\$75	\$25
TOTALS	\$34,450	\$44,150	\$46,825
MISCELLANEOUS			
Public Sales (142500)	\$0	\$0	\$0
Surplus Money Investments (150300)	\$86,486	\$25,961	\$136,096
Attorney General Proceeds (160100)	\$0	\$0	\$0
Unclaimed/Cancelled Warrants (161000)	\$2,552	\$4,353	\$4,269
Miscellaneous Income (161400)	\$150	\$108	\$90
TOTALS	\$89,188	\$30,422	\$140,455
SCHEDULED REIMBURSEMENTS			
Fingerprint Reports	\$40,475	\$34,478	\$12,985
External/Private/Grant	\$0	\$0	\$0
TOTALS	\$40,475	\$34,478	\$12,985
UNSCHEDULED REIMBURSEMENTS			
Investigative Cost Recovery - Investigations	\$134,644	\$90,412	\$264,363
Investigative Cost Recovery - Probation Monitoring	\$12,359	\$19,475	\$23,495
TOTALS	\$147,003	\$109,887	\$287,858
TOTAL REVENUES	\$6,322,280	\$6,575,533	\$7,267,576



Briefing

Agenda Item 20

Date: 8/2023

Prepared for: PTBC Members

Prepared by: Sarah Conley

Subject: Licensing Services Report

Purpose:

To provide an update on the most recent activities and the state of the Licensing Services program.

Attachments:

1. Initial License Application Statistics
2. Initial License Application Processing Times
3. Examination Statistics
4. Initial License Application Process Survey Responses
5. License Maintenance Statistics
6. 3-Year Licensing Statistics Comparison
7. Continuing Competency Licensee Audit Statistics

Data Format:

The reports display year-to-date comparisons of the current fiscal year and the previous fiscal year as well as data for each quarter of the current fiscal year. For end-of-year (fiscal year) reporting, a 3-year comparison of number of transactions and license statuses is included.

Licensing Services Update:

Effective July 1, 2023, the Licensing program was granted budget authority at the Staff Services Analyst (SSA) level to address additional application workload. This workload stemmed from a pilot program staff initiated designating resources specifically to endorsement applicants and military applicants and licensees. As explained in the Budget Change Proposal (BCP) request, this effort facilitated decreased processing time and increased the PTBC's ability to effectively implement military-related legislation. While the PTBC just received the authority, the PTBC's pilot program structure remains in place and will continue. The Licensing program will begin recruiting for the additional resources soon, which will relieve the existing analysts of the increased workload which will result in reduced application processing time and improved applicant service.

The Licensing Manager position has been filled; Ms. Valerie Kearny was appointed to the position August 2, 2023.

Ms. Kearny is responsible for overseeing the Application, License Maintenance and Continuing Competency (Licensing) program, including planning, monitoring, assessing, developing, guiding, and implementing all program activities to meet the Board's consumer protection mandate efficiently, effectively, and reasonably.

Ms. Kearney previously served the PTBC as the Lead of the Licensing program from addressing the most complex issues related to the program, served as the program's outreach liaison, represented the program at Board meetings, and, under the direction of management, monitored program workflow and process effectiveness. Prior to her Lead appointment, she was an Application Analyst since 2015. The Licensing program will be recruiting for the Licensing Lead position vacated by Ms. Kearny.

The Continuing Competency (CC) unit has one full-time vacancy. Ms. Angel Ottley was appointed to a new position within the Consumer Protection Services (CPS) program. The CC unit misses Ms. Ottley but is happy she is still with the PTBC in the CPS program. The Licensing program will be recruiting for the CC Analyst position vacated by Ms. Ottley.

The Licensing program participated in the new PTBC website development focusing on updating outdated information and presenting information in a clear and concise format. Also, the Licensing program continues to provide outreach to PT and PTA programs on the application process, and it looks forward to presenting the new website at these outreach opportunities.

Application Services Data Summary:

Endorsement	34%
Exam	66%
U.S. Education	92%
Foreign Educated	8%
Military	2%

License Maintenance Data Summary:

Current PT & PTA	37,927	81%*
Current PT	29,458	
Current PTA	8,469	
Inactive PT & PTA	1,638	4%*
Delinquent PT & PTA	6,546	14%*
Retired PT & PTA	506	1%*

*Percent of total renewable licenses

Continuing Competency Data Summary:

PT Pass Rate	97%
PTA Pass Rate	81%
Overall Pass Rate	93%

Action Requested:

None.

Application Services Statistics Report

Licenses Issued

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	1,911	681	460	474	362	1,977	3%
Physical Therapist Assistant (PTA)	673	179	188	166	144	677	1%
Total	2,584	860	648	640	506	2,654	3%

Total Applications Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	1,943	580	439	432	663	2,114	9%
Physical Therapist Assistant (PTA)	731	223	160	164	328	875	20%
Total	2,674	803	599	596	991	2,989	12%

U.S. Educated Applications Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	1,769	534	400	381	626	1,941	10%
Physical Therapist Assistant (PTA)	690	211	152	151	314	828	20%
Total	2,459	745	552	532	940	2,769	13%

Foreign Educated Applications Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	175	46	39	50	37	172	-2%
Physical Therapist Assistant (PTA)	41	12	7	12	14	45	10%
Total	216	58	46	62	51	217	0%

Endorsement Applications Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	769	198	227	218	202	845	10%
Physical Therapist Assistant (PTA)	142	44	28	47	27	146	3%
Total	911	242	255	265	229	991	9%

Military Applications Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	57	16	5	4	10	35	-39%
Physical Therapist Assistant (PTA)	39	10	5	8	17	40	3%
Total	96	26	10	12	27	75	-22%

Total Applications Processing Times							
	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	16	24	25	22	22	23	46%
Physical Therapist Assistant (PTA)	31	32	34	23	27	29	-6%
Total	20	26	28	22	23	25	27%

* Processing Times are provided in the average number of days. Values of 0 are shown for any averages less than 1 day.

