



PHYSICAL THERAPY
BOARD OF CALIFORNIA

DECEMBER 6–8, 2023
BOARD MEETING

California Department
of Consumer Affairs

2005 Evergreen St., Hearing Room
Sacramento, CA 95815

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

December 6, 2023 9 a.m.

December 7, 2023 9 a.m.

December 8, 2023 9 a.m.

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

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

Unless otherwise indicated, all agenda items
will be held in OPEN SESSION. THE PUBLIC IS
ENCOURAGED TO ATTEND.

BOARD MEMBERS

Tonia McMillian, *President*

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

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

Katarina Eleby, M.A., *Member*

Sam Qiu, *Member*

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

Vacant, *Professional Member*

BOARD STAFF

Jason Kaiser, *Executive Officer*

Sarah Conley, *Assistant Executive Officer*

Brooke Arneson, *Legislation and Regulation Manager*

Carole Phelps, *Consumer Protection Services Manager*

Liz Constancio, *Administrative Services Manager*

Valerie Kearney, *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, December 6th

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. **Strategic Planning Session**
The Board will engage in strategic planning to set goals for professional qualifications, regulation and enforcement, communications, and organizational relationships and effectiveness. No other business will be conducted.
5. **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).)
6. **Recess**

Agenda – Thursday, December 7th

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

7. **Call to Order - 9:00 a.m.**
8. **Roll Call and Establishment of Quorum**
9. **Reading of the Board's Mission Statement**
10. **Special Order of Business – 9:05 a.m.**
(A) Petition for Early Termination of Probation – Jordan Istrin, P.T.
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)
11. **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

12. Student Q&A – Unitek College Sacramento

13. Review and Approval of September 13-14, 2023 Meeting Minutes – Kim Rozakis

14. President's Report – Tonia McMillian

- (A) 2024 Adopted Meeting Calendar
- (B) 2025 Proposed Meeting Calendar

15. Executive Officer's Report – Jason Kaiser

- (A) Administrative Services
- (B) Licensing Services
- (C) Consumer Protection Service

16. 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)

17. 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).)

18. Recess

Agenda – Friday, December 8th

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

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

20. Roll Call and Establishment of Quorum

21. Reading of the Board's Mission Statement

22. Legislation Report – Brooke Arneson

- (A) 2022/23 Legislative Session Summary
 - 1) AB 931 (Irwin) Prior Authorization: Physical Therapy
 - 2) AB 1163 (Luz Rivas) State Forms: Lesbian, Gay, Bisexual and Transgender Disparities Reduction Act

- 3) SB 14 (Grove, Caballero, and Rubio) Violent Felonies: Serious Felonies: Human Trafficking
- 4) SB 143 (Committee on Budget & Fiscal Review): State Government
- 5) SB 372 (Menjivar) DCA: Licensee and Registrant Records: Name and Gender Changes
- 6) SB 525 (Durazo) Minimum Wage: Health Care Workers
- 7) SB 544 (Laird) Bagley-Keene Open Meeting Act: Teleconferencing
- 8) SB 816 (Roth) Professions and Vocations

23. Rulemaking Report – Brooke Arneson

(A) 2023 Rulemaking Update for Pending or Proposed Regulations

- 1) Update Regarding the Development of Possible Amendments to the Board's Continuing Competency Regulations

24. Discussion and Possible Board Action on the 2024 Rulemaking Calendar – Brooke Arneson

25. Communication & Education Update – April Beauchamps

(A) Outreach

26. Administrative Services Update – Alicia Hernandez

- (A) Staff Introductions
- (B) Program Updates
- (C) Budget Report

27. Licensing Services Update – Valerie Kearney

- (A) Staff Introductions
- (B) Program Updates
- (C) Statistical Reports

28. Consumer Protection Services Update – Carole Phelps

- (A) Staff Introductions
- (B) Program Updates
- (C) Statistical Reports

29. Probation Monitoring Services Update – Monny Martin

- (A) Staff Introductions
- (B) Program Updates
- (C) Statistical Reports

30. Board Member Elections

(A) President

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

31. 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).)

32. Agenda Items for Future Meeting – March 20-21, 2024
Location: TBD

33. 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

34. 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,
December 6, 2023**

	Present	Absent
Tonia McMillian, President		
Dayle Armstrong, Ph.D, PT, MS, DPT Vice-President		
Karen Brandon, P.T., DsC P.T.		
Katarina Eleby, M.A.		
Samuel Qiu		
Alicia Rabena-Amen, PT, DPT, President		

**Thursday,
December 7, 2023**

	Present	Absent
Tonia McMillian, President		
Dayle Armstrong, Ph.D, PT, MS, DPT Vice-President		
Karen Brandon, P.T., DsC P.T.		
Katarina Eleby, M.A.		
Samuel Qiu		
Alicia Rabena-Amen, PT, DPT, President		

**Friday,
December 8, 2023**

	Present	Absent
Tonia McMillian, President		
Dayle Armstrong, Ph.D, PT, MS, DPT Vice-President		
Karen Brandon, P.T., DsC P.T.		
Katarina Eleby, M.A.		
Samuel Qiu		
Alicia Rabena-Amen, PT, DPT, President		



1

Board Members

President

Tonia McMillian

Vice-President

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

Members

Karen Brandon, P.T., DSc P.T.

Katarina Eleby, M.A

Samuel Qiu

Alicia Rabena-Amen, PT, DPT

Vacant, PT, DPT

**Physical Therapy Board of California
Draft Meeting Minutes**

September 13-14, 2023 9:00 a.m.

