



PHYSICAL THERAPY
BOARD OF CALIFORNIA

March 22–23, 2023
BOARD MEETING

University of the Pacific
751 Brookside Rd., Stockton, CA 95211
Chan Family Health Sciences
and Learning Center
PHS 110/111

PHYSICAL THERAPY BOARD OF CALIFORNIA

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

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

www.ptbc.ca.gov

PHYSICAL THERAPY BOARD OF CALIFORNIA NOTICE OF PUBLIC MEETING

March 22, 2023 9 a.m.

March 23, 2023 9 a.m.

University of the Pacific
751 Brookside Rd., Stockton, CA 95211
Chan Family Health Sciences
and Learning Center
PHS 110/111

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

Tonia McMillian, *President*

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

Karen Brandon P.R., DSc P.T., *Member*

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

Katarina Eleby, M.A., *Member*

Johnathon Ervin, *Member*

Alicia Rabena-Amen, P.T., DPT, *Member*

BOARD STAFF

Jason Kaiser, *Executive Officer*

Sarah Conley, *Assistant Executive Officer*

Liz Constancio, *Administrative Services Manager*

Brooke Arneson, *Legislation and Regulation Manager*

Carole Phelps, *Consumer Protection Services Manager*

Vacant, *Licensing 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.



CALIFORNIA DEPARTMENT OF
CONSUMER
AFFAIRS

Agenda – Wednesday, March 22nd

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 Early Termination – George Ghattas, 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)
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
6. **Review and Approval of December 7-8, 2022, Meeting Minutes** – Kim Rozakis
7. **President's Report** – Tonia McMillian
 - (A) Board Member Swearing In
 - (B) **2023 Meeting Calendar**
 - (C) **2024 Proposed Meeting Calendar**
8. **Executive Officer's Report** – Jason Kaiser
 - (A) Administrative Services
 - i. Staffing
 - (B) Licensing Services
 - (C) Consumer Protection Services
9. **2018-2022 Strategic Planning Final Report** – Jason Kaiser & Sarah Conley
10. **Strategic Planning Training SOLID** – Shelly Jones
11. **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)

12. Communication & Education Update – Jason Kaiser

(A) Outreach

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, March 23rd

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. Legislation Report – Brooke Arneson

(A) 2022/23 Legislative Session Summary

- 1) AB 47 (Boerner Horvath) Pelvic Floor Physical Therapy Coverage
- 2) AB 229 (Patterson) Violent Felonies
- 3) AB 381 (Blanca Rubio) Teacher Credentialing: Services Credential with a Specialization in Health: Occupational and Physical Therapists
- 4) AB 557 (Hart) Open Meetings: Local Agencies: Teleconferences
- 5) AB 796 (Weber) Athletic Trainers
- 6) AB 814 (Lowenthal) Veterinary Medicine: Animal Physical Rehabilitation
- 7) AB 820 (Reyes) State Boards and Commissions: Seniors
- 8) AB 931 (Irwin) Prior Authorization: Physical Therapy
- 9) AB 996 (Low) DCA: Continuing Education: Conflict-of-Interest Policy
- 10) AB 1028 (McKinnor) Reporting of Crimes: Mandated Reporters
- 11) AB 1070 (Low) DCA: Vacancies
- 12) AB 1751 (Gipson) Opioid Prescriptions: Information: Nonpharmacological Treatments for Pain
- 13) SB 14 (Grove, Caballero, and Rubio) Violent Felonies: Serious Felonies: Human Trafficking
- 14) SB 259 (Seyarto) Reports Submitted to Legislative Committees
- 15) SB 764 (Padilla) DCA: Regulatory Boards: Removal of Board Members

16) SB 770 (Wiener) State Boards and Commissions

17) SB 816 (Roth) Interior Designers

19. Rulemaking Report – *Brooke Arneson*

(A) 2023 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

(B) Possible Adoption and Response to Comments on 16 CCR sections 1398.26.5, – Clinical Service Requirements for Foreign Educated Applicants Completing a Supervised Clinical Practice in the United States

20. Administrative Services Update

(A) **Budget Report** – *Alicia Hernandez*

21. Licensing Services Update – *Valerie Kearney*

(A) Program Updates

(B) Statistical Reports

(C) Discussion and Possible Board Action on Removal of Continuing Competency Approval Agency Recognition

- 1) Life Care Centers of America
- 2) Los Robles Hospitals & Medical Center
- 3) Milestone Continuing Education
- 4) Pacific Alliance Medical Center
- 5) Pathways Home Health & Hospice

22. Consumer Protection Services Update – *Carole Phelps*

(A) Program Updates

(B) Statistical Reports

23. Probation Monitoring Services Update – Carole Phelps

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

24. 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).)

**25. Agenda Items for Future Meeting – June 21-23, 2023
Sacramento, CA**

26. 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

27. 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 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 Kim Rozakis at (916) 561-8279, e-mail: Kimberlie.Rozakis@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.

ROLL CALL

**Wednesday,
March 22, 2023**

	Present	Absent
Tonia McMillian, President		
Dayle Armstrong, Ph.D, PT, MS, DPT, Vice-President		
Karen Brandon, P.T., DSc P.T.		
Daniel Drummer, PT, DPT		
Katarina Eleby, M.A.		
Johnathon Ervin		
Alicia Rabena-Amen, PT, DPT		

**Thursday,
March 23, 2023**

	Present	Absent
Tonia McMillian, President		
Dayle Armstrong, Ph.D, PT, MS, DPT, Vice-President		
Karen Brandon, P.T., DSc P.T.		
Daniel Drummer, PT, DPT		
Katarina Eleby, M.A.		
Johnathon Ervin		
Alicia Rabena-Amen, PT, DPT		



1

Board Members

President

Alicia Rabena-Amen, PT, DPT

Vice-President

Tonia McMillian

Members

Dayle C. Armstrong, Ph.D., P.T., MS, DPT

Jesus Dominguez, PT, PhD

Daniel Drummer, PT, DPT

Katarina Eleby, M.A

Johnathon Ervin

Physical Therapy Board of California

Draft Meeting Minutes

December 7-8, 2022 9:00 a.m.

Department of Consumer Affairs
2005 Evergreen St., Hearing Room
Sacramento, CA 9815

Board Staff

Jason Kaiser, Executive Officer

Sarah Conley, Assistant Executive

Officer

Vacant, Manager

Vacant, Manager

Liz Constancio, Manager

Brooke Arneson, Specialist

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

5

6

7

8

9

1. Call to Order

10 The Physical Therapy Board of California (Board) meeting was called to order by
11 President Dr. Rabena-Amen at 9:01 a.m. and recessed at 3:08 p.m. on December
12 7, 2022.

13

14

2. Roll Call and Establishment of Quorum

15

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23

Armstrong - Present
Dominguez- Present
Drummer - Present
Eleby - Present
Ervin – Present
McMillian - Present
Rabena-Amen - Present

24

25

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27

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29

30

31

All members were present, and a quorum was established. Also present at the meeting were: Michael Kanotz, PTBC Legal Counsel; Jason Kaiser, Executive Officer; Sarah Conley, Assistant Executive Officer; April Beauchamps; Kim Rozakis and Valerie Kearney, Carole Phelps and Board staff.

32 **3. Reading of the Board's Mission Statement**

33
34 Dr. Dominguez read the Board's mission statement: To advance and protect the
35 interests of the people of California by the effective administration of the
36 Physical Therapy Practice Act.
37

38 **4. Special Order of Business – 9:05 a.m.**

39 **(A) Petition for Reinstatement of License – Jollene Dell Emery-Jones**

40 *After submission of the matters, the Board will convene in CLOSED SESSION*
41 *to deliberate on the petitions pursuant to Government Code section 11126(c)(3)*
42

43 **5. Closed Session**

44 (A) Pursuant to Government Code section 11126(c)(3), the Board will convene
45 to Deliberate on Disciplinary Actions and Decisions to be Reached in
46 Administrative Procedure Act Proceedings

47 (B) Pursuant to Government Code section 11126(a)(1), the Board will convene
48 to Consider the Evaluation of Performance of the Executive Officer

49 (C) Pursuant to Government Code section 11126, subdivisions (e)(1) and (2)(A),
50 the Board will convene to confer with, or receive legal counsel regarding the
51 following litigation: Alan Kun-Sien Kyo v. Physical Therapy Board of California
52 (Superior Court of California, County of Sacramento, Case number 34-2021-
53 80003743)
54

55 The Board entered into closed session at 11:10 a.m. and reconvened into open
56 session to break for lunch at 11:54 a.m. The Board entered back into closed
57 session at 2:30 p.m. and recessed at 3:08 p.m. on December 7, 2022.
58

59 **6. Review and Approval of September 21-22, 2022, Meeting Minutes – Sarah**
60 **Conley**
61

62 Ms. Conley presented the draft September 21-22, 2022, meeting minutes. Dr.
63 Armstrong requested that page 14, line 223 be edited so it reads "conducting to
64 conducting audits." Dr. Armstrong requested that a comma be inserted after
65 "work before employers" on page 41, line 1262. Ms. Eleby requested that on
66 page 41, line 223 be edited to read "if the employees are using cannabis after
67 work."
68

69 **MOTION:** Adopt the proposed September 21-22, 2022, Meeting
70 Minutes as amended.
71

72 **M/S:** Rabena-Amen/Armstrong

73
74 **VOTE:** Armstrong - Aye
75 Dominguez- Aye
76 Drummer - Aye
77 Eleby - Aye
78 Ervin – Aye
79 McMillian - Aye
80 Rabena-Amen – Aye
81 7 Ayes, Motion Carried
82

83 **7. President’s Report – Alicia Rabena-Amen**

84
85 (A) 2023 Proposed Meeting Calendar

86
87 Dr. Rabena-Amen presented the 2023 Adopted Meeting Calendar to the
88 members. Mr. Kaiser confirmed that the University of the Pacific will be
89 hosting the March 2023 meeting. He added that the June 2023 meeting
90 would be held in Sacramento and that PTBC staff are looking for a Bay
91 Area school for the September 2023 meeting and that the December 2023
92 meeting would be held in Sacramento. Mr. Kaiser reported that PTBC staff
93 will bring before the Board the 2023 and 2024 meeting calendars for
94 Board consideration at the next meeting.
95

96 Dr. Drummer asked if scheduling meetings was done due to the
97 requirement of 100-day meeting for the ability to act on enforcement
98 cases. Mr. Kaiser responded there is a 100-day timeline to act on
99 enforcement cases and if the calendar is shifted back by one month,
100 PTBC risks going beyond the 100-day timeline and a teleconference
101 meeting will be needed.
102

103 (B) 2024 Proposed Meeting Calendar

104
105 Dr. Rabena-Amen presented the 2024 proposed Meeting Calendar to the
106 members. Mr. Kaiser stated that the Southern California and Bay area
107 dates that work for both March and April for Board meetings in 2024. He
108 added that December and June would be held in Sacramento where
109 resources are available, and that the calendar will also need to align with
110 the legislation calendar.

111 **MOTION:** Adopt the Proposed 2023 Meeting Calendar
112

113 **M/S:** McMillian/Ervin

114
115 **VOTE:** Armstrong – Aye
116 Dominguez- Aye
117 Drummer - Aye
118 Eleby - Aye
119 Ervin - Aye
120 McMillian - Aye
121 Rabena-Amen – Aye
122 7-0 Motion Carried
123

124 **8. Executive Officer’s Report – Jason Kaiser**

125
126 (A) Administrative Services
127 i. Staffing

128 Mr. Kaiser updated the members that the Board’s Assistant Executive
129 Officer position has been filled by Ms. Sarah Conley. Mr. Kaiser added CPS
130 Manager, Ms. Erika Calderon has been appointed as the Executive Director
131 with the Osteopathic Medical Board of California. Mr. Kaiser extended his
132 congratulations to both Ms. Sarah Conley and Ms. Erika Calderon.
133

134 Mr. Kaiser reported that the Board is currently recruiting for a few vacancies.
135 Mr. Kaiser stated that the Board is currently recruiting for a Staff Services
136 Manager for Consumer Protection Services Unit; a Staff Services Manager
137 for Licensing Services Unit; and a Budget Analyst in the Administrative
138 Services Unit.
139

140 Mr. Kaiser stated the Strategic Planning plan will be reported at the March
141 2023 Board meeting.
142

143 (B) Licensing Services

144 Dr. Drummer asked about the process for License renewal notification and
145 stated that he had not received his renewal notification. Ms. Conley
146 reported there may be a printer issue with renewal and staff are working
147 on resolving this. Mr. Kaiser assured that this will be resolved and the
148 mandate for renewal notification is 60 days in advance from expiration.
149

150 (C) Consumer Protection Services
151

Mr. Kaiser thanked the Enforcement staff for doing such a great job with the vacancy of the Enforcement Manager.

9. Consumer and Professional Associations and Intergovernmental Relations Report

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

Mr. Kaiser updated the members that in October 2022, FSBPT hosted the annual education meeting and Vice-President Ms. McMillian received positive feedback on her welcoming to CA opening statement. Mr. Kaiser also thanked Mr. Ervin for participating on a panel for the Value of Public Members and thanked Dr. Dominquez for his participation on the Education Committee. Mr. Kaiser also thanked the rest of the members and staff for joining and attending the Annual Education meeting.

(B) Department of Consumer Affairs (DCA) – Executive Office – Rose Turner

Ms. Turner updated the members on Governor Newsom's recently appointed positions: Melissa Gear as Deputy Director, Board and Bureau Relations on October 3, 2022; Yvonne Dorantes, Assistant Deputy Director, Board and Bureau Relations; and Kathleen Nicholls, Interim Chief, Division of Investigations on December 5, 2022.

Ms. Turner reported to the members Director Kimberly Kirchmeyer established the department first, Diversity Equality and Inclusion (DEI) Steering Community. She added that DEI will focus on 3 core areas: Workforce (recruit and retain diverse talent); Workplace (actively educate leadership and staff to increase awareness and create inclusive culture); and Marketplace (serve consumer, applications and licenses with sensitivity to their diverse background and perspective).

Ms. Turner reported that Governor Newsom has an Executive Order on strategic planning that effective July 2023, Strategic Plans must be developed or updated to advance equity and to drive outcome for increased opportunity for all. Ms. Turner stated that in response, DCA is revising the strategic planning process to incorporate more inclusive public engagement, data analysis and embedding diversity equity and inclusion to the strategic planning process. She added that by March

189 2023, DCA will begin implementing the revised process and working
190 with the Board on updating or developing new strategic plans. Ms.
191 Turner reported that on November 2, 2022, DCA released it's 2022-
192 2027 Strategic Plan as well as a new logo that represents the next
193 chapter and future of the Department. She explained that the shield on
194 the new logo represents the strong and long-standing protection
195 mandate, the State represents all 40 million Californians DCA has
196 pledged to honor and serve, and the star represents consumer
197 protection.

198
199 Ms. Turner stated that the DCA "Our Promise campaign" allows
200 Californians to donate to non-profit or non-profits of their choice
201 through December 2022.

202
203 Ms. Turner reminded all that State travel will need to be made through
204 CalTravel Store (Concur) and must use the most economical fair as
205 possible when traveling by air on official state business and that
206 additional charges would incur if changes are made to flights. She
207 added that flight changes for personal convenience are not approved
208 and that the traveler will be responsible for any associate charges.
209 Additionally, Ms. Turner reminded members to make sure all required
210 board member training is completed and to submit all certificates of
211 completion to the Executive Officer and DCA to
212 memberrelations@dca.ca.gov.

213
214 Ms. Turned stated DCA is partnering with the State Controller's Office
215 (SCO) on the Unclaimed Property Program.

216
217 (C) California Physical Therapy Association (CPTA) – Stacy DeFoe

218
219 Ms. DeFoe updated the Board that CPTA had a busy year with the Rose
220 Parade where they won the Grand Marshal award and were able to
221 promote physical therapy. She added that Geo-fencing was used for the
222 Breast Cancer Pink Walk and it went very well and CPTA will continue
223 that throughout the year. Ms. DeFoe also stated they have created a
224 Modernization review task force where they put together expert PTs to
225 look at the practice act, to ensure that the practice act is current and

226 modern and allows PTs to practice at the current level of education. She
227 added that the task force will continue over the next couple of months.

228
229 Ms. DeFoe stated Webinar Wednesday was created during the
230 pandemic and has been a great success and will continue through 2023
231 and extended an invitation to the Board to attend.

232
233 Ms. DeFoe stated that the Annual Conference in Anaheim, had more
234 than 600 attendees and was a success and will be back on October 7-
235 8, 2023, and encouraged the PTBC to attend.

236
237 Mr. Kaiser thanked Ms. DeFoe for the invitation to CPTA's Annual
238 Conference and stated that PTBC would be happy to attend.

239
240 Ms. DeFoe stated CPTA Membership is going strong, and just hit 10,000
241 members since 2019. She added that the CPTA Board met on
242 December 2, 2022, and that the budget has been approved. Ms. DeFoe
243 stated that CPTA's Advisory front will be focusing on getting to know the
244 new legislators to educate them on physical therapy and to find out who
245 will be interested in their issues. She added that CPTA will be pursuing
246 utilization review for the next year and are currently working on the
247 language for the PTOT school credential and that there is a shortage of
248 PT's and OT's.

249
250 Ms. DeFoe stated that she appreciates the communication from the
251 Board and staff.

252
253 Dr. Rabena-Amen asked how geo-fencing works and Ms. DeFoe
254 responded that it is a way to promote physical therapy access and that
255 they set up a perimeter around a location which will bring ads to people's
256 phones where it will be directed to CPTA's website.

257
258 **10. Legislation Report – Sarah Conley**

259 (A) 2021/22 Legislative Session Summary
260

261 Ms. Conley presented the legislative report and referred the members to the
262 legislative summary in the meeting materials and discussed the current status
263 and changes to each bill since the last Board meeting as follows:
264

265 1. AB 1604 (Holden) The Upward Mobility Act of 2022: Boards and Civil
266 Service: Examinations: Classifications
267

268 Ms. Conley reported that AB 1604 was chaptered on September 13, 2022,
269 and will take effect January 1, 2023. She added that this bill was recently
270 amended and is focusing on civil service and examination and core
271 competencies and is no longer impacting the Board.
272

273 2. SB 731 (Durazo and Bradford) Criminal Records: Relief
274

275 Ms. Conley reported that SB 731 was chaptered on September 29, 2022,
276 and will take effective July 1, 2023. She added that this bill expands felonies
277 that are eligible for automatic record sealing to include convictions for
278 certain felonies that resulted in incarceration as long as the individual had
279 completed their sentence and has not been convicted of a new felony for
280 four years.
281

282 3. SB 1237 (Newman) Licenses: Military Service
283

284 Ms. Conley reported that SB 1237 was chaptered on September 17, 2022,
285 and will take effect January 1st, 2023. She added that this bill required the
286 Boards within DCA to waive the renewal fee of any licensee or registrant
287 who is called to active duty as a member of the United States Army or
288 California National Guard if the licensee or registrant is stationed outside of
289 California. Ms. Conley stated the Board is already implementing the
290 provisions of this bill and it is already in effect.
291

292 4. SB 1438 (Roth) Physical Therapy Board of California
293

294 Ms. Conley reported that SB 1438 is the Board's Sunrise Bill and has
295 extended the Physical Therapy Board until January 1, 2027. She added this
296 bill also authorizes physicians and surgeons to conduct in-person or
297 telehealth patient examination and evaluation in connection of physical
298 therapy plan of care for direct access.