U.S. Educated Applications Processing Times							
	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	15	23	24	21	20	22	49%
Physical Therapist Assistant (PTA)	31	32	34	23	26	29	-7%
Total	19	25	27	21	22	24	27%

Foreign Educated Applications Processing Times							
	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	43	43	50	40	48	45	5%
Physical Therapist Assistant (PTA)	36	44	49	42	43	44	24%
Total	42	43	50	40	48	45	7%

Endorsement Applications Processing Times							
	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	15	15	15	15	16	15	3%
Physical Therapist Assistant (PTA)	18	14	18	16	11	15	-16%
Total	15	15	16	15	15	15	0%

Military Applications Processing Times							
	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	13	12	14	24	-19	11	-20%
Physical Therapist Assistant (PTA)	14	18	11	18	15	15	10%
Total	14	13	12	22	6	12	-8%

Application Services Report - Examination Statistics

National PT and PTA Examination - California Statistics

Accredited PT Program

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD through Q2	Q1	Q2	Q3	Q4	YTD through Q2	
Pass	476	248	208	186	1,118	483	250	220	186	1,139	↑2%
Fail	77	91	77	71	316	76	88	75	67	306	↓-3%
Total	553	339	285	257	1,434	559	338	295	253	1,445	↑1%
Pass Rate	86%	73%	73%	73%	78%	86%	74%	75%	74%	79%	↑1%

Non Accredited PT Program

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	10	14	5	7	36	10	10	7	6	33	↓-8%
Fail	20	17	8	15	60	14	13	18	13	58	↓-3%
Total	30	31	13	22	97	24	23	25	19	91	↓-6%
Pass Rate	33%	45%	38%	32%	37%	42%	43%	28%	32%	36%	↓-1%

Accredited PTA Program

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	191	127	139	85	542	134	163	127	104	528	↓-3%
Fail	42	50	52	60	204	66	67	69	55	257	↑26%
Total	233	177	191	145	746	200	230	196	159	785	↑5%
Pass Rate	82%	72%	73%	59%	73%	67%	71%	65%	65%	67%	↓-6%

Non Accredited PTA Program

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	6	5	1	1	13	6	2	2	4	14	↑8%
Fail	12	12	3	6	33	4	7	6	6	23	↓-30%
Total	18	17	4	7	46	10	9	8	10	37	
Pass Rate	33%	29%	25%	14%	28%	60%	22%	25%	40%	46%	

California Law Examination (CLE)

Accredited Program

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	756	503	512	701	2,472	741	619	483	760	2,603	↑5%
Fail	217	149	187	177	730	173	135	156	158	622	↓-15%
Total	973	652	699	878	3,502	914	754	639	918	3,225	↓-8%
Pass Rate	78%	77%	73%	80%	71%	81%	82%	76%	83%	81%	↑10%

Non Accredited Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	46	36	44	39	165	40	43	39	36	158	⬇️-4%
Fail	23	19	22	21	85	31	14	22	28	95	⬆️12%
Total	69	55	66	60	250	61	57	61	61	240	⬇️-4%
Pass Rate	67%	65%	67%	65%	66%	66%	75%	64%	60%	66%	➡️0%

National PT and PTA Examination - National Statistics											
Accredited PT Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	5,055	1,825	1,538	3,312	11,730	4,970	1,884	1,807	3,379	11,340	📉 -3%
Fail	805	577	500	615	2,497	983	761	647	671	3,062	📈 23%
Total	5,860	2,402	2,038	3,927	14,227	5,952	2,645	2,454	4,050	15,101	📈 6%
Pass Rate	86%	76%	75%	84%	82%	84%	71%	74%	83%	75%	📉 -7%

Non Accredited PT Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	171	166	105	151	593	233	202	167	226	828	⬆️ 40%
Fail	300	310	325	300	1,235	339	501	352	385	1,577	⬆️ 28%
Total	471	476	340	451	1,738	572	643	525	611	2,351	⬆️ 35%
Pass Rate	36%	35%	31%	33%	34%	41%	31%	32%	37%	35%	⬆️ 1%

Accredited PTA Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	2,619	1,243	884	887	5,633	2,391	1,155	834	921	5,301	📉 -6%
Fail	846	736	508	515	2,605	809	677	498	412	2,396	📉 -8%
Total	3,565	1,979	1,392	1,402	8,338	3,200	1,832	1,328	1,333	7,693	📉 -8%
Pass Rate	76%	63%	64%	63%	68%	75%	63%	63%	69%	69%	📈 1%

Non Accredited PTA Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	37	42	29	47	155	51	49	47	65	212	⬆️ 37%
Fail	48	60	24	36	168	34	45	39	44	162	⬆️ -4%
Total	85	102	53	83	323	85	94	86	109	374	⬆️ 16%
Pass Rate	44%	41%	55%	57%	48%	60%	52%	55%	60%	57%	⬆️ 9%

Jurisprudence Examination - National Statistics												
Accredited Program												
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change	
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD		
Pass	1,938	1,299	1,276	1,683	6,196	1,831	1,429	1,267	1,751	6,278	↑ 1%	
Fail	512	362	398	364	1,636	432	312	231	356	1,331	↓ -19%	
Total	2,450	1,661	1,674	2,047	7,832	2,263	1,741	1,608	2,107	7,719	↓ -1%	
Pass Rate	79%	78%	76%	82%	79%	81%	82%	79%	83%	81%	↑ 3%	

Non Accredited Program												
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change	
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD		
Pass	90	82	85	82	339	85	86	76	73	240	↓ -29%	
Fail	41	39	39	37	156	38	26	33	45	142	↓ -9%	
Total	131	120	124	118	493	123	112	109	118	462	↓ -6%	
Pass Rate	69%	68%	69%	69%	69%	69%	77%	70%	62%	52%	↓ -17%	



Agenda Item 20

Date: 8/2023

Prepared for: PTBC Members

Prepared by: Sarah Conley

Subject: Initial License Application Process Survey Statistics

Purpose:

To present comparative initial license application process survey statistics for calendar years 2020 and 2022 – a measurement to determine achievement of the PTBC's 2018-2022 Strategic Plan Licensing objectives.

In the 2018-22 Strategic Plan, the Board set forth the following two objectives to meet is Licensing goal to *provide effective and efficient application and licensing services while maintain consumer protection*:

2.3 Promote transparency and accessibility of licensing requirements and processes to improve the stakeholder experience.

2.4 Analyze the program's operations and modify them, if needed, to provide reasonable processing times while maintaining consumer protection.

