



**PHYSICAL THERAPY**  
BOARD OF CALIFORNIA

**December 7–8, 2022**  
**BOARD MEETING**

Department of Consumer Affairs  
2005 Evergreen St., Hearing Room  
Sacramento, CA 95815

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

# PHYSICAL THERAPY BOARD OF CALIFORNIA

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

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## PHYSICAL THERAPY BOARD OF CALIFORNIA NOTICE OF PUBLIC MEETING

December 7, 2022 9 a.m.

December 8, 2022 9 a.m.

Department of Consumer Affairs  
2005 Evergreen St., Hearing Room  
Sacramento, CA 95815

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

Alicia K. Rabena-Amen, P.T., DPT, *President*

Tonia McMillian, *Vice President*

Dayle C. Armstrong, Ph.D., P.T., M.S., DPT, *Member*

Jesus Dominguez, P.T., Ph.D., *Member*

Daniel Drummer, P.T., DPT, *Member*

Katarina Eleby, M.A., *Member*

Johnathon Ervin, *Member*

## BOARD STAFF

Jason Kaiser, *Executive Officer*

Sarah Conley, *Assistant Executive Officer*

Liz Constancio, *Administrative Services Manager*

Brooke Arneson, *Legislation and Regulation Manager*

Vacant, *Consumer Protection Services Manager*

Vacant, *Licensing Services 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.



STATE OF CALIFORNIA  
**dca**  
DEPARTMENT OF CONSUMER AFFAIRS

## **Agenda – Wednesday, December 7th**

**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. Special Order of Business – 9:05 a.m.**
  - (A) Petition for Reinstatement of License – Jollene Dell Emery-Jones  
*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)*
- 5. 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 the following litigation: *Alan Kun-Sien Kyo v. Physical Therapy Board of California* (Superior Court of California, County of Sacramento, Case number 34-2021-80003743)
- 6. Review and Approval of September 2022, Meeting Minutes – Brooke Arneson**
- 7. President's Report –Alicia Rabena-Amen**
  - (A) 2023 Proposed Meeting Calendar
  - (B) 2024 Proposed Meeting Calendar
- 8. Executive Officer's Report – Jason Kaiser**
  - (A) Administrative Services
    - i. Staffing
  - (B) Licensing Services
  - (C) Consumer Protection Services

## **9. 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)

## **10. Legislation Report – Brooke Arneson**

- (A) 2021/22 Legislative Session Summary
  - 1. AB 1604 (Holden) The Upward Mobility Act of 2022: Boards and Civil Service: Examinations: Classifications
  - 2. SB 731 (Durazo and Bradford) Criminal Records: Relief
  - 3. SB 1237 (Newman) Licenses: Military Service
  - 4. SB 1438 (Roth) Physical Therapy Board of California
  - 5. SB 1495 (Committee on Business, Professions and Economic Development) Professions and Vocations

## **11. Rulemaking Report – Brooke Arneson**

- (A) 2022 Rulemaking Update for Pending or Proposed Regulations (Title 16, California Code of Regulations (16 CCR)):
  - 1. Proposed Amendments to 16 CCR section 1398.26.1 – Satisfactory Documentary Evidence of Equivalent Degree for Licensure as a Physical Therapist or Physical Therapist Assistant/Coursework Tool
  - 2. Proposed Amendments to 16 CCR sections 1398.26.5, – Clinical Service Requirements for Foreign Educated Applicants Completing a Supervised Clinical Practice in the United States
  - 3. Proposed Amendments to 16 CCR 1399.18, 1399.50 and 1399.52 – Retired License Status and Physical Therapist and Physical Therapist Assistant Fees
  - 4. Update Regarding the Development of Possible Amendments to the Board's Continuing Competency Regulations

## **12. Discussion and Possible Board Action on the 2023 Rulemaking Calendar – Brooke Arneson**

## **13. 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).)*

## **14. Recess**

## **Agenda – Thursday, December 8<sup>th</sup>**

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

**15. Call to Order - 9:00 a.m.**

**16. Roll Call and Establishment of Quorum**

**17. Reading of the Board's Mission Statement**

**18. DCA Budget Office Presentation of Services – *Renee Milano & Sarah Hinkle***

**19. Administrative Services Update**

(A) Budget Report – *Liz Constancio*

(B) Outreach Report – *April Beauchamps*

**20. Application Services Update – *Valerie Kearney***

(A) Program Updates

(B) Statistical Reports

**21. Licensing Services Update – *Valerie Kearney***

(A) Program Updates

(B) Statistical Reports

**22. Continuing Competency Services Update – *Sarah Conley***

(A) Program Updates

(B) Statistical Reports

**23. Consumer Protection Services Update – *Carole Phelps***

(A) Program Updates

(B) Statistical Reports

**24. Probation Monitoring Services Update – *Monny Martin***

(A) Program Updates

(B) Statistical Reports

**25. Board Member Training – *Kim Rozakis & Liz Constancio***

(A) Form 700 Training – Statement of Economic Interest and Conflict of Interest Filing

## **26. Board Member Elections**

- (A) President
- (B) Vice-President
- (C) FSBPT Delegate
- (D) FSBPT Alternate Delegate
- (E) FSBPT Back-Up Delegate

## **27. 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).)*

## **28. Agenda Items for Future Meeting –**      March 22-23, 2023 TBD, Bay Area, CA

## **29. 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 the following litigation: *Alan Kun-Sien Kyo v. Physical Therapy Board of California* (Superior Court of California, County of Sacramento, Case number 34-2021-80003743)

## **30. 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](http://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 Brooke Arneson at (916) 561-8260, e-mail: [brooke.arneson@dca.ca.gov](mailto:brooke.arneson@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.*