299
300 5. SB 1495 (Committee on Business, Professions and Economic
301 Development) Professions and Vocations
302

303 Ms. Conley reported that SB 1495 was chaptered on September 23, 2022,
304 and will take effect January 1, 2023. She added this has various updates
305 for multiple Boards in the Business and Professions Code from the Sunset
306 process.
307

308 **11. Rulemaking Report**

309 (A) 2022 Rulemaking Update for Pending or Proposed Regulations (Title 16,
310 California Code of Regulations (16 CCR)):
311

312 Ms. Conley reported that there were currently 3 rulemaking packages on
313 the Board's Rulemaking Calendar which is submitted to the Office of
314 Administrative Law each year to determine regulation workload.
315

- 316 1. Proposed Amendments to 16 CCR section 1398.26.1 –
317 Satisfactory Documentary Evidence of Equivalent Degree for
318 Licensure as a Physical Therapist or Physical Therapist
319 Assistant/Coursework Tool
320

321 Ms. Conley reported that PTBC staff submitted the final rulemaking
322 package of the Coursework Tool regulation to DCA on October
323 19, 2022, and it was approved on October 23, 2022. She added
324 that it was then submitted to Agency on October 24, 2022 and
325 approved on November 7, 2022. Ms. Conley reported that this
326 regulation package is currently at OAL and was submitted on
327 November 7, 2022.
328

- 329 2. Proposed Amendments to 16 CCR 1398.26.5 – Clinical Service
330 Requirements for Foreign Educated Applicants Completing a
331 Supervised Clinical Practice in the United States
332

333 Ms. Conley reported that PTBC staff submitted the Performance
334 Evaluation Tool regulation to Agency on October 24, 2022, and it
335 was approved on November 7, 2022. She added that this

regulation package is currently at OAL and was submitted on November 7, 2022.

3. Proposed Amendments to 16 CCR 1399.18, 1399.50 and 1399.52 – Retired License Status

Ms. Conley reported that the Board reviewed the public comments received at the September 2022 Board Meeting and adopted the response to those comments to include in the final rulemaking package. She added that the final rulemaking package was submitted to DCA on October 7, 2022, and is now with OAL.

4. Update Regarding the Development of Possible Amendments to the Board’s Continuing Competency Regulations.

Ms. Conley reported that this regulation was still in the concept phase and would be brought forward to the Board at a later date.

12. Discission and Possible Board Action on the 2023 Rulemaking Calendar – Sarah Conley

Ms. Conley presented the 2023 Rulemaking Calendar for Board consideration and reported that there was no current legislation that would require rulemaking on Schedule A. She reported that Schedule B includes any pending rulemaking that that the Board may promulgate or any carry over, from the prior year. She stated that the Coursework Tool, PET, Retired License Status and Continuing Competency were listed as rulemaking the Board would complete for 2023.

MOTION: Adopt the proposed 2023 Rulemaking Calendar

M/S: Rabena-Amen/Eleby

VOTE: Armstrong – Aye
Dominguez- Aye
Drummer - Aye
Eleby - Aye
Ervin - Aye
McMillian - Aye
Rabena-Amen – Aye
7-0 Motion Carried

375
376 **13. Public Comment on Items Not on the Agenda**

377 The Board requested public comment on items not on the agenda, and there
378 was no public comment.
379

380 **14. Recess**
381

382 The meeting recessed at 2:15 p.m. from closed session on December 7, 2022.

383 **Thursday, December 8, 2022**
384

385 **15. Call to Order**

386 The Physical Therapy Board of California (Board) meeting was called to order by
387 President Dr. Rabena-Amen at 9:04 a.m. and adjourned at 11:31 a.m. on
388 December 8, 2022.
389

390 **16. Roll Call and Establishment of Quorum**
391

392 Armstrong - Present
393 Dominguez- Present
394 Drummer - Present
395 Eleby - Present
396 Ervin – Present
397 McMillian – Absent
398 Rabena-Amen - Present
399

400 All members were present with the exception of Ms. McMillian, and a quorum was
401 established. Also present at the meeting were: Michael Kanotz, PTBC Legal
402 Counsel; Jason Kaiser, Executive Officer; Sarah Conley, Assistant Executive
403 Officer; April Beauchamps; Kim Rozakis, Valerie Kearney, Carole Phelps and
404 Board staff.
405

406 **17. Reading of the Board's Mission Statement**
407

408 Dr. Drummer read the Board's mission statement: To advance and protect the
409 interests of the people of California by the effective administration of the
410 Physical Therapy Practice Act.
411

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

Ms. Milano and Ms. Hinkle presented an overview on what services the DCA Budget Office provides.

19. Administrative Services Update
(A) Budget Report

Mr. Kaiser reported things are status quo for Quarter 1 (Q1) with 31% expended of the current year's budget and that there is a slight increase in expenditures where that is balanced out from revenues received.

(B) Outreach Report

Ms. Beauchamps reported that PTBC's website in FY 2022-23 Q1 had 41,581 web hits which was an 6% decrease from last fiscal year. She stated that this is attributed to efforts to go paperless and directing applicants and licensees to use BreEZe and also due to the process of revamping PTBC's website.

Ms. Beauchamps reported that the social media report has changed from how the prior reports were due to only being able to show reporting for Facebook. She added that the report will now show stats for all of the social media platforms utilized. She reported that for Tik Tok, the year-to-year changes are all zeroed out due to Tik Tok being created this quarter, she added that LinkedIn does not allow us to go far back but we will be able to compare this report next year. Ms. Beauchamps added that with this new chart we can compare all social media platforms to each other.

Ms. Beauchamps reported on outreach workshops and webinars for Q1 and she stated that virtual and in-person Outreach workshops were provided to 11 PT and PTA programs, and PTBC is looking forwarding to providing more in the future, and that the 2022-23 outreach calendar is continuing to fill up.

Additionally, Ms. Beauchamps stated that the Fall 2022 Progress Notes is now available.

20. Application Services Update
(A) Program Updates
(B) Statistical Reports

451
452 Ms. Kearney reported that applications received was up 7% from the same
453 quarter last year with 580 received, endorsement applications and non-CAPTE
454 accredited applications are constant throughout the year with a slight increase
455 in the spring and summer. She added that the average turnaround time overall
456 for Q1 through October 30, 2022, was 93 days. Ms. Kearney reported that
457 applications received without deficiencies were 23 days on average which can
458 be attributed to several factors: PTBC's outreach program which educates soon
459 be graduates on the application process so that applications received are
460 complete; the application process which has been streamlined and online
461 digitization; as well as the flexibility of staff.

462 Dr. Rabena-Amen asked if the trends of decrease/increase in military
463 applications vary from quarter to quarter or year to year. Ms. Kearney responded
464 that they are pretty consistent, with a slight increase a couple years ago when
465 service members were being deployed. Mr. Kaiser added we may see an
466 increase overtime due to the legislation being more known and with the addition
467 of more latitude for military services members and spouses. He added that
468 PTBC staff are happy to provide these accommodations as an appreciation for
469 military service.

470
471 Dr. Drummer asked what the total length of time from initial license submittal
472 when a student has not completed all the necessary requirements for graduation
473 and the application is closed. Ms. Conley responded that the overall processing
474 time for last year was about 90 days, however she stated that the time that
475 PTBC is responsible for the application is completed in about 20 days. She
476 explained that there is a time where the application is in the applicant's hands
477 for example, when they must sit for the exam; completing fingerprinting
478 requirements or need to provide additional information to the Board. Ms.
479 Kearney added applications that are fully completed where they have passed
480 both exams before applying are licensed on average within 2 to 3 weeks.

481
482 Ms. Kearney reported that the examination statistics for PT's pass and fail rates
483 have remained constant, however, PTA's passing rate has declined. Ms.
484 Kearney added that she believes that PTA's did not do well during the pandemic
485 and improvement may be in the near future.

486
487 Ms. Kearney reported that initial license applications received increased 3%
488 from FY 2020/21 Q4 to FY 2021/22 Q4 and most of those applications were

received online. She added that the composition of initial license applications was as follows: Endorsement 34%; Exam 66%; U.S. Educated 92%; Foreign Educated 8% and Military 4%.

21. Licensing Services Update

(A) Program Updates

(B) Statistical Reports

Ms. Kearney reported resources have remained consistent and PTBC staff are preparing to implement the upcoming retired license status regulation, which will hopefully be approved by OAL soon and anticipate it becoming effective January 1, 2023.

22. Continuing Competency Services Update

(A) Program Updates

(B) Statistical Reports

Ms. Conley reported that CPS staff have started auditing licensees after CPS staff were redirected to help with applications during the pandemic. She stated that Q1 PT's pass rate was 86% and PTA's pass rate was 83% with a few outstanding audits where staff were working with the licensees on completing their audits. Ms. Conley stated that the audit sample is 4% of licensees that are renewing for Quarter April-June. Ms. Conley added that PTBC staff are getting ready to look at the continuing competency regulations. Ms. Conley added that all agencies that were approved to have their recognition withdrawn have been removed from the Board's website, so licensees know those are no longer Board approved agencies.

23. Consumer Protection Services Update

(A) Program Updates

(B) Statistical Reports

Ms. Phelps congratulated Elsa Ybarra on her retirement and Ms. Erika Calderon on her promotion.

Ms. Phelps reported that the new in-house expert consultant, Dr. Alexander Jones DPT has been working with PTBC staff since August 2022 and assists with cursory review of cases involving patient care along with helping to create

the inspection checklist, once finalized, this checklist will be used by investigators and expert consultants during site visits to aid them in conducting a thorough investigation. Ms. Phelps stated that 14 new expert consultants have been onboarded and are now ready to assist staff with case reviews.

Ms. Phelps informed members that the new Consumer complaint form is now available on the Board's website and includes an attachment of authorization of release of patient health information, and that this new form has saved time in waiting for the authorization form.

Ms. Phelps stated that CPS are continuing monthly meetings with the Supervising Special Investigator over Division of Investigation Enforcement Support Unit.

Ms. Phelps reported that CPS staff have now completed the National Certified Investigator and Inspector Training (NCIT) Basic and Specialized training courses that were held in September and November 2022. She added that both courses were in-person training courses hosted by DCA covering topics ranging from principles of administrative law, the investigative process, investigator safety, inspection overview and procedure, testifying and administrative, criminal proceedings, interviewing techniques and investigative analysis.

Ms. Phelps reported that the number of complaints and arrest conviction reports are reported in Performance Measure one which has increased by 26% compared to this time last year. She added that this number fluctuates regularly, and increases are expected. Ms. Phelps reported that Performance Measure two target is 9 days on average; Q1 was 4 days which that mandate is met. She added that Performance Measures three and four went down compared to the same quarter last year, and that these numbers are known to fluctuate, as they reflect the entire investigative process that involves timeline, workload and response time. Ms. Phelps stated that in Q1 for disciplinary actions, there were three disciplinary licenses surrenders, two license revocations and four licenses placed on probation.

Dr. Rabena-Amen asked how long PTBC staff have been having monthly meetings with DOI. Ms. Phelps responded these meetings began with Ms. Calderon in the last three or four months. Additionally, Dr. Rabena-Amen asked about Performance Measure three and the target date of 90 days and if that is

565 changing. Mr. Kaiser responded that as of the September 2022 Board Meeting,
566 the target date was changed from 90 to 180 days.

567
568 **24. Probation Monitoring Services Update**

569 **(A) Program Updates**

570 **(B) Statistical Reports**

571
572 Mr. Martin reported that for Q1 FY 2022-23 there was 75 licensees on probation,
573 sixty-five licensees on probation in the state, ten probationers outside of the
574 state who weren't receiving credit towards the completion of their probation, four
575 licensees placed on probation and one licensee completed probation. He added
576 that of the sixty-five probationers that were in the state, eight were participating
577 in the Board's drug and alcohol recovery monitoring program at the end of the
578 quarter equaling about 12% of the licensees on probation. Mr. Martin reported
579 that one licensee enrolled in the alcohol recovery monitoring program and zero
580 licensees completed the program. He added that one licensee entered the
581 program but was removed approximately a month later with the designation
582 terminated public risk for another violation of their probation and that person is
583 in the process of having their license revoked by the Board. Mr. Martin reported
584 that probation monitoring is still being held via teleconferences.

585
586 Dr. Rabena-Amen asked what Mr. Martin's role is regarding early termination
587 probation reinstatement of license. Mr. Martin responded that he compiles a
588 history of if they are on probation; how they've been doing on probation; if it is
589 someone for reinstatement, he gives a history of how they did on probation while
590 on probation and maybe why they were revoked. Mr. Martin added that he
591 interviews the petitioners, and they have to provide two letters of
592 recommendation, and then he interviews those people, and once that is
593 complete, he writes his report that is sent to the Deputy Attorney General's
594 Office.

595
596 **25. Board Member Training – Kim Rozakis**

597
598 Mr. Rozakis presented an overview on the Form 700 Training.
599

600 **26. Board Member Elections**

601 **(A) President**

NOMINATION: Dr. Rabena-Amen nominated Mr. Ervin as Board President.

NOMINEE: Mr. Ervin

Mr. Ervin declined the nomination for Board President.

NOMINATION: Dr. Armstrong nominated Ms. McMillian as Board President.

NOMINEE: Ms. McMillian

Mr. Kaiser spoke on behalf of Ms. McMillian and accepted the nomination.

MOTION: To elect Ms. McMillian as Board President.

M/S: Armstrong/Eleby

VOTE:

Rabena-Amen – Aye

Armstrong- Aye

Dominguez- Aye

Drummer - Aye

Eleby - Aye

Ervin - Aye

McMillian – Not Present

6-0 Motion Carried

Ms. McMillian elected President for 2023.

(B) Vice-President

NOMINATION: Dr. Rabena-Amen nominated Dr. Armstrong as Board Vice-President.

NOMINEE: Dr. Armstrong

Dr. Armstrong accepted the nomination for Vice-President.

NOMINATION: Dr. Rabena-Amen nominated Dr. Armstrong as Board Vice-President.

NOMINEE: Dr. Armstrong

MOTION: To elect Dr. Armstrong as Board Vice-President.

642
643 **M/S:** Rabena-Amen/Eleby
644
645 **VOTE:**
646 Rabena-Amen – Aye
647 Armstrong- Aye
648 Dominguez- Aye
649 Drummer - Aye
650 Eleby - Aye
651 Ervin - Aye
652 McMillian – Not Present
653 6-0 Motion Carried

654 Dr. Armstrong elected Vice-President for 2023.

655
656 **(C) FSBPT Delegate**

657 **NOMINATION:** Dr. Armstrong nominated Mr. Ervin as FSBPT Delegate.

658
659 **NOMINEE:** Mr. Ervin
660

661 Mr. Ervin accepted the nomination for Board FSBPT Delegate.

662
663 **M/S:** Armstrong/Rabena-Amen
664

665 **VOTE:**
666 Rabena-Amen – Aye
667 Armstrong- Aye
668 Dominguez- Aye
669 Drummer - Aye
670 Eleby - Aye
671 Ervin - Aye
672 McMillian – Absent
673 6-0 Motion Carried

674 Mr. Ervin elected FSBPT Delegate for 2023.

675
676 **(D) FSBPT Alternate Delegate**

NOMINATION: Dr. Armstrong nominated Ms. Eleby as FSBPT Alternate Delegate.

NOMINEE: Ms. Eleby

Ms. Eleby accepted the nomination for Board FSBPT Alternate Delegate.

MOTION: To elect Ms. Eleby as FSBPT Alternate Delegate.

M/S: Armstrong/Rabena-Amen

VOTE:
Rabena-Amen – Aye
Armstrong- Aye
Dominguez- Aye
Drummer - Aye
Eleby - Aye
Ervin - Aye
McMillian – Not Present
6-0 Motion Carried

Ms. Eleby elected FSBPT Alternate Delegate for 2023.

(E) FSBPT Back-up Alternate Delegate

The Board determined to use the procedure of establishing back-up alternate delegates in alphabetical order by last name of Board members.

NOMINATION: Alphabetical order by last name of the remaining Board Members

NOMINEE: Alphabetical order by last name of remaining Board Members

MOTION: Alphabetical order by last name of the remaining Board Members

M/S: Rabena-Amen/Dr. Dominguez

VOTE:
Rabena-Amen
Armstrong- Aye

716 Dominguez- Aye
717 Drummer - Aye
718 Eleby - Aye
719 Ervin - Aye
720 McMillian – Not Present
721 6-0 Motion Carried

722 The board elected alphabetical order by last name of the remaining Board
723 Members for FSBPT Back-up Delegate for 2023.
724 Backup Alternate Delegates for 2023 are:

725
726 Dr. Armstrong
727 Dr. Dominguez
728 Dr. Drummer
729 Ms. McMillian
730 Dr. Rabena-Amen
731

732 **27. Public Comment on Items Not on the Agenda**

733
734 The Board requested public comment on items not on the agenda, and there
735 was no public comment.

736
737 **28. Agenda for Future Meeting- March 22-23, 2023**
738 **University of the Pacific, Stockton CA**
739

740 Mr. Kaiser stated that the University of the Pacific will be hosting the March 2023
741 Board Meeting.

742
743 **29. Closed Session**

744 (A) Pursuant to Government Code section 11126(c)(3), the Board will convene
745 to Deliberate on Disciplinary Actions and Decisions to be Reached in
746 Administrative Procedure Act Proceedings

747 (B) Pursuant to Government Code section 11126(a)(1), the Board will convene
748 to Consider the Evaluation of Performance of the Executive Officer

749 (C) Pursuant to Government Code section 11126, subdivisions (e)(1) and (2)(A),
750 the Board will convene to confer with, or receive legal counsel regarding the
751 following litigation: Alan Kun-Sien Kyo v. Physical Therapy Board of California
752 (Superior Court of California, County of Sacramento, Case number 34-2021-
753 80003743)

754

755

The Board did not enter into closed session on December 8, 2022, day two of the meeting.

756

757

758

30. Adjournment

759

760

The meeting adjourned at 11:31 a.m. on December 8, 2022.

761

Physical Therapy Board of California

2023 Meeting Calendar

January							February							March							April						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
1	2	3	4	5	6	7				1	2	3	4				1	2	3	4							1
8	9	10	11	12	13	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11	2	3	4	5	6	7	8
15	16	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18	9	10	11	12	13	14	15
22	23	24	25	26	27	28	19	20	21	22	23	24	25	19	20	21	22	23	24	25	16	17	18	19	20	21	22
29	30	31						26	27	28				26	27	28	29	30	31		23	24	25	26	27	28	29
																					30						

May							June							July							August						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
	1	2	3	4	5	6					1	2	3							1			1	2	3	4	5
7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12
14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19
21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26
28	29	30	31				25	26	27	28	29	30		23	24	25	26	27	28	29	27	28	29	30	31		
														30	31												

September							October							November							December						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
					1	2	1	2	3	4	5	6	7				1	2	3	4						1	2
3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9
10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23
24	25	26	27	28	29	30	29	30	31					26	27	28	29	30			24	25	26	27	28	29	30
																					31						

January							February							March							April						
2	New Year's Day						20	President's Day						10-12	FSBPT REG Training Virtual						4-5	PTA NPTE					
4-5	PTA NPTE						22-25	APTA Sections Meeting San Diego, CA						22-23	PTBC Meeting UOP, Stockton, CA						9	Easter					
16	Martin Luther King Jr													31	César Chávez Day						26-27	PT NPTE					
25-26	PT NPTE																										

May							June							July							August						
14	Mother's Day						18	Father's Day						4	Independence Day												
29	Memorial Day						21-23	PTBC Meeting Strategic Plan Meeting Sacramento, CA						5-6	PTA NPTE												
														15-16	FSBPT LIF Alexandria, VA												
														25-26	PT NPTE												

September							October							November							December						
4	Labor Day						4-5	PTA NPTE						10	Veteran's Day						7-8	PTBC Meeting Sacramento, CA					
13-14	PTBC Meeting TBD Southern CA						7-8	CPTA Annual Meeting Long Beach, CA						23	Thanksgiving						25	Christmas					
							19-21	FSBPT Annual Meeting Jacksonville, FL																			
							25-26	PT NPTE																			
							31	Halloween																			

Physical Therapy Board of California

Proposed 2024 Meeting Calendar

January							February							March							April						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
	1	2	3	4	5	6					1	2	3						1	2		1	2	3	4	5	6
7	8	9	10	11	12	13	4	5	6	7	8	9	10	3	4	5	6	7	8	9	7	8	9	10	11	12	13
14	15	16	17	18	19	20	11	12	13	14	15	16	17	10	11	12	13	14	15	16	14	15	16	17	18	19	20
21	22	23	24	25	26	27	18	19	20	21	22	23	24	17	18	19	20	21	22	23	21	22	23	24	25	26	27
28	29	30	31				25	26	27	28	29			24	25	26	27	28	29	30	28	29	30				
														31													

May							June							July							August						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
			1	2	3	4							1		1	2	3	4	5	6					1	2	3
5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	31
							30																				

September							October							November							December						
Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S	Su	M	T	W	Th	F	S
1	2	3	4	5	6	7			1	2	3	4	5						1	2	1	2	3	4	5	6	7
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
29	30						27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

1	New Year's Day	19	President's Day			
15	Martin Luther King Jr					

May		June		July		August	
12	Mother's Day	TBD	FSBPT REG Training Alexandria, VA	4	Independence Day		
TBD	FSBPT BM Training Alexandria, VA	16	Father's Day	2-3	PTA NPTE		
27	Memorial Day	20-21	PTBC Meeting Sacramento, CA	TBD	FSBPT LIF Alexandria, VA		
				29-30	PT NPTE		

September		October		November		December	
2	Labor Day	TBD	FSBPT Annual Meeting	11	Veteran's Day	5-6	PTBC Meeting Sacramento, CA
18-19	PTBC Meeting TBD Southern CA	8-9	PTA NPTE	28	Thanksgiving		
TBD	CPTA Annual Meeting TBD	29-30	PT NPTE			25	Christmas
		31	Halloween				

GOAL 1: ENFORCEMENT

Protect consumers through effective enforcement of laws and regulations governing the practice of physical therapy.