As part of the analysis of the Licensing program's performance to determine its strengths and weakness, the Board surveyed applicants for initial licensure upon license issuance. All new licensees are provided access to the survey and encouraged to provide feedback, but the survey is voluntary. Below are the results of the baseline survey responses received January 2020 through December 2020 compared to the responses received January 2022 through December 2022 after changes were implemented.

2020: The Board issued 2,327 licenses - 1,786 PT and 541 PTA, and the Board received 134 survey responses for a 6% sample rate.

2022: The Board issued 2,601 licenses - 1,932 PT and 669 PTA, and the Board

received 42 survey responses for 2% sample rate.

Overall stakeholder satisfaction was over 90% in 2020 and 2022, but satisfaction increased by 2.56% between 2020 and 2022. In addition, below is a summary of some of comments provided:

Strengths:

- Staff available, helpful, and pleasant
- Application instructions/roadmap clear
- School outreach helpful
- Processing time is fast
- Online application convenient and easy to use

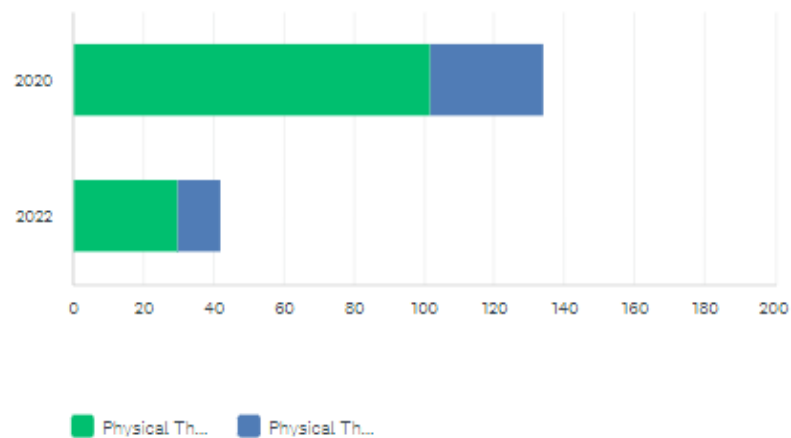
Opportunity for Improvement:

- Application/exam instructions/roadmap unclear
- Processing time is too long
- Didn't know when license would be issued
- Online application and account difficult to use

The survey questions and responses are provided below.

Applicant Type?

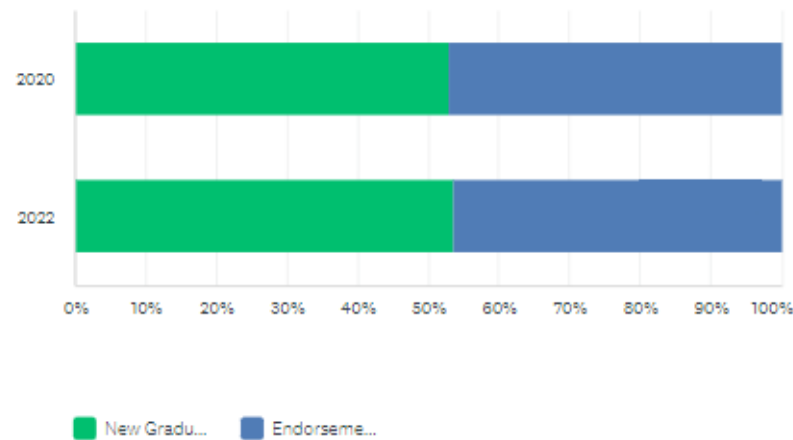
Answered: 176 Skipped: 0



	PHYSICAL THERAPIST	PHYSICAL THERAPIST ASSISTANT	TOTAL
2020	76.12% 102	23.88% 32	76.14% 134
2022	71.43% 30	28.57% 12	23.86% 42
Total Respondents	132	44	176

How did you apply?

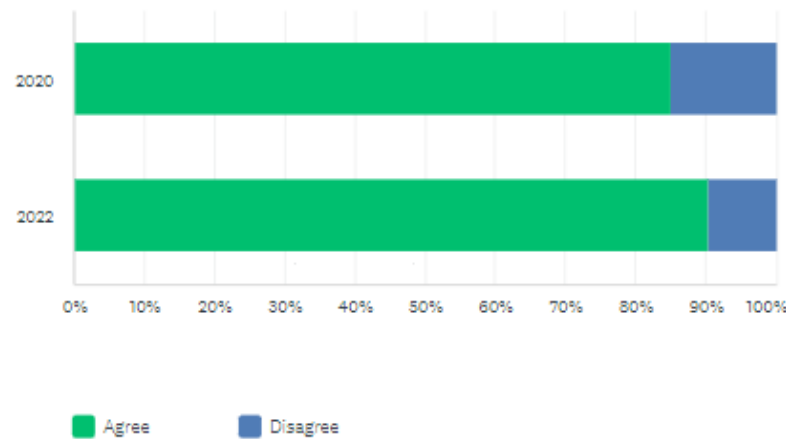
Answered: 173 Skipped: 3



	NEW GRADUATE	ENDORSEMENT	TOTAL
2020	53.03% 70	46.97% 62	76.30% 132
2022	53.66% 22	46.34% 19	23.70% 41
Total Respondents	92	81	173

The application process was easy to navigate.

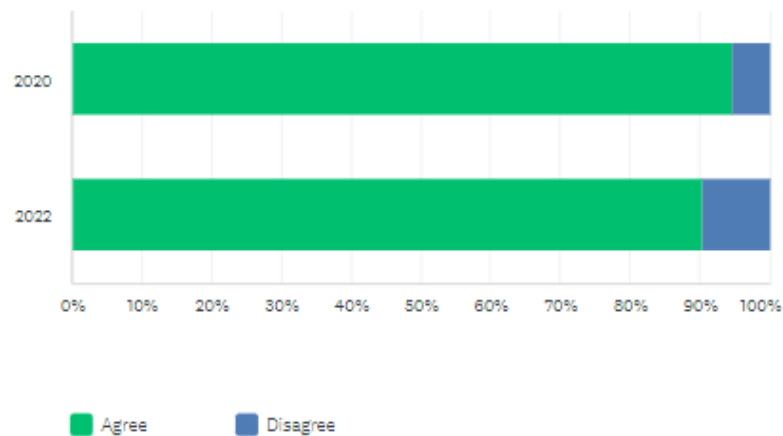
Answered: 176 Skipped: 0



	AGREE	DISAGREE	TOTAL
2020	85.07% 114	14.93% 20	76.14% 134
2022	90.48% 38	9.52% 4	23.86% 42
Total Respondents	152	24	176

The information in each application checklist was beneficial?

