JUNE 25, 2020
BOARD MEETING

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

Physical Therapy Board of California

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

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 25, 2020 9 a.m.

Department of Consumer Affairs
2005 Evergreen St.,
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 via a teleconference platform. THE PUBLIC IS ENCOURAGED TO ATTEND. Please refer to the instructions attached to observe and participate in the meeting using WebEx from a Microsoft Windows-based PC.

BOARD MEMBERS

Alicia K. Rabena-Amen, PT, DPT, *President*
Katarina Eleby, M.A., *Vice President*
Jesus Dominguez, PT, Ph.D., *Member*
Daniel Drummer, PT, DPT, *Member*
Tonia McMillian, *Member*
Vacant, *Physical Therapist Member*
Vacant, *Public Member*

BOARD STAFF

Jason Kaiser, *Executive Officer*
Elsa Ybarra, *Manager*
Liz Constancio, *Manager*
Sarah Conley, *Manager*
Brooke Arneson, *Executive Analyst*

Physical Therapy Board of California

STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

BOARD MEETING AGENDA

PUBLIC TELECONFERENCE MEETING

June 25, 2020

NOTE: Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, dated March 17, 2020, a physical meeting location is not being provided.

Important Notices to the Public: The Physical Therapy Board will hold a public meeting via a teleconference platform.

INSTRUCTIONS FOR PARTICIPATION: Please see the instructions attached hereto to observe and participate in the meeting using WebEx from a Microsoft Windows-based PC.

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

For all those who wish to participate or observe the meeting on Thursday, June 25, 2020, please log on to this website: https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=e07e1732add0527d15f3618b2aaa6d155

As an alternative, members of the public who wish to observe the meeting on June 25, 2020 without making public comment can do so (provided no unforeseen technical difficulties) at: https://thedcapage.wordpress.com/webcasts/

Public comments will be limited to two minutes unless, in the discretion of the Board, circumstances require a shorter period; members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

Agenda – Thursday, June 25th

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

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

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

3. **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).)

4. **Review and Approval of December 12-13, 2019, Meeting Minutes** – *Brooke Arneson*

5. **President's Report** –*Alicia Rabena-Amen*
   (A) 2020 Adopted Meeting Calendar
   (B) 2021 Proposed Meeting Calendar

6. **Executive Officer's Report** – *Jason Kaiser*
   (A) PTBC Relocation

7. **Discussion Regarding Waivers Issued by the Director of the California Department of Consumer Affairs**
   (A) DCA Waiver DCA-20-01 Continuing Education
   (B) DCA Waiver DCA-20-02 Reinstatement of Licensure
   (C) DCA Waiver DCA-20-09 Examination Requirement for Continued Physical Therapy Treatment

8. **California Jurisprudence Exam Administration Options -** *Jeff Rosa, FSBPT*

9. **Discussion and Possible Board Action for the Increase in the Exempt Level of the Executive Officer** – *Alicia Rabena-Amen*

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 613 (Low) Professions and Vocations: Regulatory Fees
        ii. AB 888 (Low) Opioid Prescriptions: Information: Nonpharmacological Treatments for Pain
        iii. AB 1263 (Low) Contracts: Consumer Services: Consumer Complaints
        iv. AB 1616 (Low) Department of Consumer Affairs: Boards: Expunged Convictions
        v. AB 1665 (Bonta) Athletic Trainers
        vi. AB 1850 (Gonzalez) Worker Classification: Employees and Independent Contractors
        vii. AB 1904 (Boerner Horvath) Pelvic Floor Physical Therapy Coverage
        viii. AB 2028 (Aguiar-Curry) State Agencies: Meetings
        ix. AB 2113 (Low) Refugees, Asylees, and Immigrants: Professional Licensing