- 1.1 Identify and implement improvements to the investigation and discipline process to decrease enforcement processing times.**



- 1.2 Identify and establish additional position authority for the probation monitoring program to help ensure effective monitoring of probationers.**



- 1.3 Facilitate and promote consistent, effective, and efficient communication with enforcement stakeholders to optimize the quality of services.**



- 1.4 Review and revise enforcement procedure manuals to reflect current business processes to enhance the quality, consistency, and sustainability of the enforcement program.**



GOAL 2:

LICENSING

Provide effective and efficient application and licensing services while maintaining consumer protection.

- 2.1 Evaluate and optimize the continuing competency program to determine and improve the effectiveness of the program.**



- 2.2 Evaluate and establish position authority for the continuing competency program to help ensure effective operations.**



- 2.3 Promote transparency and accessibility of licensing requirements and processes to improve the stakeholder experience.**



- 2.4 Analyze the program's operations and modify them, if needed, to provide reasonable processing times while maintaining consumer protection.**



- 2.5 Review and revise licensing procedure manuals to reflect current business processes to enhance the quality, consistency, and sustainability of the licensing program.**



GOAL 3:

COMMUNICATION AND EDUCATION

Provide relevant, timely, and accurate information to consumers, licensees, and other stakeholders.

- 3.1 Identify and establish position authority and resources to enhance the relevant and timely information provided to stakeholders.**



- 3.2 Develop and promote an outreach campaign for consumers of physical therapy to enhance awareness and communication for consumer protection.**



- 3.3 Collaborate with educational programs to improve understanding about the application process and the role of the board.**



- 3.4 Develop and adopt a communication and education strategy to inform all stakeholders about the regulation of the profession.**



- 3.5 Capitalize on the use of existing technologies (e.g., Facebook, website, Twitter, YouTube, e-blast, etc.) to enhance education and communication.**



- 3.6 Develop a procedure manual to reflect current business processes to enhance the quality, consistency, and sustainability of the communication and education program.**



GOAL 4:

ORGANIZATIONAL EFFECTIVENESS

Facilitate an exemplary organization through governance, effective leadership, performance, and service.

- 4.1 Relocate the board's office to an appropriately sized location to adequately support existing program operations and projected growth.**



- 4.2 Establish an assistant executive officer position to correct the structural imbalance faced by the board and further its mandate of consumer protection.**



- 4.3 Establish appropriate position authority to effectively support board programs and mandates.**



- 4.4 Explore and establish effective methods to improve and expedite BreEZe system functionality to enhance efficiency and provide better services to stakeholders.**



- 4.5 Explore and develop an effective and consistent system to improve internal communication.**



- 4.6 Establish and improve expectations and methods of communicating and engaging with external stakeholders to strengthen customer service and foster relationships while enforcing the board's mandate.**



- 4.7 Review and revise administrative procedure manuals to reflect current business processes to improve the quality, consistency, and sustainability of the administrative unit.**



Physical Therapy Board of California 2018-2022 Strategic Plan Final Status Report

Goal 1: ENFORCEMENT

Protect consumers through effective enforcement of laws and regulations governing the practice of physical therapy.

Objective No.	Objective	Status
1.1	Identify and implement improvements to the investigation and discipline process to decrease enforcement processing times.	Complete
1.2	Identify and establish additional position authority for the probation monitoring program to help ensure effective monitoring of probationers.	Complete
1.3	Facilitate and promote consistent, effective, and efficient communication with enforcement stakeholders to optimize the quality of services.	Complete
1.4	Review and revise enforcement procedure manuals to reflect current business processes to enhance the quality, consistency, and sustainability of the enforcement program.	Complete

Goal 2: LICENSING

Provide effective and efficient application and licensing services while maintaining consumer protection.

Objective No.	Objective	Status
2.1	Evaluate and optimize the continuing competency program to determine and improve the effectiveness of the program.	Incomplete
2.2	Evaluate and establish position authority for the continuing competency program to help ensure effective operations.	Complete
2.3	Promote transparency and accessibility of licensing requirements and processes to improve the stakeholder experience.	Complete
2.4	Analyze the program's operations and modify them, if needed, to provide reasonable processing times while maintaining consumer protection.	Incomplete
2.5	Review and revise licensing procedure manuals to reflect current business processes to enhance the quality, consistency, and sustainability of the licensing program.	Complete

Goal 3: COMMUNICATION AND EDUCATION

Provide relevant, timely, and accurate information to consumers, licensees, and other stakeholders.

Objective No.	Objective	Status
3.1	Identify and establish position authority and resources to enhance the relevant and timely information provided to stakeholders.	Complete
3.2	Develop and promote an outreach campaign for consumers of physical therapy to enhance awareness and communication for consumer protection.	Incomplete
3.3	Collaborate with education programs to improve understanding about the application process and the role of the board.	Complete
3.4	Develop and adopt a communication and education strategy to inform all stakeholders about the regulation of the profession.	Complete
3.5	Capitalize on use of existing technologies (e.g., Facebook, website, Twitter, YouTube, e-blast, etc.) to enhance education and communication.	Complete
3.6	Develop a procedure manual to reflect current business processes to enhance the quality, consistency, and sustainability of the communication and education program.	Complete

GOAL 4: ORGANIZATIONAL EFFECTIVENESS

Facilitate an exemplary organization through governance, effective leadership, performance, and service.

Objective No.	Objective	Status
4.1	Relocate the board's office to an appropriately sized location to adequately support existing program operations and projected growth.	Complete
4.2	Establish an assistant executive office position to correct the structural imbalance faced by the board and further its mandate of consumer protection.	Complete
4.3	Establish appropriate position authority to effectively support board programs and mandates.	Complete
4.4	Explore and establish effective methods to improve and expedite BreEZe system functionality to enhance efficiency and provide better service to stakeholders.	Complete
4.5	Explore and develop an effective and consistent system to improve internal communication.	Complete
4.6	Establish and improve expectations and methods of communicating and engaging with external stakeholders to strengthen customer service and foster relationships while enforcing the board's mandate.	Complete
4.7	Review and revise administrative procedure manuals to reflect current business processes to improve the quality, consistency, and sustainability of the administrative unit.	Complete



2018–2022 STRATEGIC PLAN

PHYSICAL THERAPY BOARD OF CALIFORNIA

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Physical Therapy Board of California

THE PHYSICAL THERAPY BOARD OF CALIFORNIA

BOARD MEMBERS

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

TJ Watkins, *Vice President*

Debra Alviso, P.T., DPT, *Member*

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

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

Katarina Eleby, M.A., *Member*

Tonia McMillian, *Member*

Edmund G. Brown Jr., *Governor*

Alexis Podesta, *Secretary*, Business, Consumer Services and Housing Agency

Dean R. Grafilo, *Director*, Department of Consumer Affairs

Jason Kaiser, *Executive Officer*, Physical Therapy Board of California



MESSAGE FROM THE PRESIDENT

It is with privilege that the Physical Therapy Board of California (board) presents you with our *2018–2022 Strategic Plan*. The process included feedback from the public, licensees, educators, board members and staff, as well as other stakeholders. Thank you to all who contributed thoughtful responses, and to the board for its valuable collaboration to develop objectives that will help the board provide enhanced services overall.

This plan will guide the board in planning for efficiencies across our programs while continuing to focus on our mandate of consumer protection. We aim to improve outreach by increasing our efforts to educate the public, licensees, and other stakeholders. We also aspire to strengthen our licensing and enforcement programs as we work to meet our mission of protecting the health, welfare, and safety of the public.

We are proud to have accomplished most of our goals from our prior strategic plan, and we look forward to using our new objectives to guide us as leaders in consumer protection. As president of the board, I invite your ideas and contributions to meeting the objectives of this plan. Board meetings are held at least four times a year across the state and publicly noticed in advance. Your presence and participation is most welcome, encouraged, and appreciated.

Sincerely,

Alicia K. Rabena-Amen, P.T., DPT
President, Physical Therapy Board of California

ABOUT THE BOARD

The Physical Therapy Board of California (board) licenses and regulates physical therapists and physical therapist assistants. The board is comprised of four licensed members and three public members. The governor appoints the four licensed members and one public member; the speaker of the Assembly appoints one public member; and the Senate Rules Committee appoints one public member. The board's mandate is to protect the public from the incompetent, unprofessional, and fraudulent practice of physical therapy.

To meet this mandate, the board must ensure that:

- Applicants meet the necessary education, examination, and experience qualifications to obtain licensure.
- Licensees comply with continuing competency requirements to maintain licensure.
- Consumers are informed of their rights and how complaints may be filed with the board.
- Consumer complaints are processed efficiently.
- Appropriate action is imposed on licensees who are found in violation of the Physical Therapy Practice Act.
- Laws and regulations uphold the board's mandate, mission, and vision.

This strategic plan will systematically chart the board's course for the next four years by establishing its goals and objectives. These goals and objectives are the framework that will tactically guide activities and focus resources to uphold the board's mandate in the most efficacious manner possible.

STRATEGIC GOALS

- 1 ENFORCEMENT
- 2 LICENSING
- 3 COMMUNICATION AND EDUCATION
- 4 ORGANIZATIONAL EFFECTIVENESS

MISSION, VISION, AND VALUES

MISSION

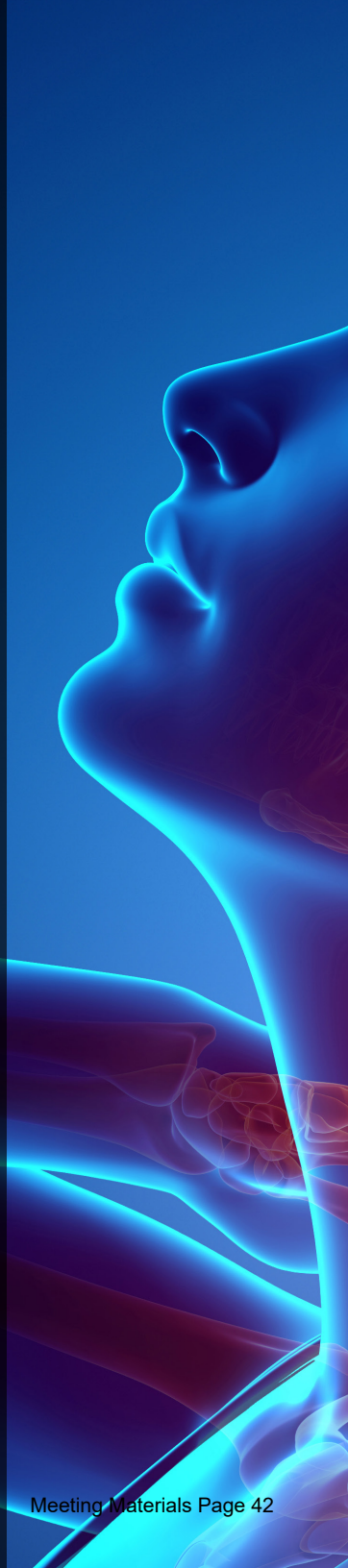
To advance and protect the interests of the people of California by the effective administration of the Physical Therapy Practice Act.

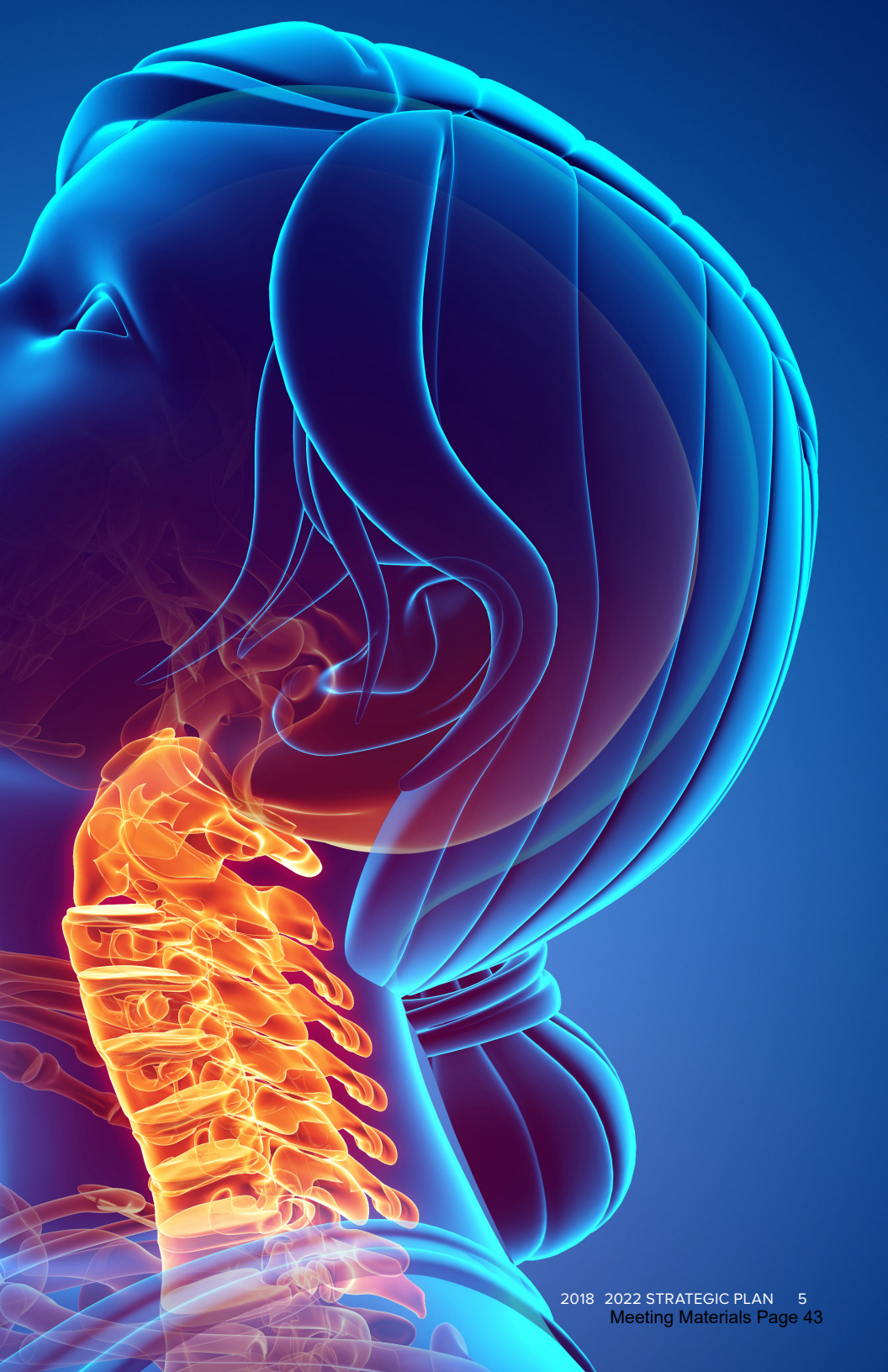
VISION

The standard for consumer protection in physical therapy.

VALUES

Commitment
Consumer Protection
Innovation
Integrity
Leadership
Service







GOAL 1: ENFORCEMENT

Protect consumers through effective enforcement of laws and regulations governing the practice of physical therapy.

- 1.1 Identify and implement improvements to the investigation and discipline process to decrease enforcement processing times.
- 1.2 Identify and establish additional position authority for the probation monitoring program to help ensure effective monitoring of probationers.
- 1.3 Facilitate and promote consistent, effective, and efficient communication with enforcement stakeholders to optimize the quality of services.
- 1.4 Review and revise enforcement procedure manuals to reflect current business processes to enhance the quality, consistency, and sustainability of the enforcement program.

GOAL 2: LICENSING

Provide effective and efficient application and licensing services while maintaining consumer protection.

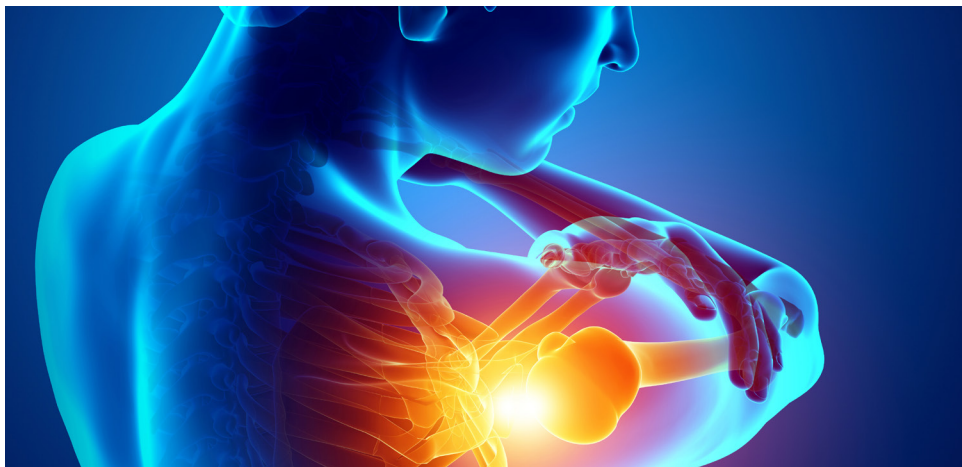
- 2.1 Evaluate and optimize the continuing competency program to determine and improve the effectiveness of the program.
- 2.2 Evaluate and establish position authority for the continuing competency program to help ensure effective operations.
- 2.3 Promote transparency and accessibility of licensing requirements and processes to improve the stakeholder experience.
- 2.4 Analyze the program's operations and modify them, if needed, to provide reasonable processing times while maintaining consumer protection.
- 2.5 Review and revise licensing procedure manuals to reflect current business processes to enhance the quality, consistency, and sustainability of the licensing program.

GOAL 3: COMMUNICATION AND EDUCATION

Provide relevant, timely, and accurate information to consumers, licensees, and other stakeholders.

- 3.1 Identify and establish position authority and resources to enhance the relevant and timely information provided to stakeholders.
- 3.2 Develop and promote an outreach campaign for consumers of physical therapy to enhance awareness and communication for consumer protection.
- 3.3 Collaborate with educational programs to improve understanding about the application process and the role of the board.
- 3.4 Develop and adopt a communication and education strategy to inform all stakeholders about the regulation of the profession.
- 3.5 Capitalize on the use of existing technologies (e.g., Facebook, website, Twitter, YouTube, e-blast, etc.) to enhance education and communication.
- 3.6 Develop a procedure manual to reflect current business processes to enhance the quality, consistency, and sustainability of the communication and education program.





GOAL 4: ORGANIZATIONAL EFFECTIVENESS

Facilitate an exemplary organization through governance, effective leadership, performance, and service.

- 4.1 Relocate the board's office to an appropriately sized location to adequately support existing program operations and projected growth.
- 4.2 Establish an assistant executive officer position to correct the structural imbalance faced by the board and further its mandate of consumer protection.
- 4.3 Establish appropriate position authority to effectively support board programs and mandates.
- 4.4 Explore and establish effective methods to improve and expedite BreEZe system functionality to enhance efficiency and provide better services to stakeholders.
- 4.5 Explore and develop an effective and consistent system to improve internal communication.
- 4.6 Establish and improve expectations and methods of communicating and engaging with external stakeholders to strengthen customer service and foster relationships while enforcing the board's mandate.
- 4.7 Review and revise administrative procedure manuals to reflect current business processes to improve the quality, consistency, and sustainability of the administrative unit.