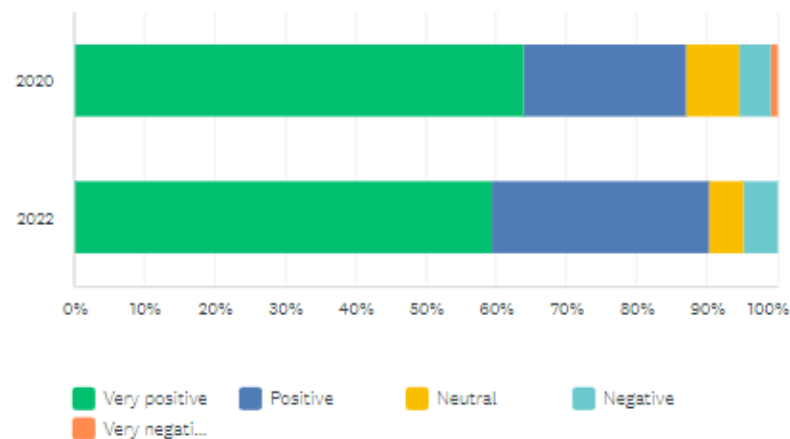
Answered: 175 Skipped: 1



	AGREE	DISAGREE	TOTAL
2020	94.74% 126	5.26% 7	76.00% 133
2022	90.48% 38	9.52% 4	24.00% 42
Total Respondents	164	11	175

How would you rate your overall experience with PTBC staff responding to your questions or concerns during the application process?

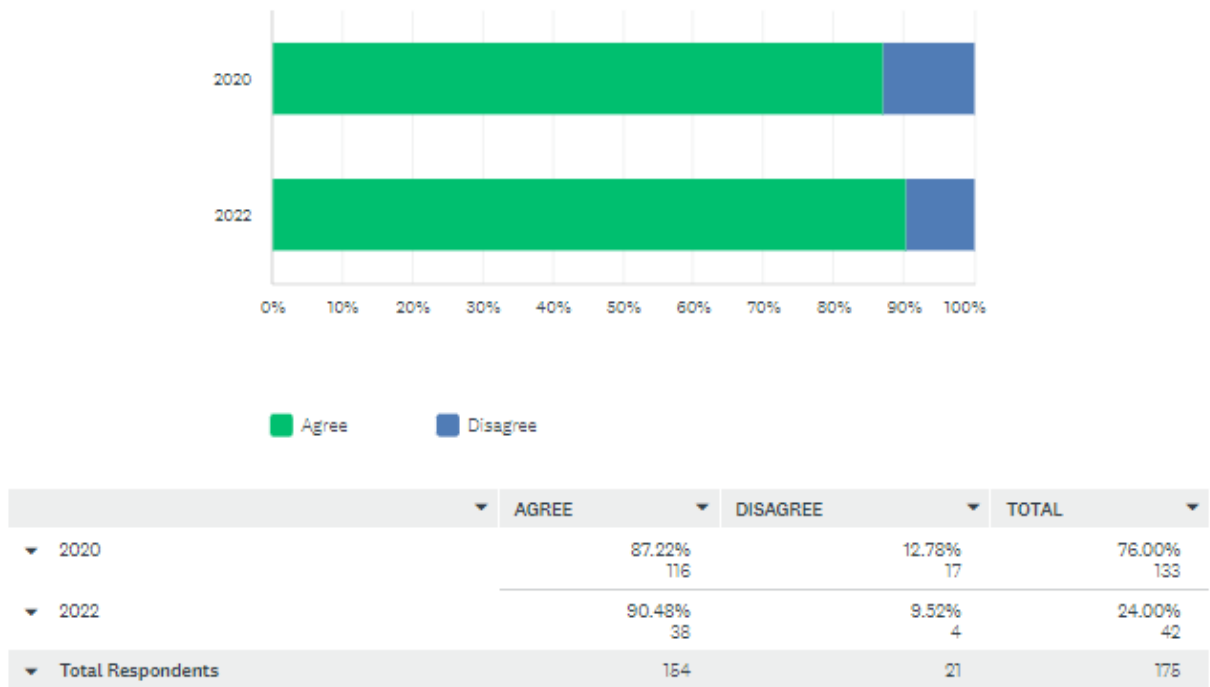
Answered: 175 Skipped: 1



	VERY POSITIVE	POSITIVE	NEUTRAL	NEGATIVE	VERY NEGATIVE	TOTAL
2020	63.91% 85	23.31% 31	7.52% 10	4.51% 6	0.75% 1	76.00% 133
2022	59.52% 25	30.95% 13	4.76% 2	4.76% 2	0.00% 0	24.00% 42
Total Respondents	110	44	12	8	1	175