x. AB 2185 (Patterson) Professions and Vocations: Applicants Licensed in Other States: Reciprocity
xi. AB 2214 (Carrillo) Administrative Procedure Act: Notice of Proposed Action
xii. AB 2410 (Cunningham) Athletic Trainers
xiii. AB 2549 (Salas) Department of Consumer Affairs: Temporary Licenses
xiv. AB 2631 (Cunningham) License Fees: Military Partners and Spouses
xv. AB 2684 (Blanca Rubio) School Employee Credentialing: Occupational Therapy and Physical Therapy Services: Workgroup
xvi. AB 2704 (Ting) Healing Arts: Licensees: Data Collection
xvii. AB 2978 (Ting) Department of Justice: Arrest and Conviction Records: Review
xviii. AB 3045 (Gray) Department of Consumer Affairs: Boards: Veterans: Military Spouses: Licenses
xix. SB 878 (Jones) Department of Consumer Affairs Licensing: Applications: Wait Times
xx. SB 1054 (Moorlach) Physical Therapy Licensure Compact Presentation by the PT Compact Commission
xxi. SB 1168 (Morrell) State Agencies: Licensing Services

12. Rulemaking Report – *Brooke Arneson*

(A) 2019 Rulemaking Update

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; Rehabilitation Criteria for Denial and Reinstatement of Licensure; and Rehabilitation Criteria for Suspensions and Revocations

13. Administrative Services - Discussion and Possible Board Action - *Jason Kaiser*

(A) Budget Report
(B) Outreach Report
(C) Board Member Appointments

14. Application Services - Discussion and Possible Board Action – *Jason Kaiser*

(A) Program Updates
(B) Statistical Reports

15. Licensing Services - Discussion and Possible Board Action – *Jason Kaiser*

(A) Program Updates
(B) Statistical Reports

16. Continuing Competency Services - Discussion and Possible Board Action – *Jason Kaiser*

(A) Program Updates
(B) Statistical Reports

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

(A) Program Updates
(B) Statistical Reports

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

(A) Program Updates

(B) Statistical Reports

19. 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).)

20. Agenda Items for Future Meeting – September 18-19, 2020
Carrington College
Room 403
395 Civic Drive, Suite C
Pleasant Hill, CA 94523

21. 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

22. 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 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.

HOW TO – Join – DCA WebEx Event

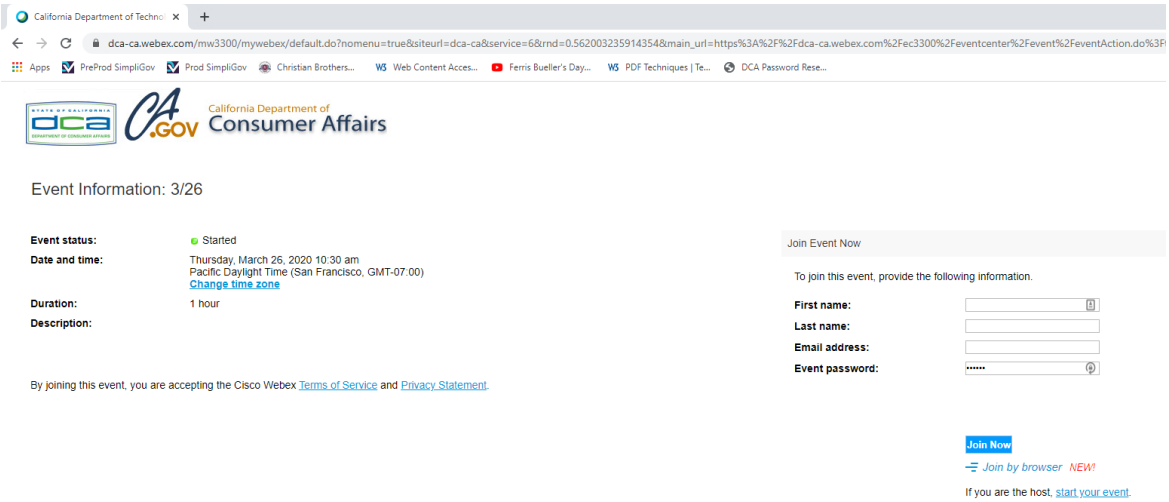
STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
OFFICE OF INFORMATION SERVICES