STRATEGIC PLAN METHODOLOGY

To understand the environment in which the board operates and identify factors that could impact its success, the California Department of Consumer Affairs' SOLID unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- Interviews conducted with all members of the board, including the executive officer, completed during the months of January and February 2018 to assess the challenges and opportunities the board is currently facing or will face in the upcoming years.
- Three focus groups with board staff during the month of January 2018 to identify the strengths and weaknesses of the board from an internal perspective. Twenty-three board staff participated.
- An online survey was sent to approximately 27,000 external board stakeholders in January 2018 to identify the strengths and weaknesses of the board from an external perspective. A total of 1,825 stakeholders completed the survey.

The most significant themes and trends identified from the environmental scan were discussed by board members and management during a strategic planning session facilitated by SOLID on April 12, 2018. This information guided the board in the development of its mission, vision, and values, while directing the strategic goals and objectives outlined in this *2018–2022 Strategic Plan*.



Physical Therapy Board of California

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Prepared by

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DEPARTMENT OF CONSUMER AFFAIRS

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Sacramento, CA 95834

This Strategic Plan is based on stakeholder information and discussions facilitated by SOLID for the Physical Therapy Board of California.





Physical Therapy
Board of California

Strategic Planning Overview

What

Strategic planning process produces fundamental decisions and actions that shape and guide:

- What an organization is;
- What it does; and
- Why it does it.

Why

Critical to efficient and effective operations

Legislatively mandated

Helps to achieve short-term and long-term objectives

How



Mission Vision Values Goals

- Conduct workshops
- Survey participants
- Review new mission, vision, values, and goals with client for approval

Strategic Plan Components

Where are we now?

Mission

To advance and protect
the interests of the people
of California by the
effective administration of
the Physical Therapy
Practice Act

Values

Commitment
Consumer
Protection
Innovation
Integrity
Leadership
Service

Where are we now?

Internal Stakeholders:

Staff • Management • Members

External Stakeholders:

Consumers / Consumer Groups

Licensees / Associations

Others who affect/are affected by PTBC

Where do we want to be?

Vision

The standard for consumer
protection in physical therapy

Where do we want to be?

Goals

- Long term
- Clearly define each major function of the Board

Objectives

- Short term
- Outline what is to be done

Goal Areas

Enforcement

Licensing

Outreach & Communication

Organizational Effectiveness

Continuing Competency

How do we get there?

Evaluate resources
Identify individual tasks
Assign responsibility
Establish timelines
Ownership

How do we measure our progress?

Performance Measures

Objectives should indicate how success will be measured

Monitoring and Tracking

Tracking tools and regular check-ins

Diversity, Equity, & Inclusion



Questions?



Briefing Paper

Agenda Item 12

Date: 3/1/2023
Prepared for: PTBC Members
Prepared by: April Beauchamps, Outreach Liaison
Subject: Outreach Report

Purpose: To provide PTBC's Outreach activities and statistics for FY 2022-23 (Q2).

Attachments: [1. Website Statistics](#)
[2. Social Media Statistics](#)

Background:

The PTBC Outreach Report is a quarterly review of the Website and Social Media activities and an analysis of those activities for the current fiscal year in comparison to the previous fiscal year. The website statistics are collected from Google Analytics, and Social Media statistics are collected directly from the "insight reports" from Facebook reporting system; and, generated by PTBC staff on a quarterly basis: Jul -Sep (Q1), Oct-Dec (Q2), Jan-Mar (Q3) and Apr- Jun (Q4).

During Quarter (Q2) PTBC did have six outreach events virtually and in-person. PTBC provided Outreach school presentations to Sacramento State University on 10/7/22, 10/14/2022, and 10/21/2022; California State Long Beach on 10/18/2022; Institute of Technology-Redding on 10/24/2022; and Chapman University on 11/10/2022. The PTBC also attended the FSBPT Annual Meeting in Orange County on 10/27/22-10/29/22.

Analysis:

Website – The PTBC had 127,679 web-hits through its web page tabs, resulting in an 2% decrease over last fiscal year (Q2). Year to date, the PTBC had 271,156 web-hits through its web page tabs, resulting in an 4% decrease over last fiscal year.

Social Media¹:

Facebook – The PTBC received 36 "likes" resulting in a decrease of 14% for page "likes" compared to last fiscal year (Q2). In comparison to last fiscal year (Q2), there was also an increase of 87% in page visits and a decrease of 34% of page reach/impressions which is the number of people who saw any content from the PTBC Facebook page.

Instagram – This fiscal year (Q2) PTBC had a 31% increase in page reach for Instagram and a 6% increase in profile visits in comparison to last fiscal year (Q2).

Tik Tok – When looking at Tik Tok stats for FY 2022-23 (Q2), PTBC had 99 new video views/impressions and 3 new followers. All year-to-year comparison stats for Tik Tok will show zero because we did not have a Tik Tok account last FY 2021-22 to compare.

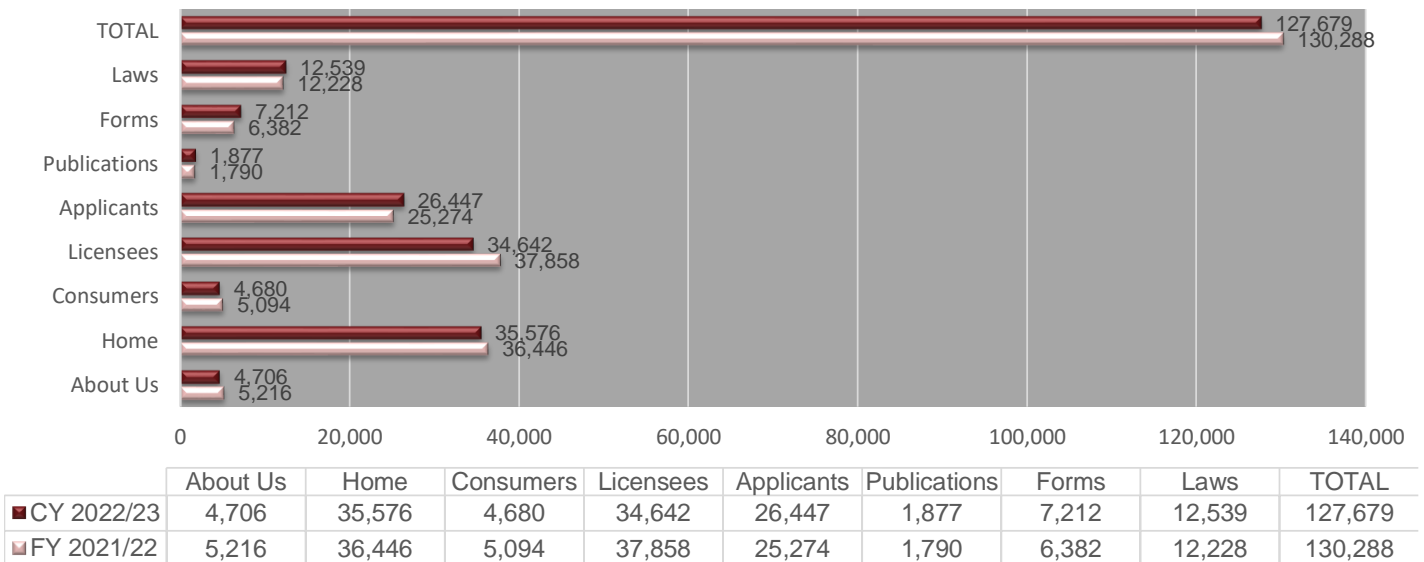
Twitter – When looking at Twitter stats for FY 2022-23, the PTBC had a decrease of people reached by 110% and a 33% decrease of page engagements compared to last fiscal year (Q2).

LinkedIn – When looking at LinkedIn stats for FY 2022-23 (Q2) the PTBC had 1,006 impressions, 36 page visits, and 15 engagements. All year-to-year comparison stats for LinkedIn for this year would show a zero until we are able to compare data to a previous fiscal year. We will be able to show these stats starting next fiscal year.

Action: No action is requested on presentation of the outreach report.

¹ **Insights Definitions:** **Likes**-Number of people who have liked the page. **Reach/Impressions**-The number of people who have had any content from your page enter their screen. **Engagements**-Number of people who interacted with your page.

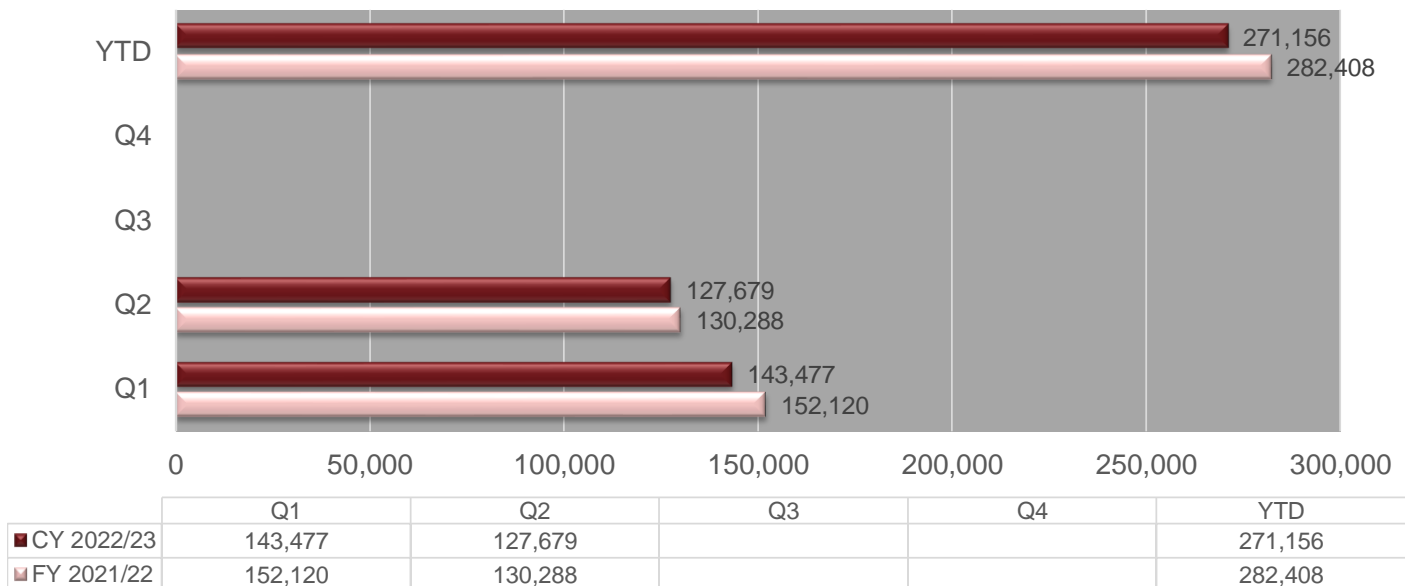
**Website Activity
Q2 (Oct - Dec)**



This chart reflects a 2% decrease in traffic over last Q2 (FY 2021/22).

This chart also shows the Home tab was accessed the most and the publications tab had the least amount of access this Q2.

**Website Activity
(Year-to-date)**



This chart reflects a 4% decrease over last Q2, year-to-date.

Social Media Statistical Reports							
Facebook							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	Q2	Q1	Q2	Q3	Q4	Q2	
Page Reach/Impressions	2,441	1,912	1,825			1,825	↓ -34%
Page Visits	525	697	980			980	↑ 87%
New Followers (Likes)	42	83	36			36	↓ -14%
Instagram							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	Q2	Q1	Q2	Q3	Q4	Q2	
Page Reach/Impressions	315	409	413			413	↑ 31%
Profile Visits	97	185	103			103	↑ 6%
Tik Tok							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	Q2	Q1	Q2	Q3	Q4	Q2	
New Video Views (Impressions)		1,143	99			99	⇒ 0%
New Likes		50	1			1	⇒ 0%
New Followers		19	3			3	⇒ 0%
Twitter							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	Q2	Q1	Q2	Q3	Q4	Q2	
Page Reach/Impressions	4,424	1,746	2,102			2,102	↓ -110%
Page Engagements	69	53	46			46	↓ -33%
New Followers	6	8	1			1	↓ -83%
LinkedIn							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	Q2	Q1	Q2	Q3	Q4	Q2	
Page Reach/Impressions		937	1,006			1,006	⇒ 0%
Page Visits		16	130			36	⇒ 0%
Reactions to Content (Engagements)		15	15			15	⇒ 0%

Page Reach/Impressions is the number of people who saw any content from the PTBC's social media pages.

Engagements is the number of interactions (likes, comments, and/or any action done) on your page.



Briefing Paper

Date: March 1, 2023

Agenda Item 18

Prepared for: PTBC Members

Prepared by: Brooke Arneson

Subject: Legislation Report

Purpose:

To provide an update on the 2023/24 Legislative session.

Attachments:

1. [2023 Legislative Calendar](#)
2. [Definition of the Board's Legislative Positions](#)
3. [2023/24 Legislative Summary](#)

Background and Update:

The 2023 Legislative calendar is included in the meeting materials for your reference, along with a copy of the Board's Legislative positions taken from the PTBC's Board Member Administrative Manual.

Also included is the 2023/24 Legislative summary which notes all bills from the current Legislative session. The bills for Board members consideration are grouped into two categories in the legislative summary:

1. [Physical Therapy Board Legislation](#): bills that could potentially impact the PTBC and physical therapy practice, regulation, or the operations of the PTBC.
2. [Department-Wide Legislation](#): bills that could potentially have a department-wide impact or administrative impact to the PTBC.

Recent and Upcoming Legislative Calendar Highlights:

May 12, 2023	Last day for Policy Committees to Meet Prior to June 5 th .
June 2, 2023	Last Day for Each House to Pass Bills Introduced in that House.
September 8, 2023	Last Day to Amend Bills on Floor
September 14, 2023	Last Day for Each House to Pass Bills

October 14, 2023

Last day for Governor to sign or veto bills passed by the
Legislature on or before September 14 and in his possession
after September 14

January 1, 2024

Statutes Take Effect

Action:

No action requested.

DEADLINES

JANUARY						
S	M	T	W	TH	F	S
<u>1</u>	2	3	<u>4</u>	5	6	7
8	9	<u>10</u>	11	12	13	14
15	<u>16</u>	17	18	19	<u>20</u>	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	<u>17</u>	18
19	<u>20</u>	21	22	23	24	25
26	27	28				

MARCH						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	<u>30</u>	<u>31</u>	

APRIL						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	<u>10</u>	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	<u>28</u>	29
30						

MAY						
S	M	T	W	TH	F	S
	1	2	3	4	<u>5</u>	6
7	8	9	10	11	<u>12</u>	13
14	15	16	17	18	<u>19</u>	20
21	22	23	24	25	26	27
28	<u>29</u>	<u>30</u>	<u>31</u>			

- Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 4 Legislature **reconvenes** (J.R. 51(a)(1)).
- Jan. 10 Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 16 Martin Luther King, Jr. Day
- Jan. 20 Last day to submit **bill requests** to the Office of Legislative Counsel
- Feb. 17 Last day for bills to **be introduced** (J.R. 61(a),(1)(J.R. 54(a)).
- Feb. 20 Presidents’ Day.
- Mar. 30 **Spring recess** begins upon adjournment of this day’s session (J.R. 51(a)(2)).
- Mar. 31 Cesar Chavez Day.
- Apr. 10 Legislature reconvenes from **Spring recess** (J.R. 51(a)(2)).
- Apr. 28 Last day for **policy committees** to hear and report to **fiscal committees** **fiscal bills** introduced in their house (J.R. 61(a)(2)).
- May 5 Last day for **policy committees** to hear and report to the floor **non-fiscal bills** introduced in their house (J.R. 61(a)(3))
- May 12 Last day for **policy committees** to meet prior to June 5 (J.R. 61(a)(4)).
- May 19 Last day for **fiscal committees** to hear and report to the Floor bills introduced in their house (J.R. 61(a)(5)).

Last day for **fiscal committees** to meet prior to June 5 (J.R. 61(a)(6)).
- May 29 Memorial Day.
- May 30-June 2 **Floor Session Only.** No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(a)(7)).

*Holiday schedule subject to Senate Rules committee approval

JUNE						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

- June 2Last day for each house to pass bills introduced in that house (J.R. 61(a)(8)).
- June 5Committee meetings may resume (J.R. 61(a)(9)).
- June 15Budget must be passed by **midnight** (Art. IV, Sec. 12(c)(3)).

JULY						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- July 4Independence Day.
- July 14Last day for **policy committees** to meet and report bills (J.R. 61(a)(10)).
- Summer Recessbegins upon adjournment of session provided Budget Bill has been passed (J.R. 51(a)(3)).

AUGUST						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- Aug. 14Legislature reconvenes from **Summer Recess** (J.R. 51(a)(3)).

SEPTEMBER						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

- Sept. 1Last day for **fiscal committees** to meet and report bills to Floor (J.R. 61(a)(11)).
- Sept. 4Labor Day.
- Sept. 5-14**Floor session only.** No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(a)(12)).
- Sept. 8Last day to **amend** on the floor (J.R. 61(a)(13)).
- Sept. 14Last day for **each house to pass bills** (J.R. 61(a)(14)).
Interim Study Recess begins at the end of this day’s session (J.R. 51(a)(4)).

*Holiday schedule subject to Senate Rules committee approval

IMPORTANT DATES OCCURRING DURING INTERIM STUDY RECESS

- 2023
Oct. 14Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 14 and in his possession after Sept. 14 (Art. IV, Sec.10(b)(1)).
- 2024
Jan. 1Statutes take effect (Art. IV, Sec. 8(c)).
Jan. 3Legislature reconvenes (J.R. 51(a)(4)).

Definitions of the Positions Taken by the Physical Therapy Board Regarding Proposed Legislation (Board Policy)

Watch: The watch position adopted by the Board will indicate concern regarding the proposed legislation. Board staff and members will closely monitor the progress of the proposed legislation and amendments.

Support, if Amended: The Board will take a supportive position and actively lobby the Legislature to amend the proposed legislation.

Support: The Board will actively support proposed legislation and demonstrate support through letter, testimony, and any other action necessary to communicate the support position taken by the Board.

The Board president has the authority to take interim positions on pending legislation on behalf of the Board, if necessary. The interim position taken by the Board president is the interim position of the Board until the next meeting of the Board at which the Board will decide to either ratify the interim position or reject it.

Physical Therapy Board Legislation:

AB 47

Pelvic Floor Physical Therapy Coverage

Author: Boerner Horvath (D)

Status: Referred to the Assembly Health Committee on 1/26/2023

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would require a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2024, to provide coverage for pelvic floor physical therapy after pregnancy. Because a willful violation of the bill's requirements relative to health care service plans would be a crime, the bill would impose a state-mandated local program.

AB 381

Teacher Credentialing: Services Credential with a Specialization in Health: Occupational and Physical Therapists

Author: Rubio (D)

Status: Referred to the Assembly Education Committee on 2/9/2023

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would allow occupational therapists and physical therapists to use their specializations to hold teacher credentials with a specialization in health.

AB 557

Open Meetings: Local Agencies: Teleconference

Author: Hart (D)

Status: Referred to the Assembly Local Government Committee on 2/17/2023

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would, until January 1, 2026, extend the time required to make specified findings related to teleconferenced meetings being held by legislative bodies operating under the Ralph M. Brown Act during declared states of emergency.

2023/24 Legislative Summary

Agenda Item 18

AB 796

Athletic Trainers

Author: Weber (D)

Status: Referred to the Assembly Health Committee on 1/26/2023

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would enact the Athletic Training Practice Act, which would establish, until January 1, 2028, the California Board of Athletic Training within the Department of Consumer Affairs to exercise licensing, regulatory, and disciplinary functions under the act. The bill would prohibit a person from practicing as an athletic trainer or using certain titles or terms without being licensed by the new board.

AB 814

Veterinary Medicine: Animal Physical Rehabilitation

Author: Lowenthal (D)

Status: From printer on 2/14/23. May be heard in Committee March 16.

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

The Veterinary Medicine Practice Act provides for the licensure and regulation of veterinarians and the practice of veterinary medicine by the Veterinary Medical Board, which is within the Department of Consumer Affairs. That act makes it unlawful for any person to practice veterinary medicine in this state without a license and provides that the practice of veterinary medicine includes, among other things, the treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of an animal. This bill would state the intent of the Legislature to enact subsequent legislation to authorize a veterinarian to refer an animal to a licensed physical therapist holding an advanced certification to provide animal physical rehabilitation under the supervision of the veterinarian.