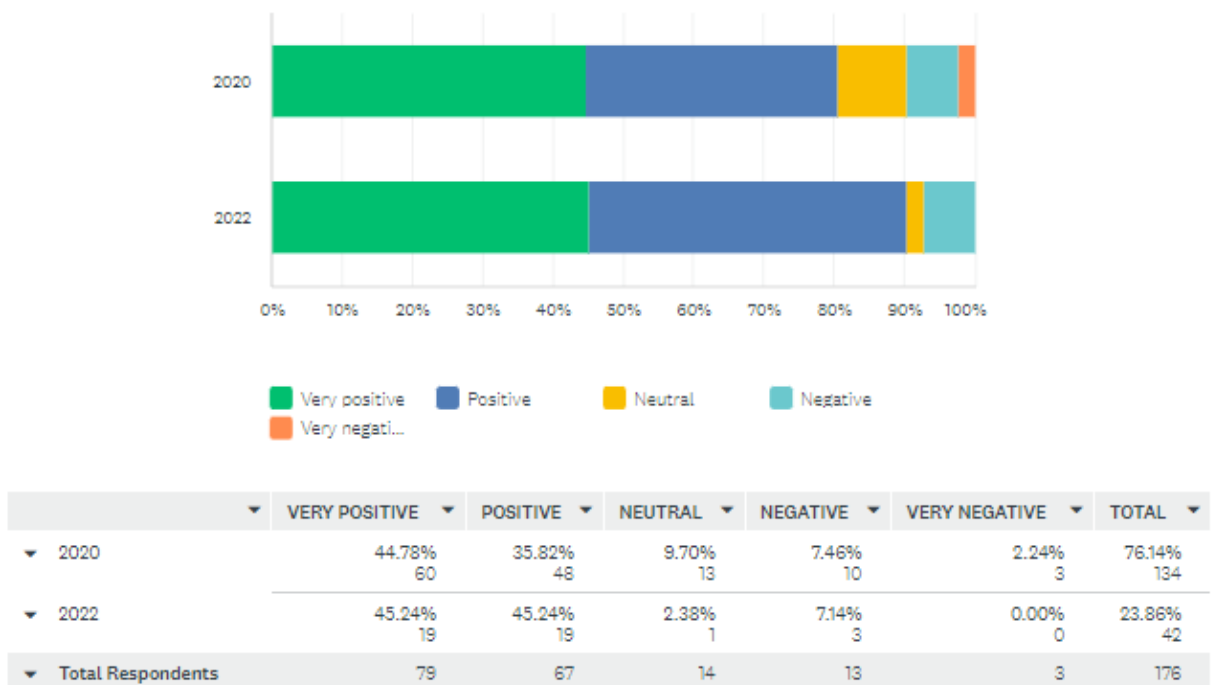
The online application process (Breeze) was user friendly.

Answered: 175 Skipped: 1



How would you rate your overall experience with the license application process?

Answered: 176 Skipped: 0



License Maintenance Statistics Report

License Status Count

	Fiscal Year 2022/23				
	Current	Inactive	Delinquent	Retired	Cancelled
Physical Therapist (PT)	29,458	1,302	4,999	397	15,370
Physical Therapist Assistant (PTA)	8,469	336	1,547	109	4,001
Total	37,927	1,638	6,546	506	19,371

Renewals Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	13,684	3,536	3,390	3,632	3,657	14,215	4%
Physical Therapist Assistant (PTA)	3,798	1,079	929	963	1,039	4,010	6%
Total	17,482	4,615	4,319	4,595	4,696	18,225	4%

Other License Maintenance Requests Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Address Changes	4,166	1,086	774	790	742	3,392	-19%
Duplicates (<i>PT Wall Certificates</i>)	282	77	71	69	83	300	6%
License Verifications	1,279	320	307	381	322	1,330	4%
Name Changes	442	127	118	110	94	449	2%

License Maintenance Requests Processing Times

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Address Changes	0	0	0	2	0	0	166%
Duplicates (<i>PT Wall Certificates</i>)	0	0	0	0	1	0	0%
License Verifications	8	8	9	7	7	8	-2%
Name Changes	2	2	2	2	4	2	-2%
Renewals	2	3	2	1	1	2	13%

* Processing Times are provided in the average number of days. Values of 0 are shown for any averages less than 1 day.

Licensing Services Program

3-Year Fiscal Year Comparison - FY 2020/21-2022/23

Applications Received

	2020/21	2021/22	2022/23	3-Year Change
PT & PTA	2,585	2,675	2,989	16%

Licenses Issued

	2020/21	2021/22	2022/23	3-Year Change
PT & PTA	2,496	2,588	2,654	6%

License Status Counts

	2020/21	2021/22	2022/23	3-Year Change
PT & PTA				
CURRENT	35,823	36,649	37,927	6%
INACTIVE	1,487	1,573	1,638	10%
DELINQUENT	5,723	6,376	6,546	14%
RETIRED	537	504	506	-6%

Renewals Processed

	2020/21	2021/22	2022/23	3-Year Change
PT & PTA	17,177	17,013	18,225	6%

License Maintenance Requests

(Address, Name, License Verifications, and Duplicate Wall Cert Requests)

	2020/21	2021/22	2022/23	3-Year Change
PT & PTA	6,409	6,169	5,471	-15%

Continuing Competency Licensee Audit Statistics

Physical Therapist

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD through Q4	Q1	Q2	Q3	Q4	YTD through Q4	
Pass						118	93	102	66	379	N/A
Fail						12	6	5	2	25	N/A
Pending						0	0	0	0	0	N/A
Total						130	99	107	68	404	N/A
Pass Rate						91%	94%	95%	97%	94%	N/A

Physical Therapist Assistant

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3		YTD through Q4	Q1	Q2	Q3	Q4	YTD through Q4	
Pass						30	30	31	21	112	N/A
Fail						5	1	5	5	16	N/A
Pending						0	0	0	0	0	N/A
Total						35	31	36	26	128	N/A
Pass Rate						86%	97%	86%	81%	88%	N/A

Approval Agencies and Courses

Approval Agencies	126



Briefing Paper

Agenda Item 21

Date: August 15, 2023

Prepared for: PTBC Members

Prepared by: Carole Phelps, Enforcement Manager

Subject: Consumer Protection Services (CPS) Program

Purpose: Update on Consumer Protection Services Program
FY 2022/23

Attachments: [A. CPS Statistics Report for FY 2022/23](#)
[B. 3-Year Performance Measures Milestone](#)
[C. Disciplinary Summary](#)

Update:

The CPS Program Staff is busy, as usual, with its work of investigating consumer complaints and enforcing the Physical Therapy Practice Act. Over the past few months, we have continued to fine-tune the Board's investigation process, as well as on-board and train our newest Analyst, Angel Ottley. Angel came to us in July from the Board's Continuing Competency Unit, and she has already lightened the workload of the other analysts. We are currently in the process of filling one more vacant analyst position to further decrease individual analysts' caseload to a sustainable level. CPS staff have continued to be flexible in taking on additional tasks and learning new procedures to help support each other and the CPS Program as a whole.

Attachment A: CPS Statistics Report for FY 2022/23

Performance Measure 1 (Complaint Intake) shows that the number of consumer complaints and arrest and conviction reports received have increased slightly compared to last fiscal year.

PTBC's year-to-date average for Performance Measure 2 (Complaint Intake) remains 4 days, coming well under the target of 9 days. This is the average number of days it takes for PTBC to initiate a complaint once received, and to acknowledge receipt of the complaint to the Complainant.

