

MARCH
21 & 22, 2019
BOARD MEETING

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



Physical Therapy Board of California

THE PHYSICAL THERAPY BOARD OF CALIFORNIA

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PHYSICAL THERAPY BOARD OF CALIFORNIA NOTICE OF PUBLIC MEETING

March 21, 2019 9 a.m.

March 22, 2019 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.** 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, March 21st

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. 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
- 4. Reconvene Open Session**
- 5. Review and Approval of December 5-6, 2018 Meeting Minutes – Brooke Arneson**
- 6. Review and Approval of February 13, 2019 Teleconference Meeting Minutes – Brooke Arneson**
- 7. President's Report –Alicia Rabena-Amen**
 - (A) 2019 Adopted Meeting Calendar
 - (B) 2020 Proposed Meeting Calendar
- 8. 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
- 9. Discussion and Possible Board Action for the Increase in the Exempt Level of the Executive Officer – Alicia Rabena-Amen**
 - (A) Report from the Exempt Level Increase Committee – *Katarina Eleby and TJ Watkins*
 - (B) PTBC's Executive Officer Exempt Level/Organizational Structure Overview
 - (C) DCA Exempt Level Comparison
 - (D) Exempt Salary Schedule
 - (E) PTBC Organization Chart
 - (F) Executive Officer Exempt Level Increase (Previous Package)
 - (G) Draft Request for Exempt Position Level Change
- 10. 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)

11. 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 496 (Low) Business and Professions
 - v. AB 613 (Low) Professions and Vocations: Regulatory Fees
 - vi. AB 1592 (Bonta) Athletic Trainers
 - vii. SB 53 (Wilk & Lackey) Open Meetings
 - viii. SB 425 (Hill) Health Practitioners: Licensee’s File: Probationary Physician’s and Surgeons Certificate: Unprofessional Conduct
 - ix. SB 537 (Hill) Workers Compensation: Independent Bill Review

12. 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 Initiate a Rulemaking to Amend Title 16, California Code of Regulations Section 1399.20 Substantial Relationship Criteria – *Salwa Bojack*
- (C) Discussion and Possible Board Action to Initiate a Rulemaking to Amend Title 16, California Code of Regulations Section 1399.21 Rehabilitation Criteria for Denial and Reinstatement of Licensure – *Salwa Bojack*
- (D) Discussion and Possible Board Action to Initiate a Rulemaking to Amend Section 1399.22 Rehabilitation Criteria for Suspension and Revocations – *Salwa Bojack*

13. Administrative Services - Discussion and Possible Board Action

- (A) Budget Report – *Carl Nelson*
- (B) Outreach Report – *April Beauchamps*

14. DCA Budget Unit - Presentation of Services– Robert de Los Reyes, DCA Budget Manager

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

16. 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).)

17. Recess

Agenda – Friday, March 22nd

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

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

19. Roll Call and Establishment of Quorum

20. 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

21. Reconvene Open Session

22. Application Services - Discussion and Possible Board Action – Valerie Kearney

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

23. Licensing Services - Discussion and Possible Board Action – Justin Silva

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

24. Continuing Competency Services - Discussion and Possible Board Action –

Veronica Gutierrez

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

25. Consumer Protection Services - Discussion and Possible Board Action – Marney Kincaid

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

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

- (A) Program Updates
- (B) Statistical Reports
- (C) Presentation on the Overview of the Probation Monitoring Program

27. Board Member Training – Presentation on the Legislative Process

28. 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).)

29. Agenda Items for Future Meeting – June 19-20, 2019
California State University Long Beach
Long Beach, CA

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. 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.