AB 820

State Boards and Commissions: Seniors

Author: Reyes (D)

Status: From printer on 2/14/23. May be heard in Committee March 16.

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would state the intent of the legislature to enact legislation that would increase representation for older adults on state boards and commissions.

2023/24 Legislative Summary

Agenda Item 18

AB 931

Prior Authorization: Physical Therapy

Author: Irwin (D)

Status: Referred to the Assembly Health Committee on 2/23/2023
Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would prohibit a health care service plan contract or health insurance policy issued, amended , or renewed on or after January 1, 2025, that provides coverage for physical therapy from imposing prior authorization for the initial 12 treatment visits for a new episode of care for physical therapy.

AB 1070

Department of Consumer Affairs

Author: Low (D)

Status: From printer on 2/16/23. May be heard in Committee March 18.
Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill is a spot bill relative to the Director's duty to notify the legislature of any Chief or Executive Officer position vacancy.

SB 259

Reports Submitted to Legislative Committees

Author: Seyarto (R)

Status: Referred to Senate Governmental Organization Committee on 2/9/23. Set for hearing on March 14.
Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would require a state agency to post on its internet website any report, as defined, that the state agency submits to a committee of the Legislature.

2023/24 Legislative Summary

Agenda Item 18

SB 764

DCA: Regulatory Boards: Removal of Board Members

Author: Padilla (D)

Status: From Printer on 2/21/2023. May be acted upon on or after March 20.

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This is a spot bill relating to the authority to remove a board member for disclosure of confidential examination information.

SB 770

State Boards and Commissions

Author: Wiener (D)

Status: 3/1/2023 Referred to the Senate Rules Committee

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This is a spot bill related to the composition of state boards and commissions.

Department-Wide Legislation:

AB 229

Violent Felonies

Author: Patterson (R)

Status: In the Assembly Public Safety Committee. 3/2/2023 Set, Second Hearing. Hearing Cancelled at the Request of the Author.

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

Existing law defines the term “violent felony” for various purposes, including, among others, enhancing the punishment for felonies pursuant to existing sentencing provisions commonly known as the Three Strikes Law. This bill would expand the crimes that are within the definition of a violent felony for all purposes, including for purposes of the Three Strikes Law, to include additional forms of sexual crimes, as defined, human trafficking, as defined, and felony domestic violence, as defined. By expanding the scope of an enhancement, this bill would impose a state-mandated local program.

2023/24 Legislative Summary

Agenda Item 18

[AB 996](#)

DCA: Continuing Education: Conflict of Interest Policy

Author: Low (D)

Status: 2/23/2023 Referred to the Assembly Business and Professions Committee

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill would require entities within the DCA, who require licensees to satisfy continuing education requirements, to develop and maintain a conflict-of-interest policy that discourages the use of any continuing education course, if the provider of that course has an economic interest in a commercial product or enterprise promoted in that course.

**PTBC already has a conflict-of-interest policy in CCR 1399.95(f) "Standards for Approval Agencies Each approval agency that also offers continuing education courses directly to a licensee shall have a means to avoid a conflict of interest between its function as a provider and its function as an approval agency."

[AB 1028](#)

Reporting of Crimes: Mandated Reporters

Author: McKinnor (D)

Status: 3/2/2023 Referred to the Assembly Public Safety Committee

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

Current law requires a health practitioner, as defined, to make a report to law enforcement when they suspect a patient has suffered physical injury that is either self-inflicted, caused by a firearm, or caused by assaultive or abusive conduct, including elder abuse, sexual assault, or torture. This bill would, on and after January 1, 2025, remove the requirement that a health practitioner make a report to law enforcement when they suspect a patient has suffered physical injury caused by assaultive or abusive conduct.

[AB 1751](#)

Opioid Prescriptions: Information: Nonpharmacological Treatments for Pain

Author: Gipson (D)

Status: 2/18/2023 From Printer. May be Heard in Committee March 20th.

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

Current law requires a prescriber, with certain exceptions, before directly dispensing or issuing for a minor the first prescription for a controlled substance containing an opioid in a single course of treatment, to discuss specified information with the minor, the minor's parent or guardian, or another adult authorized to consent to the minor's medical treatment. This bill would extend that requirement for the prescriber by applying it to any patient, not only a minor, under those circumstances.

2023/24 Legislative Summary

Agenda Item 18

SB 14

Serious Felonies: Human Trafficking

Author: Grove (R)

Status: 2/23/2023 From Senate Public Safety Committee with Author's Amendments. Read Second Time and Amended. Re-referred to Senate Public Safety Committee.

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

Current law defines the terms “serious felony” and “violent felony” for various purposes, including, among others, enhancing the punishment for felonies pursuant to existing sentencing provisions commonly known as the Three Strikes Law. This bill would include human trafficking within the definition of a serious felony for all purposes, including for purposes of the Three Strikes Law.

SB 816

Interior Designers

Author: Roth (D)

Status: 3/1/2023 Referred to the Senate Rules Committee

Position: No Position

Desk	2-Year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf Conc	Enrolled	Vetoed	Chaptered
1 st House					2 nd House							

Summary:

This bill is the Business and Professions Code omnibus bill. In addition, this bill would establish the California Council for Interior Design Certification to govern the certification and regulation of interior designers.



Briefing Paper

Date: March 1, 2023

Agenda Item 19(A)

Prepared for: PTBC Members

Prepared by: Brooke Arneson

Subject: Rulemaking Report

Purpose: To update the Board on the status of proposed rulemaking in progress and to provide an update on the rulemaking process.

Attachments:

1. [2022 Rulemaking Update](#)
2. [Rulemaking Processing Timelines](#)
3. [Overview of the Regulatory Process](#)

Background:

At the December 2022 meeting, the Board adopted the 2023 Rulemaking Calendar as required by Government Code (GC) § 11017.6. The rulemaking calendar prepared pursuant to this section sets forth the Board's rulemaking plan for the year and is published by the Office of Administrative Law (OAL) in the California Regulatory Notice Register (Notice Register); the Notice Register is available on OAL's website: http://www.oal.ca.gov/Notice_Register.htm

From the 2023 Rulemaking Calendar, staff developed a rulemaking tracking form on which all rulemaking progress is noted and reported to the Board at its quarterly meetings.

Effective September 7, 2016, all regulatory packages must be submitted to the Department of Consumer Affairs for Business, Consumer Services, and Housing Agency (Agency) review, prior to publicly noticing with the Office of Administrative Law (OAL). A copy of the current DCA Rulemaking process is included.

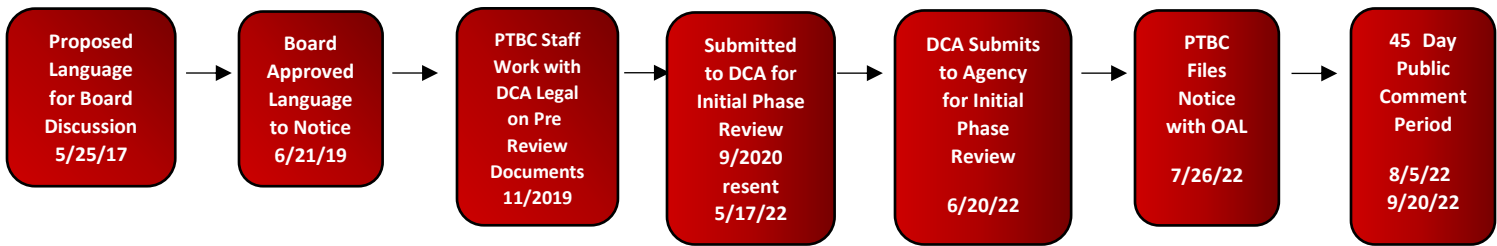
Action:

No action is requested on presentation of the rulemaking report.

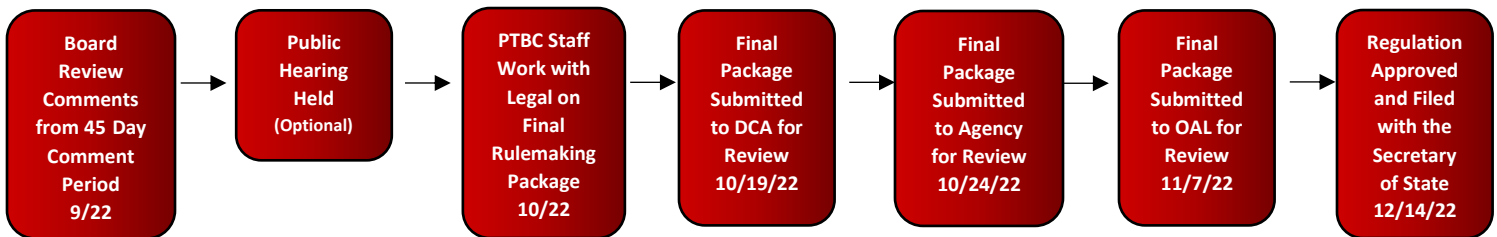
2023 Rulemaking Update

Satisfactory Documentary Evidence of Equivalent Degree for Licensure as a Physical Therapist or Physical Therapist Assistant/ Coursework Tool

Initial Phase:



Final Phase:

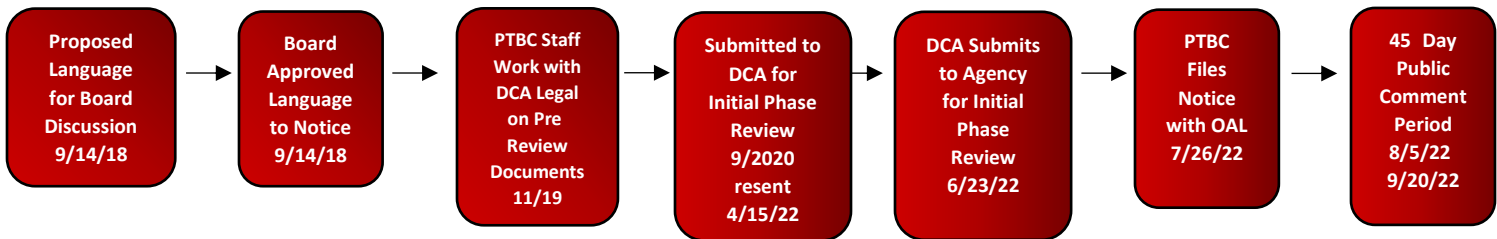


Notes: This regulation proposes to amend CCR 1398.26.1, Article 2, Division 13.2 of Title 16 to restructure the Coursework Tools (CWT's) into an outline format for reading ease; adds CWT 6; provides the general rule for PTs in subdivision (b); addresses the acceptance of CWT 6 in subdivision (c), adds the PTA provision in subdivision (d) and incorporates the CWT's by reference in subdivision (e). PTBC staff presented proposed language for Board consideration at the June 2019 Board meeting and the Board approved the modified proposed language and directed PTBC staff to initiate the formal rulemaking process. On November 7, 2022, the final rulemaking package was submitted to OAL for review and approved on December 14, 2022. This regulation became effective January 1, 2023, as PTBC asked for an early effective date from OAL.

2023 Rulemaking Update

FSBPT's Performance Evaluation Tool (PET) for Foreign Educated Physical Therapists Completing a Supervised Clinical Practice in the United States

Initial Phase:



Final Phase:



Notes: This regulation proposes to amend CCR 1398.26.5, Article 2, Division 13.2 of Title 16. This proposed regulation will allow supervising physical therapists the option to utilize FSBPT's Supervised Clinical Practice Performance Evaluation Tool (PET) for evaluating a physical therapist license applicant in addition to APTA's Clinical Performance Instrument. Proposed regulatory language was presented and adopted at the September 2018 Board Meeting. In September 2020, PTBC staff submitted the initial rulemaking package to DCA Legal for review and upon further review, DCA Legal and OAL determined that the PET and CPI would need to be incorporated by reference and since this is a non-substantive change the language will be modified to reflect this which is within the Executive Officer's delegation. PTBC staff submitted the final rulemaking package to OAL on November 7, 2022. During OAL's review, they had concerns regarding clarity in subsection (g) of the proposed language. PTBC staff withdrew the rulemaking package on December 21, 2022, and the proposed text was modified per OAL's recommendation. The modified text was noticed for a 15-day public comment period from February 9 to February 25, 2023, and no comments were received. The modified text per OAL's recommendation, will be presented for Board consideration under Agenda Item 19(B).

2023 Rulemaking Update

License Renewal Exemptions: Retired License Status

Initial Phase:



Final Phase:

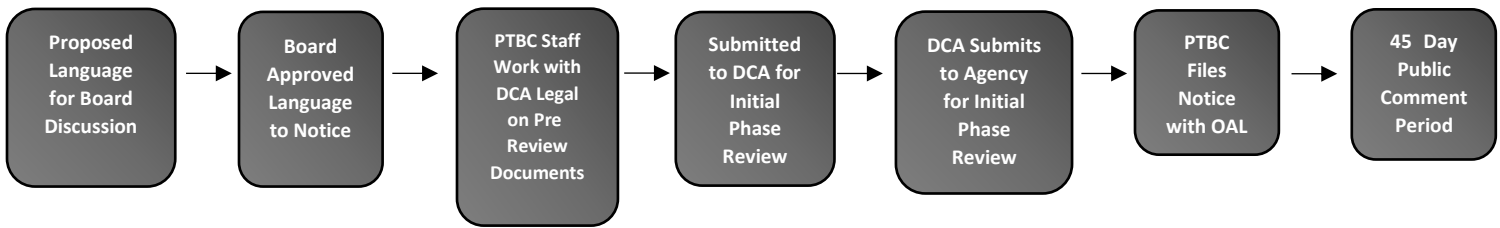


Notes: This regulation proposes to add CCR 1399.57, to Article 10, Division 13.2 of Title 16. BPC Section 2648.7 was repealed effective July 1, 2019, which removed the existing, unclear retired license statute and allowed the PTBC to rely on the new retired license statute BPC Section 464 (AB 2859). At the March 2021 Board meeting proposed language was presented for Board consideration and staff worked with DCA Legal to address concerns addressed with the language. The initial rulemaking package was filed with OAL and published on June 17, 2022, and the 45-day comment period ended on August 2, 2022. At the September 2022 Board meeting the Board reviewed the public comments received and adopted responses to the comments to include in the final rulemaking package. The final rulemaking package was submitted to OAL for review on October 21, 2022 and was approved on December 8, 2022. This regulation became effective January 1, 2023, as PTBC asked for an early effective date from OAL.

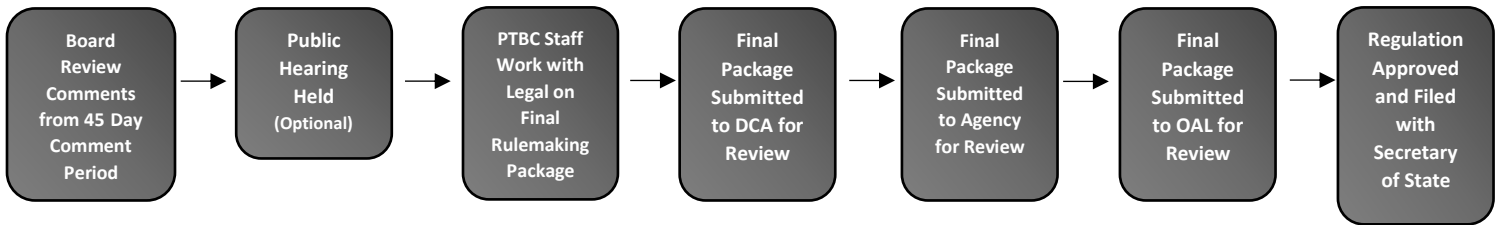
2023 Rulemaking Update

Continuing Competency

Initial Phase:



Final Phase:



Notes: This regulation proposes to amend CCR 1399.90 – 1399.99, Article 14, Division 13.2 of Title 16. This proposed regulation was placed on the 2022 Rulemaking Calendar that was adopted at the Board meeting on December 12, 2021. PTBC staff are in the process of researching and developing proposed language for consideration by the Board at a future meeting date. A further update on the continuing competency regulation will be provided under Agenda Item 21 during the Licensing Services Report.

Processing Times

- A rulemaking file must be completed within one year of the publication date of the Notice of Proposed Action. The OAL issues the Notice File Number upon filing the Notice of Proposed Action.
- The DCA is allowed thirty calendar days to review the rulemaking file prior to submission to the Department of Finance (DOF).
- The DOF is allowed thirty days to review the rulemaking file prior to submission to the OAL.
- The OAL is allowed thirty working days to review the file and determine whether to approve or disapprove it. The OAL issues the Regulatory Action Number upon submission of the rulemaking file for final review.
- Pursuant to Government Code section 11343.4, as amended by Section 2 of Chapter 295 of the Statutes of 2012 (SB 1099, Wright), regulation effective dates are as follows:

Date Filed with the Secretary of State

Effective Date

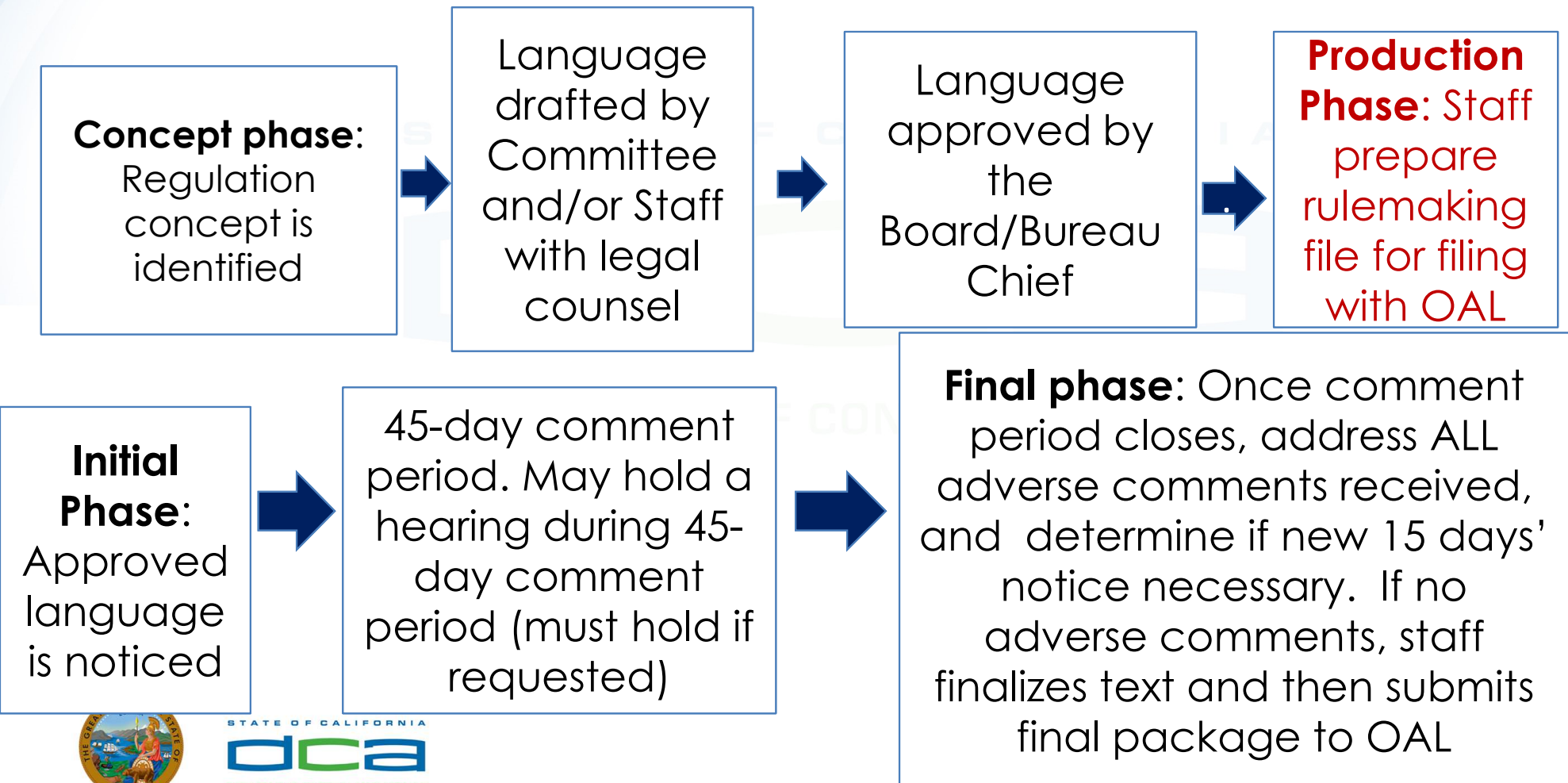
September 1st – November 30thJanuary 1st

December 1st – February 29thApril 1st

March 1st – May 31stJuly 1st

June 1st – August 31stOctober 1st

General Overview of Regulatory Process





Briefing Paper

Date: February 27, 2023,

Agenda Item 19(B)

Prepared for: PTBC Members

Prepared by: Brooke Arneson

Subject: Possible Adoption and Consideration of Public Comments on 16 CCR sections 1398.26.5 – Clinical Service Requirements for Foreign Educated Applicants Completing a Supervised Clinical Practice in the United States

Attachments: [1. Proposed Modified Text](#)

Background and Update:

In 2005, the Board added regulation section 1398.26.5 to require the clinical service of foreign-educated applicants that did not graduate from a CAPTE accredited program be evaluated and certified by a supervising physical therapist in a report to the board documenting that the foreign-educated applicant possesses the skills necessary to perform physical therapy evaluations and any physical therapy procedure of patient care within the California healthcare system. The regulation also required the evaluation of the foreign-educated applicant's period of clinical service be prepared utilizing the *Physical Therapist Clinical Performance Instrument* (CPI), issued by the APTA in December of 1997, and required the certification be by at least one supervising physical therapist who is credentialed by the APTA, as a clinical instructor. It should be noted that while the CPI has a copyright, the APTA has given the Board permission to copy it for its use.