Performance Measures 3 measures the average case age in days for all cases that did not result in a referral to the Attorney General's Office for formal discipline. The average case age went down 23% in comparison to last fiscal year. These numbers are known to fluctuate greatly, as they reflect the average of all cases, and encompass entire

investigative process that involves the timelines, workloads, and response time of not only CPS staff, but of all involved parties. Our target for this performance measure is 180 days, so with the current average cycle time of 157 days, we are meeting this target.

Performance Measure 4 measures the average case age in days for cases that were referred to the Attorney General's Office for formal discipline. The average age is slightly higher compared to last fiscal year and is currently over the target of 540 days.

Although pandemic-related issues are no longer causing lengthy delays, the statistics reported here may still reflect higher processing times as we finalize cases that experienced pandemic-related delays earlier in their investigation process.

Attachment B: 3-Year Performance Measures Milestone

The three-year milestone statistics indicate an increase in total number of complaints received of almost 100 between FY 2020/2021 and FY 2022/2023. Arrest and Conviction cases have remained steady over the past three years. The average number of days to complete an investigation has decreased for PM3 (Cycle Time-No Discipline) but increased for PM4 (Cycle Time Discipline). Investigations for cases that result in disciplinary action have taken significantly longer when compared to investigations that did not result in discipline. CPS staff continues to focus on completing the investigation of older cases, while also diligently investigating newer cases. We are hopeful that with the process improvements that have occurred over the past year, and once all staff vacancies are filled, case aging statistics will improve significantly over the coming year.

Attachment C: Disciplinary Summary

Disciplinary Summary of formal discipline issued for Q4 of FY 2022-23. Disciplinary actions are public record and are available through the DCA License Search. <https://search.dca.ca.gov/>

Action Requested: No Action Required

Consumer Protection Services Statistics Report

Complaint Intake						
	FY 2021/22	Fiscal Year 2022/23				
	YTD	Q1	Q2	Q3	Q4	YTD
PM1: Complaints Received	308	83	63	95	96	337
PM1: Convictions/Arrest Received	154	36	35	26	67	164
PM1: Total Received	460	119	98	121	163	501

Year → Year Change
↑ 9%
↑ 6%
↑ 9%

Intake						
Target: 9 Days	FY 2021/22	Fiscal Year 2022/23				
	YTD	Q1	Q2	Q3	Q4	YTD
PM2: Intake/Avg. Days	3	3	4	5	4	4

Year → Year Change
↑ 33%

Investigations						
Target: 180 Days	FY 2021/22	Fiscal Year 2022/23				
	YTD	Q1	Q2	Q3	Q4	YTD
PM3: Cycle Time-Investigation	204	167	171	169	121	157
PM3a: Intake Only	3	4	3	5	3	4
PM3b: Investigation Only	198	161	166	160	117	151
PM3c: Post Investigation Only	3	2	2	4	1	2

Year → Year Change
↓ -23%
↑ 25%
↓ -24%
↓ -25%

Investigations Aging						
	FY 2021/22	Fiscal Year 2022/23				
	YTD	Q1	Q2	Q3	Q4	YTD
Up to 90 Days	45%	64	67	44	56	58%
91 - 180 Days	23%	19	15	8	17	15%
181 Days - 1 Year (364)	14%	18	11	19	11	15%
1 to 2 Years (365-730)	10%	11	7	3	5	7%
2 to 3 Years (731- 1092)	7%	3	9	3	2	4%
Over 3 Years (1093 +)	1%	3	1	1	0	1%


Year → Year Change
↑ 13%
↓ -8%
↑ 1%
↓ -3%
↓ -3%
↑ 0%

Citations							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Final Citations	53	11	7	12	6	36	↓ -32%
Average Days to Close	432	437	285	459	265	362	↓ -16%

Transmittals to Attorney General (AG)							
Target: 540 Days	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
PM4: AG Cases	900	837	1219	855	797	927	↑ 3%
PM4a: Intake Only	2	3	3	3	4	3	↑ 63%
PM4b: Investigation Only	475	455	773	417	422	517	↑ 9%
PM4c: Pre-AG Transmittal	1	2	1	1	1	1	↑ 25%
PM4d: Post-AG Transmittal	417	378	441	434	370	406	↓ -3%
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
AG Cases Initiated	47	13	19	17	8	57	↑ 21%
AG Cases Pending	42	39	47	48	42	42	⇒ 0%
SOIs Filed	4	0	1	1	1	3	↓ -25%
Accusations Filed	29	5	5	1	11	22	↓ -24%

AG Transmittals							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Total Closed After Transmission	52	14	11	11	14	50	↓ -4%
Total Average Days to Complete	945	841	1225	852	642	890.0	↓ -6%

Total Orders Aging/Final Decision							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Up to 90 Days	0%	0	0	0	0	0%	⇒ 0%
91 - 180 Days	0%	0	0	1	2	6%	↑ 6%
181 Days - 1 Year (364)	15%	1	0	0	1	4%	↓ -11%
1 to 2 Years (365-730)	25%	7	4	6	6	46%	↑ 21%
2 to 3 Years (731- 1092)	17%	3	0	0	3	12%	↓ -5%
Over 3 Years (1093 +)	42%	3	7	4	2	32%	↓ -10%

Other Legal Actions							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Interim Suspension or PC 23 Ordered	5	1	1	1	1	4	 -1

1 Interim Suspension order and 3 PC 23 orders*

PM2: Cycle Time - Intake - Average number of days from the date the complaint was received to the date the complaint was closed or assigned for investigation (assigned to staff).

PM3: Cycle Time - Investigations - Average number of days to complete the entire enforcement process for complaints not transmitted to the AG for formal discipline. (includes intake and investigation days)

PM3a: Intake Only - Of the cases included in PM3, the average number of days from the date the complaint was received to the date the complaint was assigned for investigation.

PM3b: Investigation Only - Of the cases included in PM3, the average number of days from the date the complaint was assigned for investigation to the date the investigation was completed. (without intake)

PM3c: Post Investigation Only - Of the cases included in PM3, the average number of days from the date the investigation was completed to the date of the case outcome or non-AG formal discipline effective date.

