

JUNE
20 & 21, 2019
BOARD MEETING

California State University, Long Beach
Barrett Athletic Conference Center
Room 223



Physical Therapy Board of California

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY – GAVIN NEWSOM, GOVERNOR

THE PHYSICAL THERAPY BOARD OF CALIFORNIA

2005 Evergreen St. Suite 1350, Sacramento, California 95815

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

www.ptbc.ca.gov

PHYSICAL THERAPY BOARD OF CALIFORNIA NOTICE OF PUBLIC MEETING

June 20, 2019 9 a.m.

June 21, 2019 9 a.m.

California State University, Long Beach
1250 Bellflower Blvd.,
Long Beach, CA 90840
The Barrett Athletic Conference Center
Room 223

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.** Please refer
to the informational notes at the end of
the agenda.

BOARD MEMBERS

Alicia K. Rabena-Amen, PT, DPT, *President*

TJ Watkins, *Vice President*

Jesus Dominguez, PT, Ph.D., *Member*

Daniel Drummer, PT, DPT, *Member*

Katarina Eleby, M.A., *Member*

Tonia McMillian, *Member*

Vacant, *Physical Therapist Member*

BOARD STAFF

Jason Kaiser, *Executive Officer*

Elsa Ybarra, *Manager*

Liz Constancio, *Manager*

Sarah Conley, *Manager*

Brooke Arneson, *Associate Analyst*



Physical Therapy Board of California



STATE OF CALIFORNIA

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DEPARTMENT OF CONSUMER AFFAIRS

Agenda – Thursday, June 20th

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. Special Order of Business – 9:05 a.m.

(A) Petition for Modification of Probation/Termination of Probation – Matthew Isenberg, PT

(B) Petition for Modification of Probation/Termination of Probation – Kelly Hosking, PT

(C) Petition for Modification of Probation/Termination of Probation – Michael Maga, PT

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

4. 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

(C) Pursuant to Government Code section 11126, subdivisions (e)(1) and (2)(A), the Board will convene to confer with, or receive legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.

5. Reconvene Open Session

6. Review and Approval of March 21-22, 2019 Meeting Minutes – Brooke Arneson

7. Legislation Report – Brooke Arneson

(A) 2019/20 Legislative Session Summary

i. AB 5 (Gonzalez) Worker Status: Independent Contractors

ii. AB 71 (Melendez & Kiley) Employment Standards: Independent Contractors and Employees

iii. AB 193 (Patterson) Professions and Vocations

iv. AB 476 (Blanca Rubio) Department of Consumer Affairs: Task Force: Foreign Trained Professionals

v. AB 496 (Low) Business and Professions

vi. AB 544 (Brough) Professions and Vocations: Inactive Licenses Fees and Accrued and Unpaid Renewal Fees

vii. AB 613 (Low) Professions and Vocations: Regulatory Fees

viii. AB 1076 (Ting) Criminal Records: Automatic Relief

ix. AB 1592 (Bonta) Athletic Trainers

x. SB 53 (Wilk & Lackey) Open Meetings

xi. SB 425 (Hill) Health Practitioners: Licensee's File: Probationary Physician's and Surgeons Certificate: Unprofessional Conduct

xii. SB 537 (Hill) Workers Compensation: Independent Bill Review

8. Rulemaking Report

(A) 2019 Rulemaking Update – *Brooke Arneson*

- i. Examination Passing Standard/Setting Examination Score
- ii. Guidelines for Issuing Citations and Imposing Discipline, 6th Edition
- iii. Satisfactory Documentary Evidence of Equivalent Degree for Licensure as a Physical Therapist or Physical Therapist Assistant/Coursework Tool
- iv. Federation of State Boards of Physical Therapy's (FSBPT) Performance Evaluation Tool for Foreign Educated Physical Therapists Completing a Supervised Clinical Practice in the United States
- v. Substantial Relationship Criteria
- vi. Rehabilitation Criteria for Denial and Reinstatement of Licensure
- vii. Rehabilitation Criteria for Suspensions and Revocations

(B) Discussion and Possible Board Action to Amend Title 16, California Code of Regulations Section 1399.15 Guidelines for Issuing Citations and Imposing Discipline – *Elsa Ybarra*

(C) Discussion and Possible Board Action to Amend Title 16, California Code of Regulations Section 1398.26.1 Satisfactory Documentary Evidence of Equivalent Degree for Licensure as a Physical Therapist or Physical Therapist Assistant– *Brooke Arneson*

9. 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).)

10. Recess

Agenda – Friday, June 21st

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

12. Roll Call and Establishment of Quorum

13. 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
- (C) Pursuant to Government Code section 11126, subdivisions (e)(1) and (2)(A), the Board will convene to confer with, or receive legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.

14. Reconvene Open Session

15. President's Report –*Alicia Rabena-Amen*

- (A) 2019 Adopted Meeting Calendar
- (B) 2020 Proposed Meeting Calendar

16. Executive Officer's Report – *Jason Kaiser*

- (A) Administrative Services
- (B) Applications
- (C) Licensing/Continuing Competency
- (D) Consumer Protection Services
- (E) Outreach
- (F) PTBC Relocation
- (G) Strategic Plan

17. 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)

18. Administrative Services - Discussion and Possible Board Action

- (A) Budget Report – *Kim Rozakis*
- (B) Outreach Report – *April Beauchamps*

19. Discussion and Possible Board Action on the Board Member Administrative Manual – *April Beauchamps*

20. Application Services - Discussion and Possible Board Action – *Sarah Conley*

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

21. Licensing Services - Discussion and Possible Board Action – *Sarah Conley*

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

22. Continuing Competency Services - Discussion and Possible Board Action – *Sarah Conley*

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

23. Consumer Protection Services - Discussion and Possible Board Action – *Elsa Ybarra*

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

24. Probation Monitoring Services - Discussion and Possible Board Action – *Monny Martin*

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

25. Board Member Training – Travel Procedures – *Kim Rozakis & Timothy Davis*

26. 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).)

27. Agenda Items for Future Meeting – September 18-19, 2019 TBD, Bay Area, CA

28. 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 at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification to participate in the meeting may make a request by contacting Brooke Arneson at (916) 561-8260, e-mail: brooke.arneson@dca.ca.gov, or send a written request to the Physical Therapy Board of California, 2005 Evergreen Street, Suite 1350, Sacramento, CA 95815. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.