The CPI, which is currently required by the Board's regulation, is designed to evaluate CAPTE accredited *students* of physical therapy, not foreign-educated applicants who have already graduated from a physical therapy program in their respective country and have already passed the National Physical Therapy Examination (that demonstrates basic entry-level competence after graduation). However, the CPI was the only tool available to the Board at the time when the regulation was enacted in 2004/2005 and the CPI does evaluate clinical competence, even though it was not specifically designed for foreign-educated applicants.

The purpose of supervised clinical practice (SCP) for a physical therapist that did not graduate from a CAPTE-accredited program is to promote public protection by evaluating the physical therapist's ability to practice competently within the United States' healthcare system. Completion of a supervised clinical practice, under the direction of a licensed physical therapist, better prepares a foreign-educated physical therapist for successful entry into the workforce, promotes clinical competence and the delivery of safe and

effective care, assists in addressing cultural competence, and ensures a necessary level of protection to the consumers of physical therapy.

Successfully completing a supervised clinical practice is a high stakes endeavor with a critical need for a valid evaluation tool. For this reason, the Federation of State Boards of Physical Therapy (FSBPT) developed the Performance Evaluation Tool (PET) to meet the need for a tool that is valid, defensible, and can be consistently applied by supervisors and licensing jurisdictions, including California. There is currently no other evaluation tool geared specifically to foreign-educated applicants for a physical therapy license.

Allowing for the use of the most current versions of the APTA CPI or the FSBPT PET gives supervised clinical instructors an option in evaluation tools, which may in turn provide qualified foreign trained applicants a smoother pathway to licensure. Adoption and incorporation of each form as published by APTA and FSBPT allows the Board to maintain parity with other jurisdictions and ensure the Board is consistent with APTA and FSBPT standards across multiple jurisdictions. The PTBC determined during multiple Board discussions and presentations that the PET is the most applicable tool to assess the competency of foreign-educated applicants for California licensure.

The Board received 172 foreign physical therapist applications in FY 2020/21, which is approximately nine percent of the total applications received. Of these, 53 applicants have completed a supervised clinical service period and were evaluated during that time utilizing the CPI by their supervising clinical instructor.

At the Board's September 2018, meeting, the Board discussed and approved the proposed amendment to 16 CCR 1398.26.5

Board staff prepared this rulemaking file and, after review by the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency, submitted it to the Office of Administrative Law (OAL) on November 7, 2022. During OAL's review they had concerns regarding clarity in the proposed language specifically on subsection (g). OAL stated the following:

"1398.26.5(g) is unclear. The text requires "the user" to create an account to access the PET. The issue is that "user" is ambiguous and could be interpreted to mean either the supervisor and/or the applicant. While the proposed text doesn't define "user," the Initial Statement of Reasons more specifically describes the effect of (g), which is that the "user" would be the supervisor of the applicant. As is, because the text doesn't align with the effect described in the record, and the term "user" could be reasonably interpreted to have more than one meaning, this proposed language is unclear. OAL recommends modifying the text to clarify the provisions of (g) and then making the modified text available for a 15-day notice and comment period."

PTBC withdrew the proposed rulemaking file on December 21, 2022, the proposed text was modified per OAL's above recommendation, and the modified text was noticed for public comment from February 9 to February 25, 2023. No comments were received during the 15-day modified text public comment period.

As seen in the attachment, the modified text updates FSBPT's website to include the direct link for the PET and clarifies that the email to be used is that of the supervising physical therapist, as discussed in the Initial Statement of Reasons. This language was discussed with OAL before being noticed for public comment and OAL indicated that the modifications met their concerns.

Staff have prepared this briefing paper to update the Board on the rulemaking package and present the proposed modified text for the Board's review, consideration, and approval.

Action:

Proposed Motion: "Adopt Section 1398.26.5, including the incorporated forms, as amended by the noticed modifications, and authorize the Executive Officer to take all steps necessary to resubmit the rulemaking package to the Office of Administrative Law to complete the rulemaking process, including making any technical or non-substantive changes to the proposed regulations as necessary."

PHYSICAL THERAPY BOARD OF CALIFORNIA

Proposed Modified Regulatory Language Concerning Clinical Service Requirements for Foreign Educated Applicants

Legend:

Originally Proposed text additions are indicated with an underline.
Originally Proposed text deletions are indicated by ~~strikeout~~.

Modified Proposed text additions are indicated with a double underline.
Modified Proposed text deletions are indicated with a ~~double strikeout~~.

The Physical Therapy Board of California proposes to amend section 1398.26.5 in Article 2, Division 13.2, Title 16 of the California Code of Regulations, as follows:

1398.26.5. Clinical Service Requirements for Foreign Educated Applicants.

- (a) The period of clinical service required by Section 2653 of the Code shall be certified by at least one supervising physical therapist (the supervising physical therapist is the Center Coordinator of Clinical Education and/or the credentialed Clinical Instructor) licensed by the board, or by a physical therapy licensing authority in another jurisdiction which is accepted by the board.
- (b) For the purposes of this regulation, supervision means the supervising physical therapist must be onsite in the same facility and available to the physical therapist license applicant to provide assistance with any patient care.
- (c) Effective January 1, 2008, the Ceenter Ceordinator of Celinical Eeducation (CCCE) must be an American Physical Therapy Association (APTA) ~~certified~~ credentialed Celinical ~~ln~~structor. Effective January 1, 2010, all Celinical ~~ln~~structors must be APTA ~~certified~~ credentialed.
- (d) The certification shall be submitted in a report to the board and shall document the supervising physical therapist's determination that the physical therapist license applicant possesses the skills necessary to perform any physical therapy evaluation or any physical therapy procedure of patient care within the California healthcare system. The supervising physical therapist's evaluation of the physical therapist license applicant shall be prepared utilizing the *Physical Therapist Clinical Performance Instrument* issued by the American Physical Therapy Association in

December of 1997, incorporated by reference herein, or the Federation of State Boards of Physical Therapy's Supervised Clinical Practice Performance Evaluation Tool, dated September 2013, incorporated by reference herein, and completed pursuant to subsection (g). The certification shall include two ~~elevations~~ evaluations of the physical therapist license applicant's skills. One evaluation shall determine the skill level mid-way through the period of clinical service and the other evaluation shall determine the skill level at the end of the clinical service. Both evaluations shall be reported at the end of the period of clinical service.

(e) Three (3) months of the required nine (9) months of clinical service shall be waived by the board if the physical therapist license applicant successfully completes a course in Law and Professional Ethics as offered by a post-secondary educational institution or by successfully completing four (4) continuing education units in Ethics offered by a continuing education provider recognized by a California healthcare board.

(f) One (1) month of clinical service shall be waived for each month of licensed clinical practice in another state up to the required total of nine (9) months.

(g) To create an account for access to the Federation of State Boards of Physical Therapy's Clinical Practice Performance Evaluation Tool on their website at fsbpt.org/SCPPET, the user supervising physical therapist must enter an email, first and last name, create a password, and choose California as the jurisdiction.

Note: Authority cited: Section 2615, Business and Professions Code.
Reference: Sections 2650 and 2653, Business and Professions Code.



Briefing Paper

Agenda Item 20(A)

Date: February 22, 2023

Prepared for: PTBC Members

Prepared by: Liz Constancio, Manager

Subject: Budget Report

Purpose: To provide an update on the PTBC's Budget activities and statistics for quarter two (Q2) for CY 2022-23.

Attachments: [1. Expenditure Report](#)
[2. Revenue Report](#)
[3. Expenditure & Revenue Measures Report](#)

Background:

The PTBC Budget Report is a quarterly review of the expenditures and revenues, including budget activities and analysis for the current fiscal year. The report reflects data collected from the Quarterly Department of Consumer Affairs Budget Office Projection Report and is generated by staff quarterly: Jul-Sep (Q1), Oct-Dec (Q2), Jan-Mar (Q3) and Apr-Jun (Q4).

CY2022-23, according to the Governor's Budget, the PTBC is authorized \$7,127,000 which includes personnel services, operating expenses, and equipment, and 27.4 positions to support program operations. The PTBC's Operating Expenses (PERS SVS/OE&E) budget for (CY22-23) has increased \$493,000 or 7.43% over previous fiscal year's budget allotment of \$6,634,000 (PY2021-22). The increases included, staff salaries and benefits, equipment, and ProRata.

As of Q2 (12/31/22), the PTBC's fund is projected at 7.1 months reserve by the end of CY 2022-23, and 5.6 reserve in BY 2023-24.

Analysis:

PTBC spent \$1,707,467 Q2 (CY22-23), an overall 2.71% increase from previous fiscal year's Q2 expenditures of \$1,662,335 (PY21-22). The PTBC had an increase of \$46,839 in Personnel services, \$4,351 increase in General services, \$8,470 decrease in Departmental services, and \$2,412 increase in Enforcement expenditures.

PTBC collected \$2,250,265 during Q2 (FY21-22), an overall 5.52% increase over Q2 revenue of \$2,118,350 last fiscal year (FY20-21). The PTBC had a \$820 increase in Other Regulatory fees, \$38,504 increase in Initial Applications, \$3,450 decrease in Renewals, \$125 decrease in license delinquent fees, \$16,901 increase in Miscellaneous fees, \$4,993 decrease in Scheduled Reimbursements, and \$84,258 increase in Unscheduled Reimbursements.

Action Requested: No action requested.

Expenditure Statistics Report

Budget Line Items			CY (2022-23)				
	Authorized	Q2	Authorized	Q2	YTD	Percent	Balance
	Budget	Oct-Dec	Budget	Oct Dec	(As of 12/31/22)		Budget Spent
PERSONNEL SERVICES							
Civil Services Permanent	1,799,000	449,770	1,861,000	414,227	850,556	46%	1,010,444
Statutory Exempt	77,000	28,602	77,000	30,835	61,310	80%	15,690
Temp help	0	23,910	0	90,355	140,654	-	(140,654)
Board Members	12,000	12,800	12,000	14,100	22,600	188%	(10,600)
Overtime	0	0	0	0	0	-	0
Staff Benefits	1,125,000	288,632	1,221,000	301,036	630,733	52%	590,267
TOTAL PERS SVS	3,013,000	803,714	3,171,000	850,553	1,705,853	54%	1,465,147
OPERATING EXPENSES & EQUIPMENT							
General Services Totals	604,000	110,556	621,000	114,907	204,392	33%	416,608
Fingerprints	99,000	8,162	99,000	1,421	6,615	7%	92,385
General Expense	7,000	7,754	7,000	1,734	4,602	66%	2,398
Minor Equipment	10,000	3,851	26,000	901	1,834	7%	24,166
Major Equipment	0	0	0	0	0	-	0
Printing	17,000	5,245	17,000	9,186	9,491	56%	7,509
Communications	17,000	1,150	17,000	2,163	2,818	17%	14,182
Postage	9,000	2,562	9,000	344	1,022	11%	7,978
Insurance	0	0	0	0	0	-	0
Travel in State	13,000	228	13,000	9,845	9,845	76%	3,155
Training	6,000	0	6,000	1,250	1,250	21%	4,750
Facilities Operations (Utilities/Leases)	261,000	59,086	261,000	62,345	122,015	47%	138,985
C&P SRVS Internal (Consult Professional)	12,000	0	12,000	0	0	0%	12,000
C&P SRVS External	153,000	22,518	154,000	25,718	44,900	29%	109,100
Departmental Services Totals	1,101,000	253,865	1,062,000	245,395	724,694	68%	337,306
Consumer Client Services - Various (ProRata)	1,030,000	252,250	991,000	239,500	718,500	73%	272,500
Interagency Services	37,000	941	37,000	5,465	5,468	15%	31,532
Consolidated Data Center	18,000	0	18,000	0	0	0%	18,000
Information Technology	16,000	674	16,000	430	726	5%	15,274
Exams Totals	0	0	0	0	0	-	0
Exam Admin External (Tech SRVS FSBPT)	0	0	0	0	0	-	0
Enforcement Totals	2,015,000	494,200	2,372,000	496,612	1,258,955	53%	1,113,045
Attorney General	794,000	196,345	794,000	160,646	294,464	37%	499,536
Office of Admin Hearings	110,000	36,344	110,000	15,507	15,507	14%	94,493
Evidence/Witness	100,000	12,735	100,000	11,259	21,796	22%	78,204
Court Reporters	0	1,526	0	450	938	-	(938)
DOI Investigation (ProRata)	1,011,000	247,250	1,368,000	308,750	926,250	68%	441,750
TOTAL OE & E	3,720,000	858,621	4,055,000	856,914	2,188,041	54%	1,866,959
Scheduled Reimbursements							
Fingerprints	-99,000	-	-99,000	-	-	-	-
TOTALS, PERS SVS/OE&E	6,634,000	1,662,335	7,127,000	1,707,467	3,893,894	55%	3,332,106

Revenue Statistics Report

Revenue Line Items	CY 2022 23									
	Q2		YTD As of 12/31/21	Q2		Q3		Q4		YTD As of 12/31/202
	Oct	Dec		Oct	Dec	Jan	Mar	Apr	Jun	
OTHER REGULATORY										
Cite and Fine (Citations)	3,550		8,200	1,850	0		0			9,625
Endorsement (License Verification)	18,840		39,240	21,060	0		0			41,820
Duplicate License / Certificate	3,600		7,050	3,900	0		0			7,700
TOTALS	25,990		54,490	26,810	0		0			59,145
INITIAL APPLICATION & LICENSE										
ENMG Exam Fee	0		0	1,000	0		0			1,000
ENMG Application Fee	0		0	200	0		0			200
KEMG Exam Fee	0		0	0	0		0			0
KEMG Application Fee	0		0	0	0		0			0
PTA Application & Initial License Fee	46,500		108,300	45,900	0		0			113,700
FPTA Application & Initial License Fee	3,600		6,000	2,100	0		0			5,700
PT Application Fee	101,650		252,850	119,599	0		0			280,399
PT Initial License Fee	57,999		138,999	66,447	0		0			156,196
FPT Application Fee	9,000		22,549	11,149	0		0			25,598
Refunded Reimbursements	-507		-507	0	0		0			0
Overt/Short Fees	0		2	0	0		0			0
Suspended Revenue	1,500		5,760	4,598	0		0			7,002
Prior Year Revenue Adjustment	-6,904		-11,754	349	0		0			-4,404
TOTALS	212,838		522,199	251,342	0		0			585,391
LICENSE RENEWAL										
PTA Renewal Fee	378,000		695,700	386,250	0		0			719,700
PT Renewal Fee	1,467,300		2,595,930	1,455,600	0		0			2,576,400
ENMG	100		250	200	0		0			200
KEMG	200		350	100	0		0			250
Automated Revenue Refund Claim	0		0	0	0		0			0
Overt/Short Fees	0		0	0	0		0			0
TOTALS	1,845,600		3,292,230	1,842,150	0		0			3,296,550
DELINQUENT LICENSE RENEWAL										
PTA Delinquent Fee	1,950		4,950	2,250	0		0			5,550
PT Delinquent Fee	9,300		17,550	8,850	0		0			17,850
ENMG Delinquent Fee	0		0	0	0		0			0
KEMG Delinquent Fee	0		0	25	0		0			25
TOTALS	11,250		22,500	11,125	0		0			23,425
MISCELLANEOUS										
Public Sales	0		0	0	0		0			0
Surplus Money Investments	3,846		3,846	19,741	0		0			19,741
Attorney General Proceeds	0		0	0	0		0			0
Unclaimed/Cancelled Warrants	159		418	1,140	0		0			3,848
Dishonored Check Fees	0		0	25						25
TOTALS	4,005		4,264	20,906	0		0			23,614
SCHEDULED REIMBURSEMENTS										
Fingerprint Reports	6,713		16,072	1,720	0		0			3,386
External/Private/Grant	0		0	0	0		0			0
TOTALS	6,713		16,072	1,720	0		0			3,386
UNSCHEDULED REIMBURSEMENTS										
Cost Recovery - Investigations	8,604		18,307	89,137	0		0			155,777
Cost Recovery - Probation Monitoring	3,350		10,450	7,075	0		0			10,825
TOTALS	11,954		28,757	96,212	0		0			166,602
TOTAL REVENUES	2,118,350		3,940,512	2,250,265			0			4,158,113

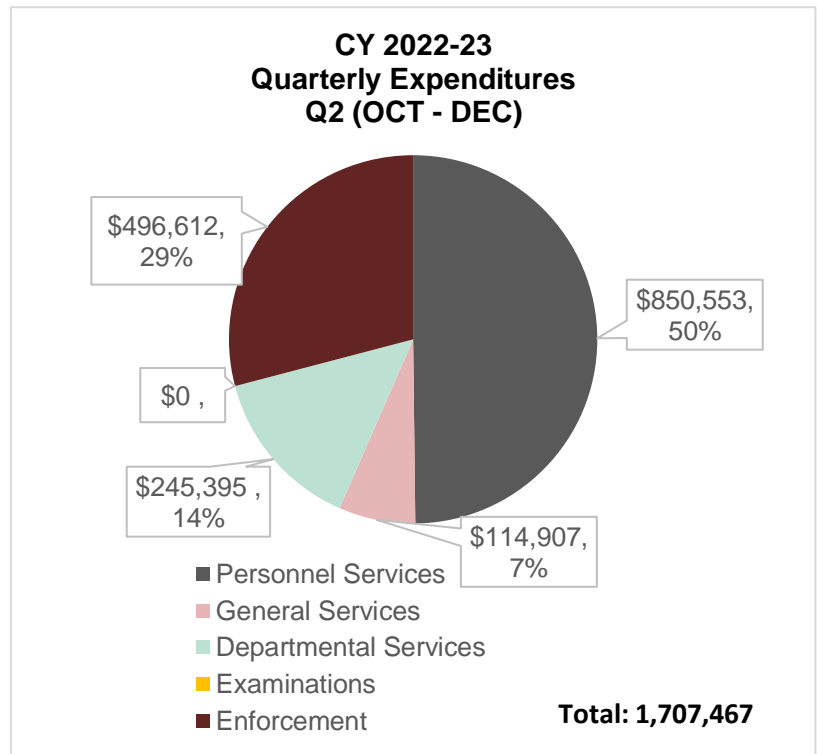
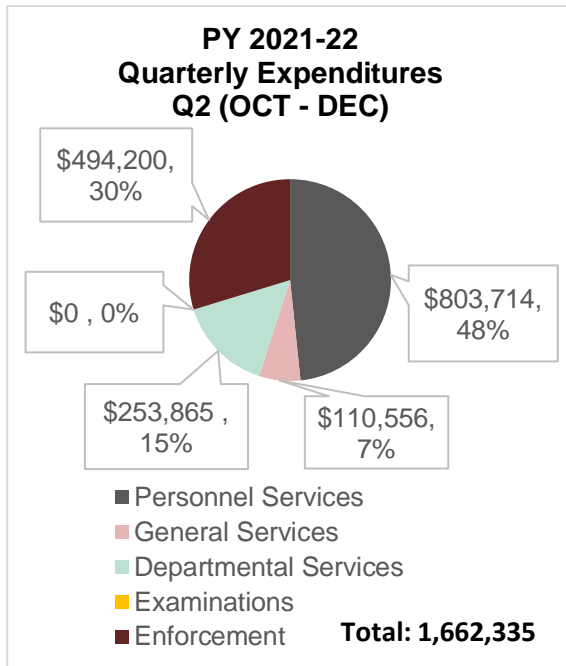


Chart reveals a \$45,132 or 2.71% increase in expenditures over previous year Q2 .

