



Physical Therapy Board of California

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY - GOVERNOR EDMUND G. BROWN JR.

Physical Therapy Board of California

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Board Members

President

Debra Alviso, PT, DPT

Vice-President

Katarina Eleby

Members

Jesus Dominguez, PT, PhD

Daniel Drummer, PT, DPT

Alicia Rabena-Amen, PT, MPT

James Turner, MPA

Carol Wallisch, MA, MPH

Physical Therapy Board of California Adopted Meeting Minutes

November 4, 2015 9:00 a.m.

November 5, 2015 9:00 a.m.

**Ohlone College
Newark Center for Health Sciences
and Technology
39399 Cherry Street, Room NC 1100
Newark, CA 94560**

Board Staff

Jason Kaiser, Executive Officer

Liz Constancio, Manager

Elsa Ybarra, Manager

Brooke Arneson, Associate

Analyst

2 For the sake of clarity, agenda items discussed during the meeting follow their original order on
3 the agenda in these minutes; however, some agenda items may have been taken out of order
4 during the meeting.

5

6 **1. Call to Order, Roll Call and Establishment of Quorum**

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8 The Physical Therapy Board of California (Board) meeting was called to order by Dr.
9 Alviso at 9:02 a.m. on November 4, 2015. The Board recessed at 5:10 p.m. and
10 reconvened at 9:00 a.m. on November 5, 2015. All members were present with the
11 exception of Jesus Dominguez and Carol Wallisch and a quorum was established. Also
12 present at the meeting were Angelique Scott, Legal Counsel; Liz Constancio; Brooke
13 Arneson and Elsa Ybarra, Board staff. Jason Kaiser, Executive Officer was absent.

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15 **2. Special Order of Business – August 19, 2015 9:00 a.m.**

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17 **(A) Hearing on Petition for Reinstatement of License – Aaron Tsuda**

18

19 **(B) Hearing on Petition for Termination of Probation – Robert Gray, PT**

20

21 After submission of the matter(s), the Board convened in closed session to deliberate per
22 Government Code section 11126(c)(3).

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24 Once issued, disciplinary decisions can be found on the Board's website at
25 www.ptbc.ca.gov.

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27 **3. Closed Session**

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**(A) Pursuant to Government Code section 11126(c)(3)
Deliberation on Disciplinary Actions**

Once issued, disciplinary decisions can be found on the Board's website at www.ptbc.ca.gov.

**(B) Pursuant to Government Code section 11126(a)(1)
Appointment, Employment, Evaluation of Executive Officer**

**(C) Pursuant to Government Code section 11126(c)(1)
Prepare, approve, grade or administer examinations**

(D) Adjourn Closed Session

4. Reconvene Open Session

5. Review and Approval of August 19 & 20, 2015 Meeting Minutes

Ms. Arneson presented the August 2015 minutes for the Board's consideration. The Board identified minor amendments to the minutes as follows:

Page 8, line 129 – correct error “Ms.” Alviso to “Dr.” Alviso

Page 9, line 157 – correct Director “Kadane” to “Kidane”

Page 10, line 213 – correct “Vote: 7-0” to included “carried”

MOTION: To adopt the draft August 19 & 20, 2015 meeting minutes as amended.

M/S: Turner/Eleby

VOTE: 5-0 Motion carried

Discussion pursued regarding the depth of detail included in the minutes and the necessity. Dr. Alviso concluded she would have a discussion with the Executive Officer regarding this matter.

6. Consumer and Professional Associations and Intergovernmental Relations Reports

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

No representatives were present.

(B) Department of Consumer Affairs (DCA)

72 No representatives were present.

73
74 **(C) California Physical Therapy Association (CPTA)**

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76 Stacy DeFoe, Executive Director, discussed the Federation of State Boards of Physical
77 Therapy's (FSBPT) Physical Therapy Licensure Compact. She asked that the Board
78 place the Licensure Compact on the February agenda to further discuss the pros and
79 cons of participating in the compact. She stated that CPTA would be interested in
80 hearing from the Board on what the implications would be. She noted that CPTA has
81 not taken a formal position on the compact.