The following contains instructions to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

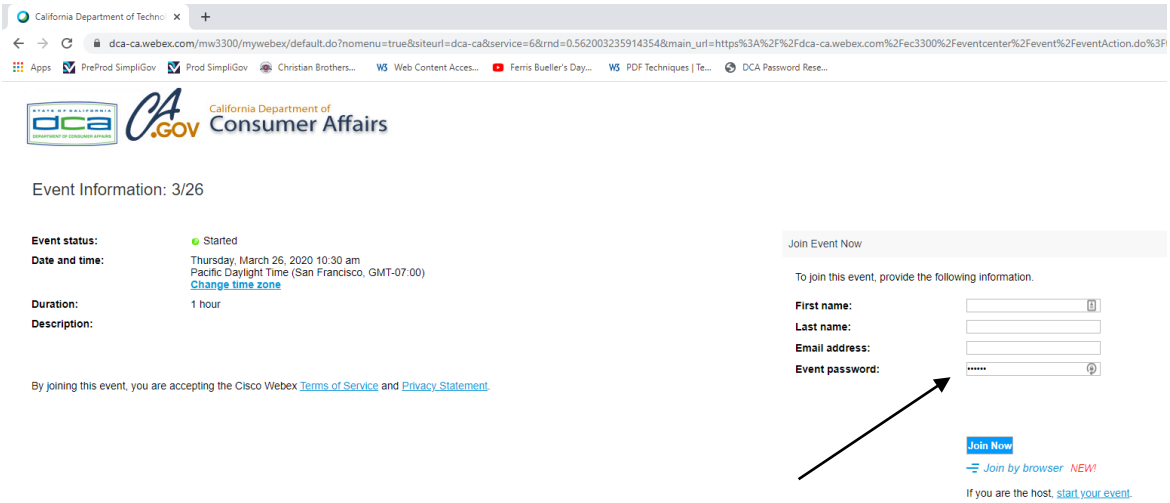
NOTE: The preferred audio connection to our event is via telephone conference and not the microphone and speakers on your computer. Further guidance relevant to the audio connection will be outlined below.

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

   Example link:
   https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5



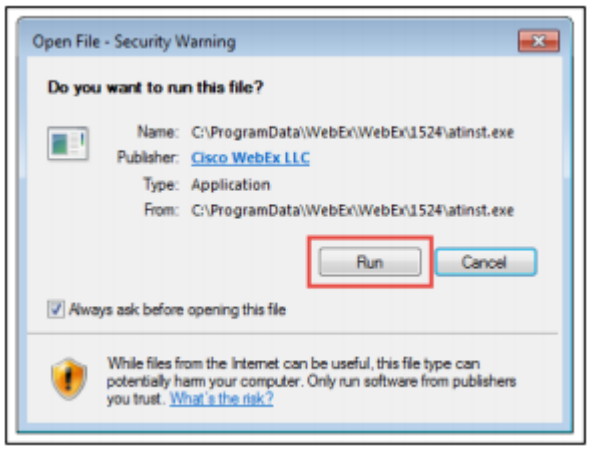
2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.
   NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.



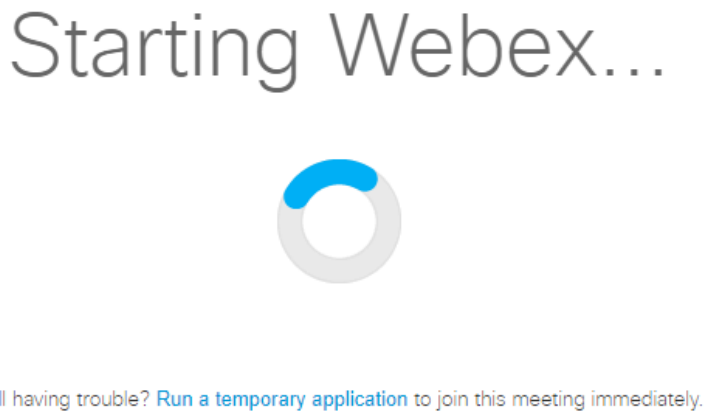
3. Click the 'Join Now' button.

   NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

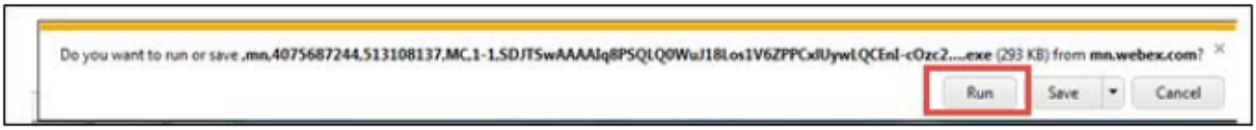
4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

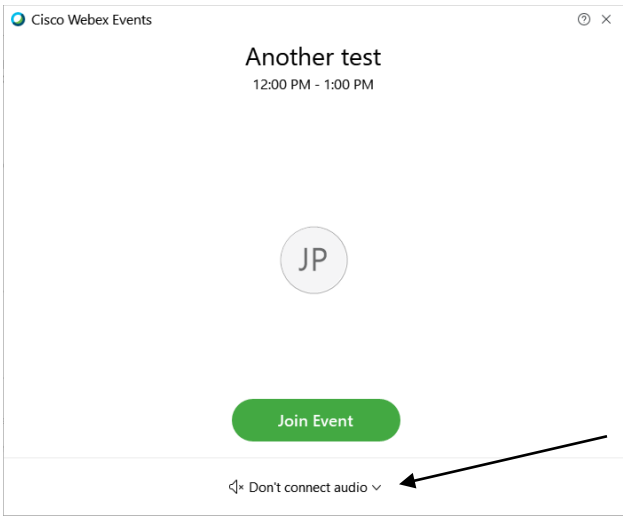


5. To bypass step 4, click 'Run a temporary application'.
6. A dialog box will appear at the bottom of the page, click 'Run'.

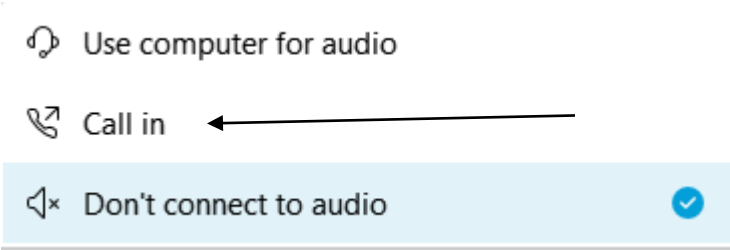


The temporary software will run, and the meeting window will open.

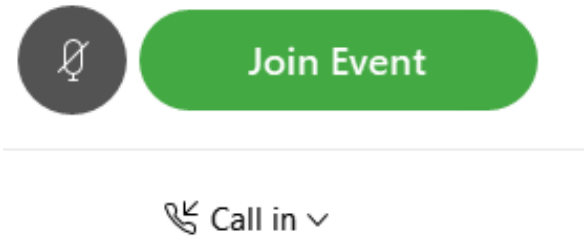
7. Click the audio menu below the green 'Join Event' button.