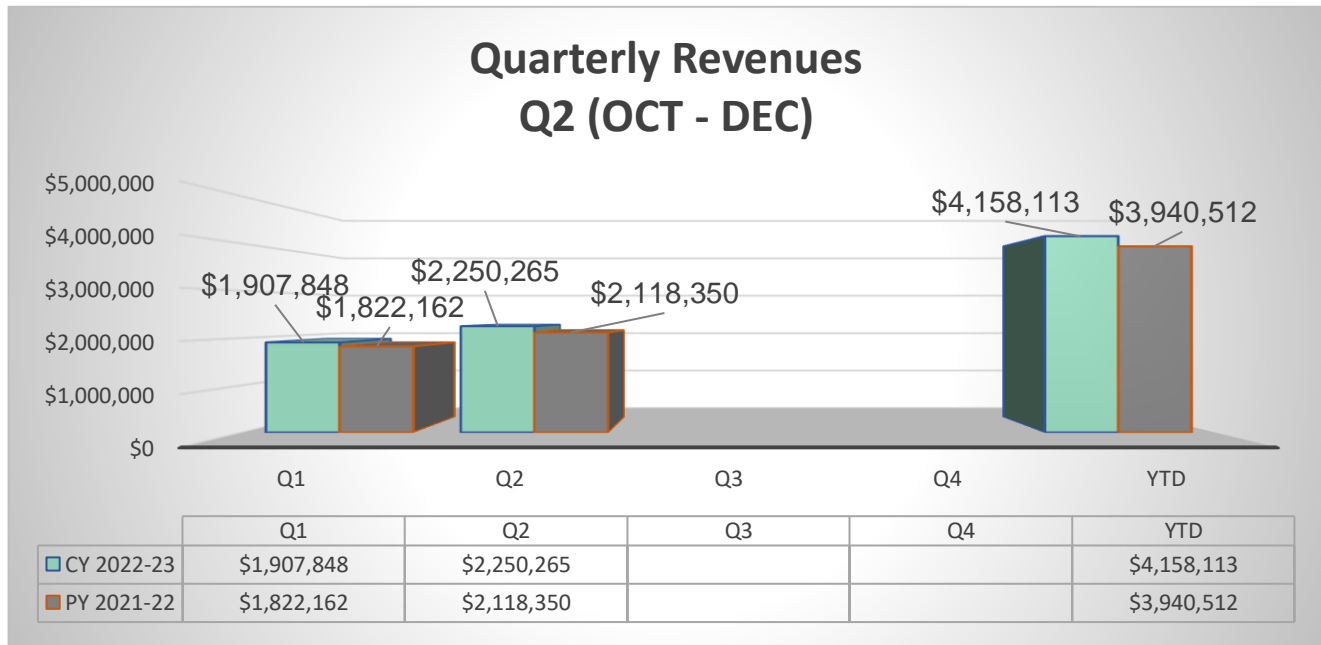


Chart reveals a year-to-date increase of \$217,601 or 5.52% in revenues over previous fiscal year.

	ACTUAL 2021-22	CY 2022-23	BY 2023-24	BY +1 2024-25
BEGINNING BALANCE				
Prior Year Adjustment	\$ 5,457	\$ 5,300	\$ 4,611	\$ 3,712
Adjusted Beginning Balance	\$ 283	\$ 0	\$ 0	\$ 0
	\$ 5,740	\$ 5,300	\$ 4,611	\$ 3,712
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS				
Revenues				
4121200 - Delinquent fees	\$ 43	\$ 44	\$ 45	\$ 45
4127400 - Renewal fees	\$ 5,285	\$ 5,286	\$ 5,498	\$ 5,498
4129200 - Other regulatory fees	\$ 118	\$ 121	\$ 121	\$ 121
4129400 - Other regulatory licenses and permits	\$ 1,097	\$ 1,152	\$ 1,149	\$ 1,149
4163000 - Income from surplus money investments	\$ 23	\$ 28	\$ 59	\$ 38
4171400 - Escheat of unclaimed checks and warrants	\$ 1	\$ 4	\$ 4	\$ 4
Totals, Revenues	\$ 6,567	\$ 6,635	\$ 6,876	\$ 6,855
Operating Transfers To General Fund 0001 per EO E 21/22-276 Revised (AB 84)	\$ -267	\$ 0	\$ 0	\$ 0
Totals, Transfers and Other Adjustments	\$ -267	\$ 0	\$ 0	\$ 0
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 6,300	\$ 6,635	\$ 6,876	\$ 6,855
TOTAL RESOURCES	\$ 12,040	\$ 11,935	\$ 11,487	\$ 10,567
Expenditures:				
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 6,300	\$ 6,790	\$ 7,260	\$ 7,478
9892 Supplemental Pension Payments (State Operations)	\$ 89	\$ 89	\$ 89	\$ 89
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 351	\$ 445	\$ 426	\$ 426
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 6,740	\$ 7,324	\$ 7,775	\$ 7,993
FUND BALANCE				
Reserve for economic uncertainties	\$ 5,300	\$ 4,611	\$ 3,712	\$ 2,574
Months in Reserve	8.7	7.1	5.6	3.8

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.
Expenditure growth projected at 3% beginning BY +1.



Briefing Report

Agenda Item 21

Date: 3/13/2023

Prepared for: PTBC Members

Prepared by: Valerie Kearney

Subject: Licensing Services Report

Purpose:

To provide an update on the most recent activities and the state of the Licensing Services program.

Attachments:

- [Initial License Application Statistics](#)
- [Examination Statistics](#)
- [License Maintenance Statistics](#)
- [Continuing Competency Licensee Audit Statistics](#)
- [CC Approval Agencies Request to Withdraw Recognition](#)

Data Format:

The format of the reports displays year-to-date comparisons of the current fiscal year and the previous fiscal year as well as data for each quarter of the current fiscal year. Continuing Competency previous year data is absent, so the data displayed is FY 2022/23 Q1 and Q2 YTD totals. Processing times have been added as available.

Licensing Services Update:

Licensing Services, consisting of the Application Services, License Maintenance, and Continuing Competency programs, has added two new automated reports: The Application Services Statistics and the License Maintenance Statistics. These reports offer on-demand data-at-a-glance including, in the case of the License Maintenance Statistics, average task production time. An automated report listing average processing time for the Applications program is in production.

Initial license applications received increased 9% from total FY 2021/22 Q1 and Q2 to total FY 2022/23 Q1 and Q2. 98% of initial license applications were received online total year-to-date for FY 2022/23. Of the 1,402 initial applications received Q1 and Q2 total, 93% were U.S. educated with 65% Exam applicants and 35% were by Endorsement; Foreign-educated and Military applications were 7% and 3% respectively.

License Maintenance staff has implemented the Retired License Status regulation January 1, 2023. Also, in January 2023, licensee requests for verifications sent to other states has been reassigned from Consumer Protection Services (CPS) to License Maintenance with no impact.

Since Q1 of FY 2022/2023 Continuing Competency (CC) audited licensees for compliance and beginning Q2 of FY 2022/23 CC has initiated audits of CC Approval Agencies. While the audits of CC Approval Agencies is ongoing, staff has completed Q2 licensee audits with a pass rate of 94% for physical therapist and 97% for physical therapist assistants.

Initial License Application Data Summary:

Endorsement	35%
Exam	65%
U.S. Education	93%
Foreign Educated	7%
Military	3%

License Maintenance Data Summary:

Licensees Current	37,518
PT	78%
PTA	22%
Inactive	4%
Delinquent	17%
Retired	1%

Continuing Competency Data Summary:

PT Pass Rate	92%
PTA Pass Rate	91%
Overall Pass Rate	92%

Action Requested:

None.

Application Services Statistics Report

Licenses Issued

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	1,124	681	460			1,141	2%
Physical Therapist Assistant (PTA)	371	179	188			367	-1%
Total	1,495	860	648			1,508	1%

Total Applications Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	901	580	439			1,019	13%
Physical Therapist Assistant (PTA)	381	223	160			383	1%
Total	1,282	803	599			1,402	9%

U.S. Educated Applications Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	820	534	400			934	14%
Physical Therapist Assistant (PTA)	358	211	152			363	1%
Total	1,178	745	552			1,297	10%

Foreign Educated Applications Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	82	46	39			85	4%
Physical Therapist Assistant (PTA)	23	12	7			19	-17%
Total	105	58	46			104	-1%

Endorsement Applications Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	350	198	227			425	21%
Physical Therapist Assistant (PTA)	62	44	28			72	16%
Total	412	242	255			497	21%

Military Applications Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	33	16	5			21	-36%
Physical Therapist Assistant (PTA)	23	10	5			15	-35%
Total	56	26	10			36	-36%

Application Services Report Examination Statistics

National PT and PTA Examination - California Statistics

Accredited PT Program

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	476	248			724	483	20			733	↑ 1%
Fail	77	91			168	76	88			164	↓ -2%
Total	553	339			892	559	338			897	↑ 1%
Pass Rate	86%	73%			81%	86%	74%			82%	↑ 1%

Non Accredited PT Program

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	10	14			24	10	10			20	↓ -17%
Fail	20	17			37	14	13			27	↓ -27%
Total	30	31			61	24	23			47	↓ -14%
Pass Rate	33%	47%			40%	42%	43%			44%	↑ 9%

Accredited PTA Program

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	191	127			318	134	163			297	↓ -7%
Fail	42	50			92	66	67			133	↑ 31%
Total	233	177			410	200	230			430	↑ 10%
Pass Rate	82%	72%			78%	67%	71%			67%	↓ -16%

Non Accredited PTA Program

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	6	5			11	6	2			8	↓ -17%
Fail	12	12			24	4	7			11	↓ -49%
Total	18	17			35	10	9			19	↓ -54%
Pass Rate	33%	29%			31%	60%	22%			42%	↑ 26%

California Law Examination (CLE)

Accredited Program

	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	756	503			1,259	741	619			1,360	↑ 7%
Fail	217	149			366	173	135			308	↓ -16%
Total	973	652			1,625	914	754			1,668	↓ -3%
Pass Rate	78%	77%			77%	81%	82%			82%	↑ 3%

Non Accredited Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	46	36			82	40	43			83	↑ 1%
Fail	23	19			42	21	14			35	↑ 17%
Total	69	55			124	61	57			118	↑ 5%
Pass Rate	67%	65%			66%	66%	75%			70%	↑ 6%

National PT and PTA Examination - National Statistics											
Accredited PT Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	5,055	1,825			6,880	4,966	1,884			6,850	↓ -1%
Fail	805	577			1,382	983	761			1,744	↑ 21%
Total	5,860	2,402			8,262	5,949	2,644			8,593	↑ 4%
Pass Rate	86%	76%			83%	83%	71%			80%	↓ -4%

Non Accredited PT Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	171	166			337	233	202			435	↑ 36%
Fail	300	310			610	334	441			775	↑ 21%
Total	471	476			947	567	643			1210	↑ 22%
Pass Rate	36%	35%			36%	41%	31%			43%	↑ 16%

Accredited PTA Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	2,719	1,243			3,962	2,391	1,155			3,546	↓ -15%
Fail	846	736			1,582	809	679			1,488	↓ -6%
Total	3,565	1,979			5,544	3,200	1,834			5,034	↓ -9%
Pass Rate	76%	63%			72%	75%	63%			70%	↓ -3%

Non Accredited PTA Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	37	42			79	51	49			100	↑ 21%
Fail	48	60			108	34	45			79	↓ -27%
Total	85	102			187	85	94			179	↓ -4%
Pass Rate	44%	41%			42%	60%	52%			56%	↑ 25%

Jurisprudence Examination - National Statistics											
Accredited Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	1,938	1,299			3,237	1,831	1,429			3,260	↑ 1%
Fail	512	362			874	432	312			744	↓ -15%
Total	2,450	1,661			4,111	2,263	1,741			4,004	↓ -3%
Pass Rate	79%	78%			79%	81%	82%			81%	↑ 2%

Non Accredited Program											
	Fiscal Year 2021/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	90	82			172	85	86			171	↓ -1%
Fail	41	38			79	38	26			64	↓ -19%
Total	131	120			251	123	112			235	↓ -6%
Pass Rate	69%	68%			69%	69%	77%			73%	↑ 5%

License Maintenance Statistics Report

License Status Count

	Fiscal Year 2022/23				
	Current	Inactive	Delinquent	Retired	Cancelled
Physical Therapist (PT)	29195	1273	4907	381	14927
Physical Therapist Assistant (PTA)	8323	330	1513	111	3871
Total	37518	1603	6420	492	18798

Renewals Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	6,918	3,536	3,389			6,925	0%
Physical Therapist Assistant (PTA)	1,906	1,079	929			2,008	5%
Total	8,824	4,615	4,318			8,933	1%

Other License Maintenance Requests Received

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Address Changes	2,195	1,086	774			1,860	-15%
Duplicates <i>(PT Wall Certificates)</i>	136	77	71			148	9%
License Verifications	585	320	307			627	7%
Name Changes	236	127	118			245	4%

License Maintenance Requests Processing Times

	FY 2021/22	Fiscal Year 2022/23					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Address Changes	0	0	0			0	-100%
Duplicates <i>(PT Wall Certificates)</i>	0	0	0			0	
License Verifications	5	8	9			9	68%
Name Changes	2	2	2			2	-17%
Renewals	2	3	2			2	40%

* Processing Times are provided in the average number of days. Values of 0 are shown for any averages less than 1 day.

Continuing Competency Audit Statistics

Physical Therapist

	Fiscal Year 2020/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD through Q4	Q1	Q2	Q3	Q4	YTD through Q4	
Pass						117	93			210	
Fail						13	13			26	
Pending						0	0			0	
Total						130	99			229	
Pass Rate						90%	94%			92%	

Physical Therapist Assistant

	Fiscal Year 2020/22					Fiscal Year 2022/23					Year → Year Change
	Q1	Q2	Q3	Q4	YTD through Q4	Q1	Q2	Q3	Q4	YTD through Q4	
Pass						35	30			65	
Fail						5	1			6	
Pending						0	0			0	
Total						40	31			71	
Pass Rate						88%	97%			92%	

Approval Agencies and Courses

Approval Agencies	129

**Issue Paper****Agenda Item 21(c)(1)**

Date: February 22, 2023

Prepared for: PTBC Board Members

Prepared by: Continuing Competency Services (CCS) Staff

Subject: Withdrawal of Life Care Centers of America Approval Agency Recognition

Location: 3001 Keith Street, Cleveland, TN 37320

Purpose:

To advise the Board that Life Care Centers of America has failed to comply with the PTBC's request for information.

Background:

Life Care Centers of America received PTBC Approval Agency recognition on October 2, 2014, in an attempt to update the PTBC's Continuing Competency recognized Approval Agency records and to inform Life Care Centers of America of new updates within the program, staff made several unsuccessful attempts to reach Life Care Centers of America via phone, email and mail. Staff also initiated an online search and was unable to locate an alternate contact. Staff made further unsuccessful attempts to reach Life Care Centers of America. Pursuant to California Code of Regulations (CCR) Section 1399.95, subdivisions (i) and (j), a recognized Approval Agency is obligated to respond to requests for information from the PTBC. Life Care Centers of America failed to respond to the PTBC's request for information.

Below is a list of all communication attempts made with Life Care Centers of America.

Date Sent	Delivery Method	Result
February 14, 2022	Phone call	Voice mail left message
February 14, 2022	Outreach email sent	No reply
March 9, 2022	Phone call	Voice mail left message
March 23, 2022	Phone call	Voice mail left message
April 28, 2022	Phone call	Voice mail left message
April 28, 2022	email sent	No reply
May 13, 2022	Website search	No alternate contact found
May 13, 2022	email sent	No reply
June 16, 2022	Mailed certified letter	Certified receipt received 6/27/22

Action Requested:

Staff recommends the Board move to withdraw Approval Agency recognition from Life Care Centers of America as a reasonable opportunity was given for Agency to respond.

**Issue Paper****Agenda Item 21(c)(2)**

Date: February 22, 2023

Prepared for: PTBC Board Members

Prepared by: Continuing Competency Services (CCS) Staff

Subject: Withdrawal of Los Robles Hospital & Medical Center Approval Agency Recognition

Location: 215 W. Janss Rd. Thousand Oaks, CA 91360

Purpose:

To advise the Board that Los Robles Hospital & Medical Center has failed to comply with the PTBC's request for information.

Background:

Los Robles Hospital & Medical Center received PTBC Approval Agency recognition on September 3, 2010, in an attempt to update the PTBC's Continuing Competency recognized Approval Agency records and to inform Los Robles Hospital & Medical Center of new updates within the program, staff made several unsuccessful attempts to reach Los Robles Hospital & Medical Center via phone, email and mail. Staff also initiated an online search and was unable to locate an alternate contact. Staff made further unsuccessful attempts to reach Los Robles Hospital & Medical Center. Pursuant to California Code of Regulations (CCR) Section 1399.95, subdivisions (i) and (j), a recognized Approval Agency is obligated to respond to requests for information from the PTBC. Los Robles Hospital & Medical Center failed to respond to the PTBC's request for information.

Below is a list of all communication attempts made with Los Robles Hospital & Medical Center.

Date Sent	Delivery Method	Result
February 14, 2022	Phone call	Voice mail left message
February 14, 2022	Outreach email sent	No reply
March 9, 2022	Phone call	Voice mail left message
March 23, 2022	Phone call	Voice mail left message
April 28, 2022	Phone call	Voice mail left message
April 28, 2022	email sent	No reply
May 13, 2022	Website search	No alternate contact found
May 13, 2022	email sent	No reply
June 16, 2022	Mailed certified letter	Certified receipt received 6/24/22

Action Requested:

Staff recommends the Board move to withdraw Approval Agency recognition from Los Robles Hospital & Medical Center as a reasonable opportunity was given for Agency to respond.

**Issue Paper****Agenda Item 21(c)(3)**

Date: February 23, 2023

Prepared for: PTBC Board Members

Prepared by: Continuing Competency Services (CCS) Staff

Subject: Withdrawal of Milestone Continuing Education Approval Agency Recognition

Location: 921 East Dupont Rd. Ste 812, Fort Wayne, IN 46825

Purpose:

To advise the Board that Milestone Continuing Education has failed to comply with the PTBC's request for information.

Background:

Milestone Continuing Education received PTBC Approval Agency recognition on July 31, 2012. In an attempt to update the PTBC's Continuing Competency recognized Approval Agency records and to inform Milestone Continuing Education of new updates within the program, staff made several unsuccessful attempts to reach Milestone Continuing Education via phone, email and mail. Staff also initiated an online search and was unable to locate an alternate contact. Staff made further unsuccessful attempts to reach Milestone Continuing Education. Pursuant to California Code of Regulations (CCR) Section 1399.95, subdivisions (i) and (j), a recognized Approval Agency is obligated to respond to requests for information from the PTBC. Milestone Continuing Education failed to respond to the PTBC's request for information.

Below is a list of all communication attempts made with Milestone Continuing Education.

Date Sent	Delivery Method	Result
February 16, 2022	Phone call	Voice mail left message
February 16, 2022	Email sent	No reply
February 28, 2022	Website Search	Alternate email found
February 28, 2022	Emailed alternate contact	No reply
March 9, 2022	Phone Call	Voice mail left message
April 13, 2022	Phone call	Voice mail left message
May 5, 2022	Phone call	Voice mail left message
May 5, 2022	Email sent	No reply
May 19, 2022	Email sent	No reply
May 19, 2022	Phone call	Voice mail left message
June 16, 2022	Mailed certified letter	Letter returned, not deliverable

Action Requested:

Staff recommends the Board move to withdraw Approval Agency recognition from Milestone Continuing Education as a reasonable opportunity was given for Agency to respond.

