

**PHYSICAL THERAPY BOARD OF CALIFORNIA**

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**APPROVED**  
**BOARD MEETING MINUTES**  
**February 6, 2006**

Kona Kai Shelter Pointe Hotel  
1551 Shelter Drive  
San Diego, California 92106  
(619) 221-8000

*Monday, February 6, 2006*      *8:30 A.M.*      - *Board Meeting, Hearing, & Committee Meetings*

*Monday February 6, 2006*      *8:30 A.M.*

**1. Call To Order and Roll Call**

President Chu called the meeting of the Physical Therapy Board of California to order at 8:30 a.m. Roll call was taken.

Donald Chu, PhD, PT - President  
Nancy Krueger, PT – Vice President  
Ellen Wilson, PT  
Julie Brandt  
Lorraine Kimura, PT  
Phillip Chen

All members were present with the exception of Julie Brandt and Nancy Krueger. The minutes are to reflect Ms. Krueger arrived at 8:40 am after discussion of Agenda Item 2 & 3.

**2. Board Member Training**

(A) Discussion of web base ethics training

Mr. Hartzell encouraged members to access and complete the ethics-training course online.

**3. Approval of Minutes**

(A) October 27, 2005 – Board Meeting

Moved by Ellen Wilson, Seconded by Phillip Chen to approve the October 27, 2005 meeting minutes as written. Vote: 4-0. Motion carried.

(B) December 6, 2005 – Board Meeting

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Moved by Lorraine Kimura, Seconded by Phillip Chen to approve the December 6, 2005 meeting minutes as written. Vote: 4-0. Motion carried.

**4. President's Report – Donald Chu, PhD, PT**

- (A) Update
- (B) 2006 Meeting Dates

President Chu corrected the May meeting date on the calendar to May 4 & 5, 2006.

**5. 9:00 A.M. Petition for Reinstatement Hearing**

- (A) Open Session - Petition for Modification of Probationary License – Scott Gregory, PT
- (B) The Board will convene in CLOSED SESSION to deliberate per Government Code Section 11126(c)(3).

Disciplinary decisions are available on the Board's website at [www.ptb.ca.gov](http://www.ptb.ca.gov).

**6. The Board will convene in CLOSED SESSION to deliberate on disciplinary decisions and stipulations per Government Code 11126(c)(3)**

- (A) Ahmed Nasir, PTA
- (B) Arthur W. Mattmiller, PT
- (C) Lee Robert Skogan, PT
- (D) Emergency Items

Disciplinary decisions are available on the Board's website at [www.ptb.ca.gov](http://www.ptb.ca.gov).

**7. Committee Meetings**

**Licensing Committee - Ellen Wilson, PT, Philip Chen, Donald Chu, PhD, PT**

- (A) The Board will review and take actions on applications submitted by individuals who are applying for licensure as a physical therapist or a physical therapist assistant (e.g. letters of appeal, requests for application extensions, credential reports that do not meet the criteria for review at the staff level)
- (B) Rulemaking Calendar

**Practice Issues Committee - Nancy Krueger, PT, Julie Brandt, Lorraine Kimura, PT**

The Board will review, discuss, and take actions on practice issues that have been submitted to the Board.

**8. Executive Officer's Report -Steven K. Hartzell**

- (A) Update

Mr. Hartzell reported the Board is currently involved in a software audit initiated by DCA. The audit has indicated the Board is not in compliance; however, he is working with DCA to become compliant. This may require purchasing additional software licenses.

Mr. Hartzell reported Cheryl Hayer has left the PTBC and is now working in the Personnel Department at DCA and that her position will be used to make permanent those positions currently funded from the blanket. He also informed the Board he will be working on Budget Change Proposals (BCP's) to request additional staff.

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(B) 2005 - 2006 Budget & BCP's

Mr. Hartzell reported on the 2005-2006 Budget included in the agenda book and explained the Board's budget to the new members.

(C) Federation of Association of Regulatory Boards (FARB)

Mr. Hartzell reported on the FARB meeting he attended over the past weekend in San Diego and explained the FARB's role to the new members.

**9. Operational Board Audit by the Internal Audit Office for the 2005/2006 Sunset Review**

Mr. Hartzell directed members to the audit report included in the agenda book. He explained the Licensing Unit's audit identified the Board did not have a copy of the contract with the Department of Justice for processing the fingerprint card reports. However, Kirsten Salters is to be commended for all her hard work in trying to obtain a copy of the contract since it has not been easy to access. Board staff is continuing to work with the Internal Audit Office to ensure compliance with maintaining fingerprint card clearance records. The Enforcement Unit was criticized for not always acknowledging complaints within 10 days, notifying the complainant of the decision or outcome once the complaint was finalized, and on the lack of documentation in the complaint file. Mr. Hartzell explained the steps staff is taking to make the necessary changes recommended by Internal Audits.