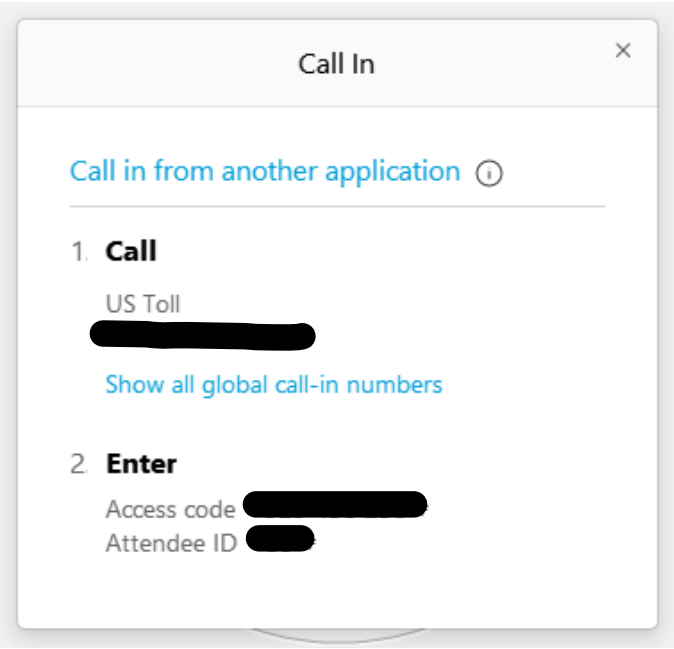
8. When the audio menu appears click 'Call in'.



9. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



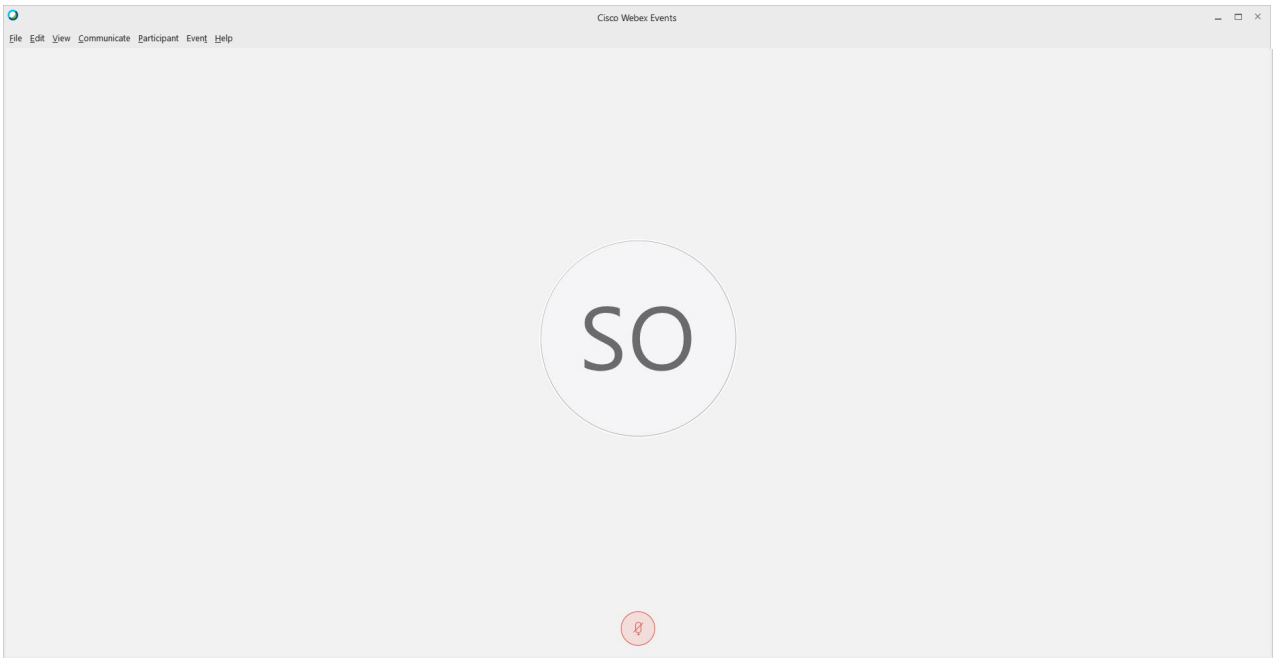
10. Call into the audio conference with the details provided.



NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.

Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

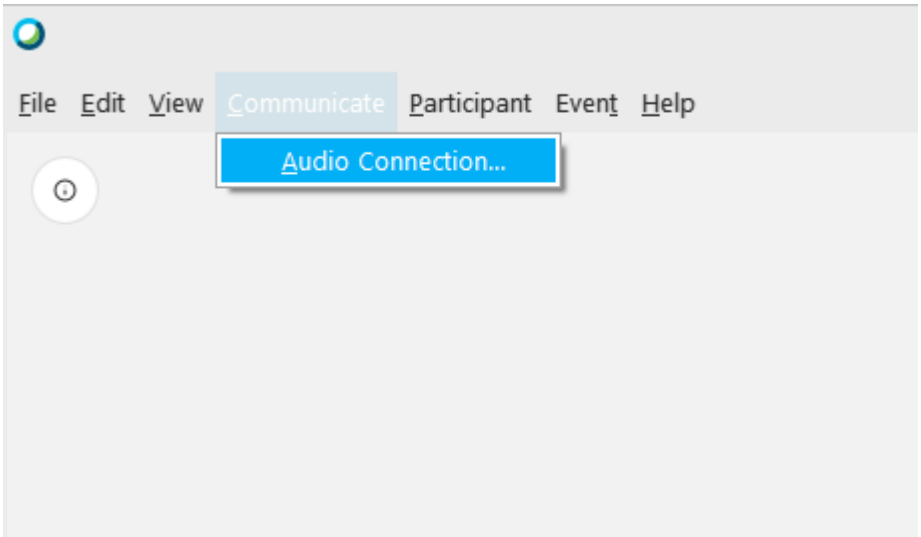
Congratulations!



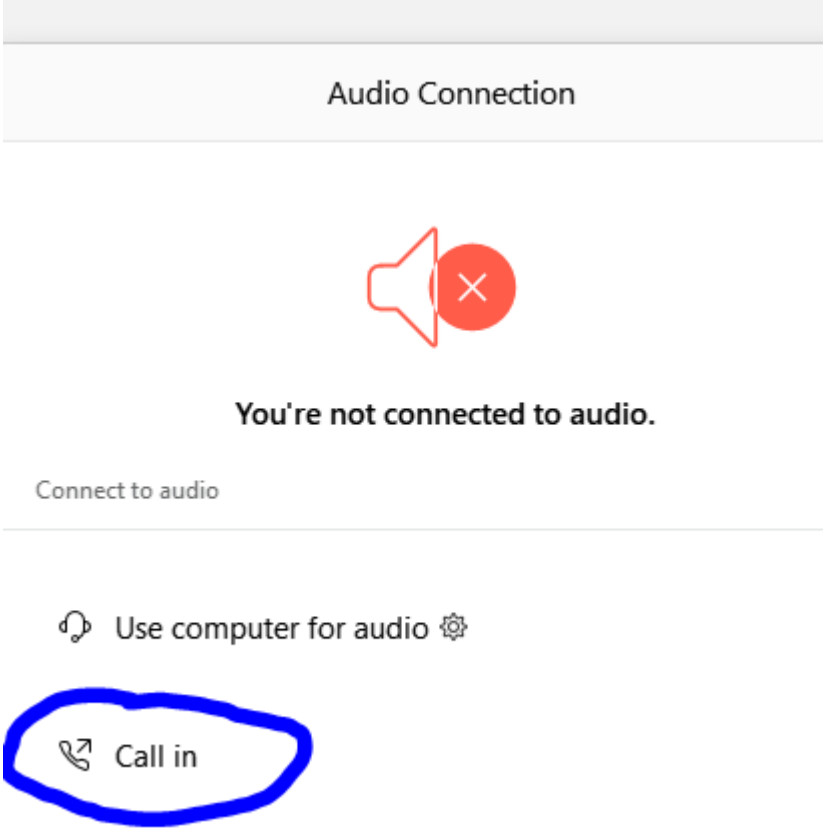
NOTE: Your audio line is muted and can only be unmuted by the event host.