**Issue Paper****Agenda Item 21(c)(4)**

Date: February 23, 2023

Prepared for: PTBC Board Members

Prepared by: Continuing Competency Services (CCS) Staff

Subject: Withdrawal of Pacific Alliance Medical Center Approval Agency Recognition

Location: 531 West College St., Los Angeles, CA 90012

Purpose:

To advise the Board that Pacific Alliance Medical Center has failed to comply with the PTBC's request for information.

Background:

Pacific Alliance Medical Center received PTBC Approval Agency recognition on May 10, 2011. In an attempt to update the PTBC's Continuing Competency recognized Approval Agency records and to inform Pacific Alliance Medical Center of new updates within the program, staff made several unsuccessful attempts to reach Pacific Alliance Medical Center via phone, email and mail. Staff also initiated an online search and found that Pacific Alliance Medical Center website is no longer active. Pursuant to California Code of Regulations (CCR) Section 1399.95, subdivisions (i) and (j), a recognized Approval Agency is obligated to respond to requests for information from the PTBC. Pacific Alliance Medical Center failed to respond to the PTBC's request for information. After a thorough investigation was made, staff concluded that Pacific Alliance Medical Center no longer exists.

Below is a list of all communication attempts made with Pacific Alliance Medical Center

Date Sent	Delivery Method	Result
February 18, 2022	Phone call	Busy tone
February 18, 2022	Email sent	Email returned undeliverable
April 26, 2022	Website Search	PAMC closed 11/30/17
April 26, 2022	Phone call	No answer, no voicemail
June 22, 2022	Mailed certified letter	Letter returned, not deliverable

Action Requested:

Staff recommends the Board move to withdraw Approval Agency recognition from Pacific Alliance Medical Center as a reasonable opportunity was given for Agency to respond.

**Issue Paper****Agenda Item (c)(5)**

Date: February 22, 2023

Prepared for: PTBC Board Members

Prepared by: Continuing Competency Services (CCS) Staff

Subject: Withdrawal of Pathways Home Health & Hospice Approval Agency Recognition

Location: 585 North Mary Avenue, Sunnyvale, CA 94085

Purpose:

To advise the Board that Pathways Home Health & Hospice has failed to comply with the PTBC's request for information.

Background:

Pathways Home Health & Hospice received PTBC Approval Agency recognition on February 23, 2010. In an attempt to update the PTBC's Continuing Competency recognized Approval Agency records and to inform Pathways Home Health & Hospice of new updates within the program, staff made several unsuccessful attempts to reach Pathways Home Health & Hospice via phone, email, and mail. Staff also initiated an online search and was unable to locate an alternate contact. Staff made further unsuccessful attempts to reach Pathways Home Health & Hospice. Pursuant to California Code of Regulations (CCR) Section 1399.95, subdivisions (i) and (j), a recognized Approval Agency is obligated to respond to requests for information from the PTBC. Pathways Home Health & Hospice failed to respond to the PTBC's request for information.

Below is a list of all communication attempts made with Pathways Home Health & Hospice

Date Sent	Delivery Method	Result
February 18, 2022	Phone call	Voicemail left message
February 18, 2022	Email sent	Email undeliverable
March 9, 2022	Phone call	Voicemail left message
March 23, 2022	Phone call	Voicemail left message
March 23, 2022	Website search	No alternate contact found
April 13, 2022	Phone call	Voicemail left message
April 21, 2022	Phone call	Voicemail left message
April 21, 2022	Emailed alternate contact	No reply
February 22, 2022	Phone call	Voicemail left message
May 10, 2022	Phone call	Voice mail message full
May 20, 2022	Mailed certified letter	No mail receipt or returned mail received.

Action Requested:

Staff recommends the Board move to withdraw Approval Agency recognition from Pathways Home Health & Hospice as a reasonable opportunity was given for Agency to respond.



Briefing Paper

Agenda Item 22

Date: February 24, 2023

Prepared for: PTBC Members

Prepared by: Carole Phelps, Enforcement Program Manager

Subject: Consumer Protection Services Program (CPS)

Purpose: Update on Consumer Protection Services Program
Q1 and Q2 FY 2022/23

Attachments: [A. CPS Statistics Report for Q1 & Q2 FY2022/23](#)
[B. Disciplinary Summary](#)

Update:

The Consumer Protection Services Unit was very busy, as usual, in Quarter Two. In terms of staffing, at the end of October, we said goodbye to our Assistant Executive Officer, Elsa Ybarra, and to Erika Calderon, our CPS Manager, and in December, Analyst Vincent Azar transferred to his new position in the Board's Admin Unit. However, we were very lucky when Sarah Conley was appointed as our new Assistant Executive Officer effective November 1st.

Our in-house expert consultant, Dr. Alexandra Jones, D.P.T., continues to be a great resource for staff. She is available to provide cursory review of practice-related cases and informs our analysts of the relevant standard of care so they can formulate an effective investigation plan or determine when cases are non-jurisdictional. The Inspection Checklist drafted by Dr. Jones, that was mentioned in our December briefing paper, is now in the final stages of review and will begin being used by investigators and expert consultants during site visits to aide them in conducting thorough inspections and interviews.

As was previously reported, the Board held an Expert Consultant Training on October 4th, led by our DAG Liaison, John Gatschet. Several new experts attended this training, as well as some of our seasoned experts that were looking to refresh their skills and knowledge. Many of these new experts have already begun reviewing cases for the Board.

As of the beginning of December, CPS staff now has access to LexisNexis which is a public records database that allows the analyst to look up information on individuals we are investigating, such as address history, phone numbers, criminal record data, license and business information, etc. This tool has already proven useful in many cases, from

obtaining a more current address for a licensee, to finding information on unlicensed individuals that are alleged to be practicing physical therapy in California.

The CPS Unit has experienced many changes this year and has implemented several new tools, procedure updates, and other improvements to make the Board's investigation process as efficient and effective as possible. Staff has met each new challenge and change with flexibility, cooperation, and support both to each other and to Board management. They are truly exceptional at what they do.

Attachment A: CPS Statistics Report

Performance Measure 1 (Complaint Intake) reports the number of consumer complaints and arrest/conviction reports received. While we have received slightly fewer conviction/arrest reports compared to Q1 and Q2 of FY 2021/22 we have received slightly more consumer complaints in that same time.

The target for Performance Measure 2 (Complaint Intake) is 9 days. This is the average number of days it takes for PTBC to initiate a complaint once received, and to acknowledge receipt of the complaint to the Complainant. PTBC's average in Q2 of FY 2022/23 was 4 days, which means that we are meeting the mandate.

For Performance Measures 3 (Investigation Cycle Time), case aging averages went down in comparison to the same time period last fiscal year. These numbers are known to fluctuate greatly, as they reflect the average of all cases, and encompass entire investigative process that involves the timelines, workloads, and response time of not only CPS staff, but of all involved parties. A handful of complicated cases, or cases where pandemic-related issues have caused a lengthy investigation can increase these averages substantially.

Performance Measure 4 (AG Case Cycle Time) case aging averages have increased, which can be partly due to cases being completed now that had experienced pandemic-related delays. As you can see in the "Total Orders Aging/Final Decision" section of the attached report, seven (7) out of the eleven (11) cases that were closed last quarter had aged over three (3) years, which means that they were opened pre-pandemic, and likely experienced delays once the pandemic hit.

Although we are seeing things return to normal, and pandemic-related issues are causing fewer delays, the statistics reported here may still reflect higher processing times as cases that have been delayed by earlier COVID shut-downs come to completion.


Attachment B: Disciplinary Summary List

Disciplinary Summary of formal discipline and citations issued for Q2 of FY 2022-23. Disciplinary actions are public record and are available through the DCA License Search. <https://search.dca.ca.gov/>

Action Requested: No Action Required

Consumer Protection Services Statistics Report

Complaint Intake							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
PM1: Complaints Received	126	83	63			146	⬆️ 16%
PM1: Convictions/Arrest Received	86	36	35			71	⬇️ -17%
PM1: Total Received	212	119	98			217	⬆️ 2%

Intake							
Target: 9 Days	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
PM2: Intake/Avg. Days	3	3	4			4	 17%

Investigations							
Target: 180 Days	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
PM3: Cycle Time-Investigation	219	167	171			169	<div>⬇️ -23%</div>
PM3a: Intake Only	3	4	3			4	<div>⬆️ 17%</div>
PM3b: Investigation Only	211	161	166			164	<div>⬇️ -23%</div>
PM3c: Post Investigation Only	5	2	2			2	<div>⬇️ -60%</div>

Investigations Aging								
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change	
	YTD	Q1	Q2	Q3	Q4	YTD		
Up to 90 Days	45%	64	67			57%	⬆️	12%
91 - 180 Days	19%	19	15			15%	⬇️	-4%
181 Days - 1 Year (364)	13%	18	11			13%	⬇️	0%
1 to 2 Years (365-730)	14%	11	7			8%	⬇️	-6%
2 to 3 Years (731- 1092)	8%	3	9			5%	⬇️	-3%
Over 3 Years (1093 +)	1%	3	1			2%	⬆️	1%

Citations							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Final Citations	25	11	7			18	↓ -28%
Average Days to Close	504	437	285			361.0	↓ -28%

Transmittals to Attorney General (AG)							
Target: 540 Days	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
PM4: AG Cases	913	837	1219			1028	↑ 13%
PM4a: Intake Only	2	3	3			3	↑ 50%
PM4b: Investigation Only	413	455	773			614	↑ 49%
PM4c: Pre-AG Transmittal	1	2	1			2	↑ 50%
PM4d: Post-AG Transmittal	491	378	441			410	↓ -17%
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
AG Cases Initiated	27	13	19			32	↑ 19%
AG Cases Pending	66	39	47			47	↓ -29%
SOIs Filed	1	0	1			1	→ 0%
Accusations Filed	16	5	5			10	↓ -38%

AG Transmittals							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Total Closed After Transmission	16	14	11			25	↑ 56%
Total Average Days to Complete	1008	841	1225			1033.0	↑ 2%

Total Orders Aging/Final Decision							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Up to 90 Days	0%	0	0			0%	→ 0%
91 - 180 Days	0%	0	0			0%	→ 0%
181 Days - 1 Year (364)	33%	1	0			4%	↓ -29%
1 to 2 Years (365-730)	27%	7	4			44%	↑ 17%
2 to 3 Years (731- 1092)	7%	3	0			12%	↑ 5%
Over 3 Years (1093 +)	33%	3	7			40%	↑ 7%

Other Legal Actions							
	FY 2021/22	Fiscal Year 2022/23					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Interim Suspension or PC 23 Ordered	2	1	1			2	⇒ 0

1 Interim Suspension order and 4 PC 23 orders*

PM2: Cycle Time - Intake - Average number of days from the date the complaint was received to the date the complaint was closed or assigned for investigation (assigned to staff).

PM3: Cycle Time - Investigations - Average number of days to complete the entire enforcement process for complaints not transmitted to the AG for formal discipline. (includes intake and investigation days)

PM3a: Intake Only - Of the cases included in PM3, the average number of days from the date the complaint was received to the date the complaint was assigned for investigation.

PM3b: Investigation Only - Of the cases included in PM3, the average number of days from the date the complaint was assigned for investigation to the date the investigation was completed. (without intake)

PM3c: Post Investigation Only - Of the cases included in PM3, the average number of days from the date the investigation was completed to the date of the case outcome or non-AG formal discipline effective date.

PM4: Cycle Time-AG Transmittal - Average number of days to complete the enforcement process for cases investigated and transmitted to the AG for formal discipline. (includes intake & investigation to final outcome of cases transmitted to the AG - includes withdraws, dismissals, etc.)

PM4a: AG Transmittal - Intake Only - Of the cases included in PM4, the average number of days from the date the complaint was received to the date the complaint was assigned for investigation.

PM4b: AT Transmittal - Investigation Only - Of the cases in PM4, the average number of days from the date the complaint was assigned for investigation to the date the investigation was completed.

PM4c: AG Transmittal - Pre AG Transmittal - Of the cases in PM4, the average number of days from the date the investigation was completed to the date the case was transmitted to the AG.

PM4d: AG Transmittal - Post AG Transmittal - Of the cases in PM4, the average number of days from the date the case is transmitted to the AG to the date of the case outcome or formal discipline effective date. (AG days only)

**Disciplinary Summary
Fiscal Year 2022-23 / Quarter 2**

The following is a list of disciplinary actions taken by the Physical Therapy Board of California for the months of October 2022 through December 2022. Except for situations where the licensee has obtained a court ordered stay, Decisions become operative on the Effective Date. Stay orders do not occur in stipulated decisions, which are negotiated settlements waiving court appeals.

Copies of Accusations, Decisions, or Citations may be obtained by visiting our website at www.ptbc.ca.gov. In addition to obtaining this information from our website, you may also request by telephone, fax, or mail. Please address written request to:

Physical Therapy Board of California
Consumer Protection Services
2005 Evergreen Street, Suite 2600
Sacramento, CA 95815
(916) 561-8200/ FAX (916) 263-2560

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October 2022

COOPER, CYNTHIA ANN PTA 6878

Violations: Failure to maintain adequate, accurate treatment records; gross negligence; fraudulent, dishonest, or corrupt act; charging for services not performed; misrepresenting documentation of patient care; and practicing beyond scope of license. Order Effective 10/3/2022, Public Letter of Reprimand

VEGA, TIMOTHY PTA 50306

Violations: Conviction of a substantially related crime [DUI]; dangerous use of alcohol; failure to report to the Board; unprofessional conduct; violating the Physical Therapy Practice Act and Medical Practice Act. Order Effective 10/12/2022, 3 years' Probation

SOLIS, JOSE ANTONIO PT 292974

Violations: Dangerous use of alcohol; conviction of a crime [DIU]; habitual intemperance; and general unprofessional conduct. Order Effective 10/12/2022, 5 years' Probation

JACOBO, GRACIELA CRISTINE PT 14574

Violations: Gross negligence or repeated negligent acts; failure to maintain adequate and accurate patient records; and violating the Code and/or the Medical Practice Act. Order Effective 10/13/2022, 3 years' Probation

November 2022

PETERS, MICHAEL JAMES PT 37757

Violations: Fraudulent, dishonest, or corrupt acts; misrepresenting documentation of patient care or deliberate falsifying of patient records; insurance fraud; charging for services not performed; and failure to maintain adequate and accurate records. Order Effective 11/7/2022, 5 years' Probation

TAYLOR, ASHLEY ANN PT 292904

Violations: Conviction of a crime substantially related to the qualifications, functions, or duties of a physical therapist; excessive use of alcohol; and violation of a provision or provisions of the Physical Therapy Practice Act. Order Effective 11/21/2022, 3 years' Probation

REED, MERLE THOMAS PT 11474

Violations: Repeated acts of negligence and violations of provisions of the Physical Therapy Practice Act. Order Effective 11/28/2022, 5 years' Probation

JOHNSON-EGERTSON, STEVEN DENNIS PT 14805

Violations: Conviction of a substantially related crime [DUI]; dangerous use of alcohol; failure to report arrest and/or conviction; habitual intemperance; unprofessional conduct; violating of provisions of Physical Therapy Practice Act and/or regulations passed pursuant to the Act. Order Effective 11/30/2022, 5 years' Probation

December 2022

KWAN, SCOTT WAI-HO

Violations: Repeated negligent acts; failure to maintain adequate and accurate records; failure to document patient records as required; failure to adequately supervise physical therapy aides. Order Effective 12/2/2022, 4 years' Probation

TURNER, DAVID GEORGE

Violations: Unprofessional conduct, aiding and abetting unlawful practice of physical therapy, failure to maintain adequate patient records, and failure to wear name tag and/or display license. Order Effective 12/15/2022, 3 years' Probation

Glossary of Terms

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B & P Code – Business and Professions Code
H & S Code – Health and Safety Code
R & R – Rules and Regulations
CCR – California Code of Regulations

Accusations: Charges filed against a licensee alleging violation(s) of the Physical Therapy Practice Act.

Interim Suspension Order: An Order issued upon petition, suspending a licensee from all or specified part of their practice of, or assisting in the provision of, physical therapy.

Petition to Revoke Probation: Charges filed against a probationer seeking revocation of their physical therapy or physical therapy assistant license based upon violation(s) of probation.

Probationary License: Where good cause exists to deny a license, the licensing agency has the option to issue a conditional license subject to probationary terms and conditions.

Public Letter of Reprimand: In lieu of filing a formal accusation, the Board may, pursuant to B & P Code section 2660.3, upon stipulation or agreement by the licensee, issue a public letter of reprimand. If the licensee does not agree to the issuance of the letter, the Board shall not issue the letter and may proceed to file a formal accusation. A public letter of reprimand is considered disciplinary action.

Statement of Issues Filed: Charges filed against an applicant due to alleged violation(s) of the Physical Therapy Practice Act. If found to be true, the charges may result in discipline.

Surrender of License: The licensee surrenders their license to the Board, subject to acceptance of the surrendered license by the Board, and the licensee is prohibited from engaging in the practice, or assisting in the provision, of physical therapy.

Stipulated Decision: Negotiated settlements waiving court appeals.



Briefing Paper

Agenda Item 23

Date: February 22, 2023

Prepared for: PTBC Members

Prepared by: Monny Martin, PTBC Probation Monitor

Subject: Probation Monitoring Program

Purpose: Update on Probation Monitoring Program for - FY 2022-2023 Q2

Attachments: [A. Statistical Report](#)

Background:

This is a report on the Board's Probation Monitoring Program for FY 2022-2023. Please refer to attachment (1) which contains the probation statistics for FY 2022-2023.

Analysis:

There was a high of 82 licensees on probation at one time or another for various causes. Besides the 70 licensees on probation and in the state of California, there were an additional 12 probationers tolling (out of state) and not receiving credit toward the completion of probation. There were eight (8) licensees placed on probation in the quarter, and 0 licensees completed probation in the quarter.

Of the 70 licensees that were not tolling, 8 were enrolled and participating in the Board's Drug and Alcohol Recovery Monitoring Program (Program) at the end of the quarter, equaling about 11% of all licensees on probation that weren't tolling. There was a high of twelve (12) participants in the Program during the quarter. Four (4) licensees enrolled in the Program in the quarter and two (2) licensees completed the Program. Of the four (4) licensees that entered the Program, one was deemed to be "Clinically Inappropriate" after the Clinical Diagnostic Evaluation, and was released from the Program.

The Probation Monitoring unit remains busy as usual. Along with monitoring the 82 licensees on probation, the Probation Monitor has also been working on several petitions for early termination.

Action Requested: No Action Required.

Probation Statistics Report

Probation								
	FY 2021/22	Fiscal Year 2022/2023					Year → Year Change	
	YTD	Q1	Q2	Q3	Q4	YTD		
Entered Probationer	23	4	8			12	↓	-48%
Completed Probation	9	1	0			1	↓	-89%
Probation Terminated (Revocation/Stip Su	1	0	0			0	↓	-100%
Non-Compliant w/Probation	2	1	0			1	↓	-50%
Tolling (Out of State)	11	10	12			12	↑	9%
Surrenders (Voluntary)	3	0	0			0	↓	-100%
Total Probationers	72	75	82			82	↑	14%

Maximus								
	FY 2021/22	Fiscal Year 2022/2023					Year → Year Change	
	YTD	Q1	Q2	Q3	Q4	YTD		
Entered Maximus	6	1	4			5	↓	-17%
Completed Maximus	0	0	2			2	↑	100%
Total Maximus Participants	9	9	8			8	↓	-11%
Determined To Be Clinically Inappropriate	0	0	1			1	↑	100%
Terminated - Public Risk	1	1	0			1	→	0%
Terminated - Failure to Receive Benefit	1	0	0			0	↓	-100%
Withdrawn (Expense) - Post-Dec	0	0	0			0	→	0%
Withdrawn (Left State) - Post-Dec	0	0	0			0	→	0%
Withdrawn - Pre-Dec	0	0	0			0	→	0%
Withdrawn - Voluntary	0	0	0			0	→	0%