Ms. Marco explained the Enforcement Unit is short staffed and one steps in resolving the staffing issue has been to move Christina Metzen into the Enforcement Unit and out of the Licensing Unit. Carl Nelson will now be assuming Christina's duties processing the foreign educated applicants and working with the Licensing Committee.

**10. Rulemaking – Michael McCormick**

(A) Rulemaking in Progress

Mr. McCormick reported the Administrative Citation regulation is currently being reviewed at the Office of Administrative Law (OAL).

(B) 2006 Rulemaking Calendar

Mr. McCormick reported on the 2006 Rulemaking Calendar included in the agenda book. The regulations identified in the 2006 Rulemaking Calendar will be amended and presented to the Board for review and possible approval at the May meeting. The next step, if the amended language is approved at the May meeting, would be to schedule the rulemaking hearings at the August meeting.

**11. Strategic Plan – Rebecca Marco**

(A) Strategic Plan

(B) Strategic Plan Matrix Chart

Ms. Marco directed members to the Strategic Plan Matrix Chart included in the agenda book. President Chu commented the auditors from the Internal Audit Department appreciated the Board's

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Matrix Chart and on meeting the deadline dates for the objectives and deliverables. Ms. Wilson also expressed her gratitude to staff on all the items that have been completed in the Matrix Chart.

Ms. Marco and Ms. Mitchell reported on the briefing papers included in the agenda book regarding the completion or status of objectives and deliverables on the Matrix Chart.

**12. Sunset Report – Steven K. Hartzell**

Mr. Hartzell reported the next hearing is scheduled to take place sometime in March. He will notify the Board once he receives the hearing date.

**13. Newsletter – Debi Mitchell**

Ms. Mitchell reported the last Progress Notes was published and mailed at the end of December. She explained the Board might have some budget restraints in publishing another newsletter this fiscal year. However, staff will bring the next draft newsletter for the Board to review at the May meeting with the understanding it may need to be published after July when the Board enters a new fiscal year. The members commented on the creative development of the newsletter and how beneficial it is to the physical therapy profession.

**14. Consumer and Professional Associations and Intergovernmental Relations – Steve Hartzell**

(A) California Physical Therapy Association (CPTA)

Patti Evans, PT and CSE of the CPTA reported on the new bills the CPTA is introducing.

(B) American Physical Therapy Association (APTA)

Mr. Hartzell reported on the APTA's Combined Sections Meeting held in San Diego this past week and on the favorable results of the Board participation.

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

Mr. Hartzell reported Donald Chu might be running for an officer position at the FSBPT. President Chu reported he thinks the treasurer position is available and that he is currently on the Finance Committee with the FSBPT.

(D) California Consumer Affairs Association (CCAA)

(E) Department of Consumer Affairs (DCA)

Mr. Hartzell reported DCA has fully relocated to their new building.

(F) Citizen Advocacy Center (CAC)

(G) California Board of Occupational Therapy (CBOT)

Ms. Mitchell directed members to the briefing paper included in the agenda book.

(H) Board of Chiropractic Examiners (BCE)

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Mr. McCormick directed members to the briefing paper included in the agenda book. He informed the Board the BCE tried to put through a regulation that would allow a chiropractor to perform manipulation under anesthesia; however, OAL did not approve this regulation.

(I) Speech Pathology and Audiology Board (SPAB)

Mr. Hartzell directed members to Carl Nelson's briefing paper included in the agenda book.

**15. Licensing Committee Report – Ellen Wilson, PT, Chair**

See the attached meeting bullets.

**16. Practice Issues Committee Report – Nancy Krueger, PT, Chair**

See the attached meeting bullets.

**17. Disciplinary Action Report – Donald Chu, PhD, PT**

President Chu directed members to the "Customer Satisfaction Survey" report included in the agenda book and then discussed the comments. He suggested staff add a comparison section to determine the growing or decreasing trend in complaints to the Disciplinary Action Report.

**18. Legislation**

A) 2005 Legislation

B) 2006 Proposed Legislation

**19. Items for Next Meeting Agenda**

(A) PTBC Meeting – May 2006 in Burbank

Items to include on the May agenda: record retention, amended rulemaking language, and draft newsletter.

**20. Public Address**

Persons wishing to request agenda items for future Board consideration or to express concerns may address the Board at this time.

**21. Adjournment**

Moved by Ellen Wilson, Seconded by Phillip Chen to adjourn the Physical Therapy Board of California's meeting at 2:00 p.m.

Moved by Nancy Krueger, Seconded by Ellen Wilson to approve the February 6, 2006 meeting minutes as written. Vote: 4-0. Motion carried.

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Donald Chu, PhD, PT – President

Date