If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

Select 'Communicate' and 'Audio Connection' from top left of your screen.



The 'Call In' information can be displayed by selecting 'Call in' then 'View'



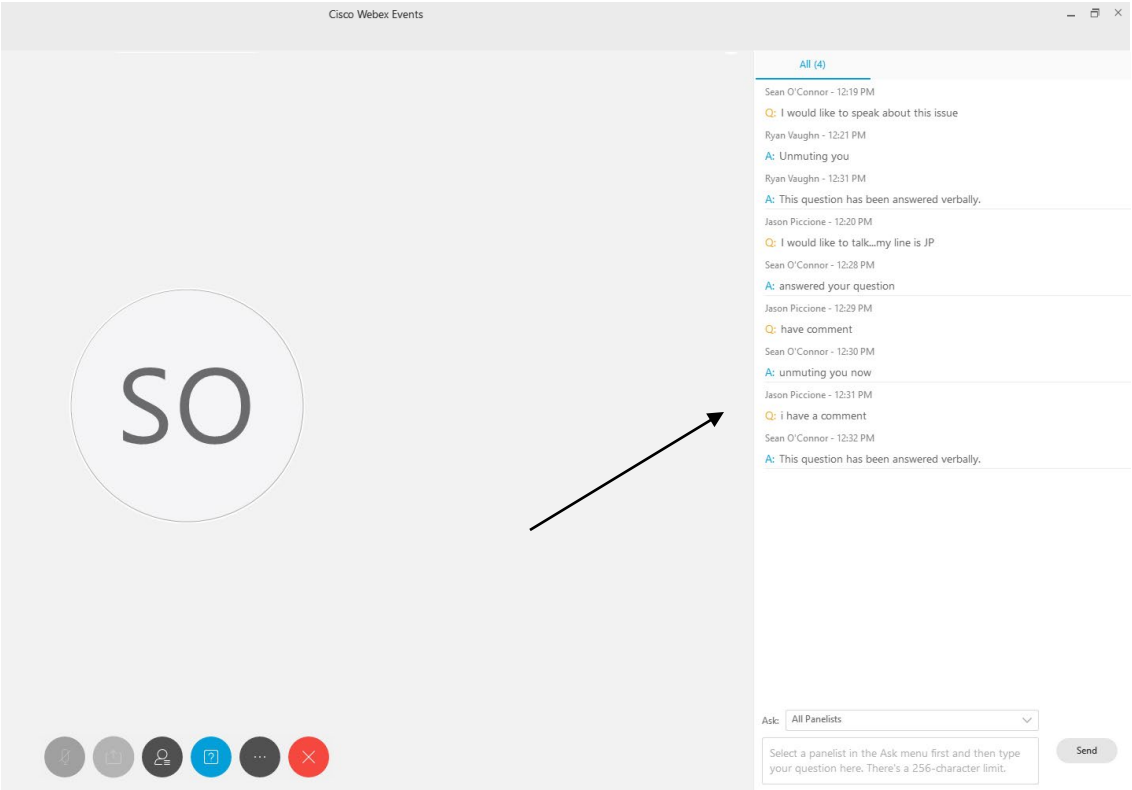
You will then be presented the dial in information for you to call in from any phone.

Participating During a Public Comment Period

At certain times during the event, the facilitator may call for public comment. If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.

This will bring up the 'Q and A' chat box.

NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.



To request time to speak during a public comment period, make sure the 'Ask' menu is set to 'All panelists' and type 'I would like to make a public comment'.

Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

NOTE: Your line will be muted at the end of the allotted public comment duration. You will be notified when you have 10 seconds remaining.