PM4: Cycle Time-AG Transmittal - Average number of days to complete the enforcement process for cases investigated and transmitted to the AG for formal discipline. (includes intake & investigation to final outcome of cases transmitted to the AG - includes withdraws, dismissals, etc.)

PM4a: AG Transmittal - Intake Only - Of the cases included in PM4, the average number of days from the date the complaint was received to the date the complaint was assigned for investigation.

PM4b: AT Transmittal - Investigation Only - Of the cases in PM4, the average number of days from the date the complaint was assigned for investigation to the date the investigation was completed.

PM4c: AG Transmittal - Pre AG Transmittal - Of the cases in PM4, the average number of days from the date the investigation was completed to the date the case was transmitted to the AG.

PM4d: AG Transmittal - Post AG Transmittal - Of the cases in PM4, the average number of days from the date the case is transmitted to the AG to the date of the case outcome or formal discipline effective date. (AG days only)

**Physical Therapy Board of California
Consumer Protection Services Program**

3 - Year Performance Measures Milestone			
Fiscal Year	2020-2021	2021-2022	2022-2023
PM1 Volume - Total Number of Complaints Received. (Non conviction/arrest related)	246	308	337
PM1 Volume - Conviction/Arrest Reports Received	161	154	164
Total Complaints Received	407	462	501
PM2 Cycle Time - Intake Average number of days from the date the complaint was received to the date the complaint was closed or assigned for investigation within the reference period.	4	3	4
PM3 Cycle Time-No Discipline (Target 180 Days) Average Number of Days to complete the entire enforcement process for complaints investigated and not transmitted to the AG for formal discipline (Includes intake, investigation, and case outcome or non-AG formal discipline.	204	204	157
PM3a Intake Only Of the cases included in PM3, the average number of days from the date the complaint was received to the date the complaint was assigned for investigation.	3	3	4
PM3b Investigation Of the cases included in PM3, the average number of days from the date the complaint was assigned for investigation, to the date the investigation was completed.	195	198	151
PM3c Post Investigation Of the cases included in PM3, the average number of days from the date the investigation was completed, to the date the case outcome or non AG formal discipline effective date. was transmitted to the AG.	5	3	2
PM 4 Cycle Time-Discipline (Target 540 Days) Average Number of Days to complete the Enforcement process for cases investigated and transmitted to the AG for formal discipline within the reference period.	813	900	908
PM4a Intake Only Of the cases included in PM4, the average number of days from the date the complaint was received, to the date the complaint was assigned for investigation.	2	2	3
PM4b Investigation Only Of the cases in PM4, the average number of days from the date the complaint was assigned for investigation, to the date the investigation was completed.	370	475	505
PM4c Pre-AG Transmittal Of the cases included in PM4, the average number of days from the date the investigation was completed, to the date the case was transmitted to the AG.	1	1	1
PM4d Post--AG Transmittal Of the cases included in PM4, the average number of days from the date the case is transmitted to the AG, to the date of the case outcome or formal discipline effective date.	433	417	388
Total Final Orders	30	38	50

**Disciplinary Summary
Fiscal Year 2022-23 / Quarter 4**

The following is a list of disciplinary actions taken by the Physical Therapy Board of California for the months of April 2023 through June 2023. Except for situations where the licensee has obtained a court ordered stay, Decisions become operative on the Effective Date. Stay orders do not occur in stipulated decisions, which are negotiated settlements waiving court appeals.

Copies of Accusations, Decisions, or Citations may be obtained by visiting our website at www.ptbc.ca.gov. In addition to obtaining this information from our website, you may also request by telephone, fax, or mail. Please address written request to:

Physical Therapy Board of California
Consumer Protection Services
2005 Evergreen Street, Suite 2600
Sacramento, CA 95815
(916) 561-8215/ FAX (916) 263-2560

.....

April 2023

SARIEDIN, MAGDY SALAH PT 7811

Violations: Failure to maintain adequate and accurate patient records; Gross negligence or repeated acts of negligence; Misrepresenting documentation of patient care or deliberately falsifying patient records; Commission of fraudulent, dishonest, or corrupt act; Requirements for use of Aides. Order Effective 4/19/2023, 5 years' Probation

WALZ, ERIC JAMES PT 291990

Violations: Gross negligence; Repeated negligent acts; Practice beyond the scope of practice of physical therapy; Failure to maintain adequate and accurate records; Failure to comply with Direct Access provisions. Order Effective 4/27/2023, Stipulated Disciplinary Surrender

May 2023

SETTLES, BRANNDON JAMES PTA 49269

Violations: Violating the PT Practice Act or Medical Practice Act; Sexual misconduct; Conviction of a crime; Engaging in sexual misconduct or violating BPC Section 726; Commission of fraudulent, dishonest, or corrupt act; Failure to maintain adequate and accurate patient records; Gross negligence or repeated acts of negligence. Order Effective 5/10/2023, Stipulated Disciplinary Surrender

GALUTERA, AARON MIKAEL PT 296706

Violations: Conviction of a crime. Order Effective 5/17/2023, 3 years' Probation, or completion of the drug and alcohol recovery monitoring program plus one (1) year, whichever is longer.

JEFFERS, JUSTIN PTA 52580

Violations: Grounds for denial of licensure; Unprofessional conduct; Conviction of a crime; Dangerous use of alcohol; Violating the PT Practice Act or Medical Practice Act; Habitual intemperance; Order Effective 5/26/2023, 4 years' Probation, or completion of the drug and alcohol recovery monitoring program plus one (1) year, whichever is longer.

June 2023

SHAH, ZALAK PTA 296627

Violations: Aiding or abetting any person to engage in the unlawful practice of physical therapy; Failure to maintain adequate and accurate patient records; Gross negligence or repeated acts of negligence; Patient record documentation requirements. Order Effective 6/12/2023, Public Reapproval

Glossary of Terms

.....

B & P Code – Business and Professions Code
H & S Code – Health and Safety Code
R & R – Rules and Regulations
CCR – California Code of Regulations

Accusations: Charges filed against a licensee alleging violation(s) of the Physical Therapy Practice Act.

Interim Suspension Order: An Order issued upon petition, suspending a licensee from all or specified part of their practice of, or assisting in the provision of, physical therapy.