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83 **7. President's Report - *Dr. Debra Alviso***

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85 **(A) 2016 Meeting Calendar**

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87 There were discussions regarding a change to the May meeting dates; however, Dr.
88 Alviso was concerned about graduation conflicts and deferred making the change until
89 Dr. Dominguez was consulted.

90
91 **8. Executive Officer's Report - *Jason Kaiser***

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93 Dr. Alviso referred members to the report included in the agenda materials and asked
94 Ms. Constancio and Ms. Ybarra to present in Mr. Kaiser's absence. Mr. Turner inquired
95 about staffing resources and there was discussion regarding BreEZe.

96
97 **9. Legislation Report - *Brooke Arneson***

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99 **(A) 2015/16 Legislative Session Summary**

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101 Ms. Arneson referred the members to the legislative summary included in the agenda
102 materials and reviewed the status of the bills.

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104 **(B) 2015/16 Other Bills Potentially Impacting Physical Therapy Practice or
105 Regulation or Operation of the Physical Therapy Board.**

106
107 Included in above report.

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109 **10. Rulemaking Report - *Brooke Arneson***

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111 **(A) 2015 Rulemaking Update**

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113 Ms. Arneson referred the Board to the rulemaking tracking form included in the agenda
114 materials and advised on the status.

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(B) 2016 Rulemaking Calendar

Ms. Arneson discussed the calendar included in the agenda materials. The Board voted to adopt the 2016 Rulemaking Calendar as presented.

- MOTION:** Ms. Eleby
- M/S:** Mr. Turner
- VOTE:** 5-0 Motion Carried

(C) Draft Regulatory Language for Board Consideration and Possible Action for the Following Sections of Division 13.2 of Title 16 of the California Code of Regulations
i. License Renewal Exemptions: Retired Status
Regulation number(s) to be determined

After lengthy discussion regarding issues including; but not limited to, the definition of: retired, current and valid, subject of disciplinary action, expired and cancelled, the Board determined staff revisit the language and address concerns of the Board for further consideration at a future meeting.

11. Administrative Services Report – *Liz Constancio*

Ms. Constancio gave a detailed report on the Board’s budget status and outreach efforts as supported by the agenda materials.

12. Application & Licensing Services Report – *Liz Constancio*

Ms. Constancio presented the report included in the agenda materials.

13. Consumer Protection Services Report – *Elsa Ybarra*

Ms. Ybarra directed members to the reports included in the agenda materials.

14. Board Member Training – *Liz Constancio*

(A) Mandatory Training and Reporting Requirements

Ms. Constancio presented on training and reporting requirements and advised members the requirements are a statutory requirement.

15. Board Member Elections

(A) President – Ms. Eleby was elected 2016 President.

- MOTION:** Dr. Alviso
- M/S:** Mr. Turner

162 **VOTE:** 4-0 Motion Carried. 1 Abstention

163

164 **(B) Vice President** – Ms. Rabena-Amen was elected 2016 Vice President.

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166 **MOTION:** Ms. Eleby

167 **M/S:** Dr. Alviso

168 **VOTE:** 5-0 Motion Carried

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170 **(C) FSBPT Delegate** –Ms. Eleby was elected FSBPT Delegate.

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172 **MOTION:** Dr. Alviso

173 **M/S:** Ms. Rabena-Amen

174 **VOTE:** 5-0 Motion Carried

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176 **(D) FSBPT Alternate Delegate** – Ms. Rabena-Amen was elected FSBPT Alternate
177 Delegate.

178

179 **MOTION:** Dr. Drummer

180 **M/S:** Dr. Alviso

181 **VOTE:** 5-0 Motion Carried

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183 **(E) FSBPT Back-up Alternate Delegate** – Dr. Alviso was elected FSBPT Back-up
184 Alternate Delegate.

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186 **MOTION:** Dr. Drummer

187 **M/S:** Mr. Turner

188 **VOTE:** 5-0 Motion Carried

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190 **16. Public Comment on Items Not on the Agenda**

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192 There were no public comments on items not on the agenda.

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194 **17. Agenda Items for Next Meeting – February 10 & 11, 2016**

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196 The topic of rulemaking defining retired status will be included on the agenda for the
197 February, 2016 meeting.

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199 **18. Adjournment**

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201 The Board concluded the meeting on Thursday, November 5, 2015 and adjourned at 2:35
202 p.m.