Petition to Revoke Probation: Charges filed against a probationer seeking revocation of their physical therapy or physical therapy assistant license based upon violation(s) of probation.

Probationary License: Where good cause exists to deny a license, the licensing agency has the option to issue a conditional license subject to probationary terms and conditions.

Public Letter of Reprimand: In lieu of filing a formal accusation, the Board may, pursuant to B & P Code section 2660.3, upon stipulation or agreement by the licensee, issue a public letter of reprimand. If the licensee does not agree to the issuance of the letter, the Board shall not issue the letter and may proceed to file a formal accusation. A public letter of reprimand is considered disciplinary action.

Statement of Issues Filed: Charges filed against an applicant due to alleged violation(s) of the Physical Therapy Practice Act. If found to be true, the charges may result in discipline.

Surrender of License: The licensee surrenders their license to the Board, subject to acceptance of the surrendered license by the Board, and the licensee is prohibited from engaging in the practice, or assisting in the provision, of physical therapy.

Stipulated Decision: Negotiated settlements waiving court appeals.



Briefing Paper

Agenda Item 22

Date: August 16, 2023

Prepared for: PTBC Members

Prepared by: Monny Martin, PTBC Probation Monitor

Subject: Probation Monitoring Program

Purpose: Update on Probation Monitoring Program for - FY 2022-2023

Attachments: [A. Statistical Report](#)
[B. Statistical Report – 3 Year Milestone](#)

Background:

This is a report on the Board's Probation Monitoring Program for FY 2022-2023. Please refer to attachment (1) which contains the probation statistics for FY 2022-2023. Attachment (2) contains the probation stats for the last three (3) fiscal years.

Analysis:

During the fourth and final quarter of FY 2022-2023 there was a high of eighty (80) licensees on probation at one time or another for various causes. Besides the sixty-two (62) licensees on probation and actively working in the state of California, there were an additional ten (10) out of state probationers tolling (not receiving credit toward completion of probation), and eight (8) in-state probationers tolling due to unemployment or underemployment. One (1) licensee was placed on probation in the quarter, and four (4) licensees completed probation in the quarter.

Of the sixty-two (62) licensees that are not tolling, eight (8) are enrolled and participating in the Board's Substance Abuse Rehabilitation Program (Maximus), equaling about 13% of all licensees on probation that weren't tolling. One (1) licensee enrolled in Maximus in the quarter and one (1) licensee completed the program.

There were zero (0) instances of Non-Compliance with probation in the quarter. For the entire FY 2022-2023, there were two instances of Non-Compliance, both for not following the requirements of the Maximus program.

Over the last three (3) years, the number of licensees on probation has increased significantly, increasing from fifty-seven (57) participants in FY 2020/2021, to eighty (80) participants in FY 2022/2023. In FY 2021/2022, twenty-three (23) licensees were placed on probation as opposed to twelve (12) in FY 2020/2021. This is probably due to the end of the COVID-19

pandemic and business getting “back to normal”, especially during FY 2021-2022. The number of licensees that entered probation in FY 2022/2023 decreased to sixteen (16), a number closer to the average number of licensees placed on probation in any given year.

The number of licensees that completed probation over the last three (3) years has decreased, going from thirteen (13) completions in FY 2020/2021, to six (6) in FY 2022/2023. The number of Maximus participants has decreased significantly in the same period, going from thirteen (13) participants in FY 2020/2021, to eight (8) in FY 2022/2023. According to Maximus statistics, this trend seems to not only be consistent with the other boards that also utilize Maximus services but seem to be consistent with other similar programs nationwide. Most of the other statistics seem to have remained consistent over the last three (3) years.

Action Requested: No Action Required.

Probation Statistics Report

Probation							
	FY 2021/22	Fiscal Year 2022/2023					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Entered Probationer	23	4	9	1	1	15	↓ -35%
Completed Probation/Ended (Writ)	9	1	0	3	4	8	↓ -11%
Probation Terminated (Revocation/Stip Su	1	0	0	0	0	0	↓ -100%
Non-Compliant w/Probation	2	1	0	1	0	2	→ 0%
Tolling (Out of State)	11	10	12	13	10	10	↓ -9%
Tolling (In State) (Previously N/A)	0	0	0	0	8	8	↑ 100%
Surrenders (Voluntary)	3	0	0	0	0	0	↓ -33%
Total Probationers	72	75	83	81	80	80	↑ 11%

Maximus							
	FY 2021/22	Fiscal Year 2022/2023					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Entered Maximus	6	1	4	1	1	7	↑ 17%
Completed Maximus	0	0	2	0	1	3	↑ 100%
Total Maximus Participants	9	9	8	8	8	8	↓ -11%
Determined To Be Clinically Inappropriate	0	0	1	0	0	1	↑ 100%
Terminated - Public Risk	1	1	0	1	0	2	↑ 100%
Terminated - Failure to Receive Benefit	1	0	0	0	0	0	↑ 100%
Withdrawn (Expense) - Post-Dec	0	0	0	0	0	0	→ 0%
Withdrawn (Left State) - Post-Dec	0	0	0	0	0	0	→ 0%
Withdrawn - Pre-Dec	0	0	0	0	0	0	→ 0%
Withdrawn - Voluntary	0	0	0	0	0	0	→ 0%

Probation Statistics Report 3-Year Milestone

Fiscal Year	FY 2020/21	FY 2021/22	FY 2022/23
Probation			
Entered Probationer	12	23	15
Completed Probation	13	9	8
Probation Terminated/Revoked	0	1	*1
Non-Compliant w/Probation	2	2	2
Tolling (Out of State)	14	11	10
Tolling (In State) (New Category)	N/A	N/A	8
Surrenders	2	3	0
Total Probationers	57	72	80
* Probation terminated due to outcome of writ proceeding			
Maximus			
Entered Maximus	4	6	7
Completed Maximus	2	6	3
Total Maximus Participants	13	11	8
Determined To Be Clinically Inappropriate	2	2	1
Terminated - Public Risk	1	1	2
Terminated - Failure to Receive Benefit	1	1	0
Withdrawn (Expense) - Post-Decision	0	0	0
Withdrawn (Left State) - Post-Decision	0	0	0
Withdrawn - Pre-Dec	0	0	0
Withdrawn - Voluntary	0	1	0