West Coast University
590 N. Vermont Ave.
Los Angeles, CA 90004
Room #372

Board Staff

Jason Kaiser, Executive Officer

Sarah Conley, Assistant Executive

Officer

Brooke Arneson, Specialist

Liz Constancio, Manager

Valerie Kearney, Manager

Carole Phelps, Manager

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

Wednesday, September 13, 2023

1. Call to Order

The Physical Therapy Board of California (Board) meeting was called to order
by President Ms. McMillian at 9:04 a.m. and recessed at 1:35 p.m. on
September 13, 2023.

2. Roll Call and Establishment of Quorum

McMillian - Present
Armstrong- Present
Brandon - Present
Eleby – Present
Qiu- Present
Rabena-Amen - Present

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; Brooke Arneson, Legislation
and Regulation Manager; Carole Phelps, Enforcement Manager; Valerie
Kearney, Licensing Manager and Board staff Kim Rozakis, April Beauchamps
and Alicia Hernandez.

29

30
31 **3. Reading of the Board's Mission Statement**
32

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

37 **4. Review and Approval of March 22-23, Meeting Minutes – Kim Rozakis**
38

39 Ms. Rozakis presented the draft December March 22-23, 2022, meeting
40 minutes. Dr. Rabena-Amen requested that on page 11, line 144 "member"
41 should be "members". Dr. Rabena-Amen requested that on page 13, line 201 "f"
42 should be removed. Dr. Rabena-Amen requested that on page 15, line 267
43 "Analyst" should be "Analyze". Dr. Rabena-Amen requested on page 16, line
44 317 to add "be" in between will and discussed. Mr. Kaiser requested on page
45 19, line 417 Consumer is missing a R and to add "Affairs" after Consumer. Dr.
46 Rabena-Amen requested on page 30, line 859 "Rabena-Amen" is missing a "A"
47 and should be "Rabena-Amen". Dr. Brandon requested on page 34, line 980 to
48 add "Dr. Brandon stated AB 1028 may cause unreported cases as in the case
49 of pediatric patients seeking rehabilitation services seen at her facility and others
50 like it".
51

52 **MOTION:** Adopt the proposed December 7-8, 2022, Meeting
53 Minutes as amended.
54

55 **M/S:** Rabena-Amen/Armstrong
56

57 **VOTE:** McMillian - Aye
58 Armstrong- Aye
59 Brandon - Aye
60 Eleby – Aye
61 Qiu - Abstention
62 Rabena-Amen - Aye
63 5-0-1 Ayes, Motion Carried

64
65 **5. President's Report – Tonia McMillian**
66 (A) 2023 Meeting Calendar

67 Mr. Kaiser stated December 7-8, 2023, is intended to be Strategic Plan
68 meeting, the 1st day Strategic Plan and 2nd day Board business, in Sacramento.
69 Mr. Kaiser added there will be an FSBPT educational meeting and with the
70 change of composition of the Board that affects the Board delegate and
71 alternate delegate section, Mr. Eleby will now be the primary alternate delegate
72 and potentially looking for an alternate delegate to attend the meeting. Mr.
73 Kaiser and included last time elections were made they would do the rest of the
74 alternate delegates in alpha order. Mr. Kaiser asked Dr. Armstrong if there was
75 any possibility of her attending the FSBPT meeting in October 19-21, 2023, Dr.
76 Armstrong added she will not be available. Mr. Kaiser asked Dr. Brandon if she
77 was available, she stated she was not. Mr. Kaiser asked Ms. McMillian, she
78 responded she is but wanted to see if anyone else was available. Mr. Kaiser
79 asked Dr. Rabena-Amen, she responded she is available, but this would a
80 great opportunity for Mr. Qiu, then Mr. Kaiser asked Mr. Qiu. Mr. Qiu responded
81 he is available. Mr. Kaiser stated PTBC staff will work with Mr. Qiu to arrange
82 his travel accommodations.

83
84 Dr. Rabena-Amen had a concern with December 2023 Board meeting being a
85 2-day meeting due to Strategic planning. Mr. Kaiser responded he would
86 recommend a 3-day meeting, but there has not been a lot of volume as it
87 pertains with petition hearings and the Board will be on the other side of the
88 legislative calendar. Mr. Kaiser also added another thing to consider is
89 elections are usually held in December Board meeting and not knowing too
90 much of what they may have in closed session along with review of September
91 minutes, Board calendar review, elections and each individual unit presentation
92 and elections can be done in a single day. Dr. Rabena-Amend asked Mr. Kaiser
93 if December will get busy with closed session and petitions, Mr. Kaiser
94 responded there is always a potential that he may ask for an interim meeting
95 or extension to the December meeting and the December 6th can be possibility.
96 Mr. Kaiser asked the Board members if they had any conflicts with adding the
97 3rd day on December 6th, all Board members had no conflicts. Mr. Kaiser
98 requested to keep December 7-8th the same but to add December 6th. Ms.
99 McMillian requested to add December 6th.

100
101 **MOTION:** Add an additional day for December Board meeting
102 and adopt amended 2023 calendar

103
104 **M/S:** Rabena-Amen/Brandon

105
106 **VOTE:** McMillian - Aye
107 Armstrong- Aye

108 Brandon - Aye
109 Eleby – Aye
110 Qiu - Aye
111 Rabena-Amen - Aye
112 6-0 Ayes, Motion Carried

113
114 (B) 2024 Proposed Meeting Calendar

115 Dr. Brandon asked if CPTA conference which is listed in April and September
116 when the conference will be held. Mr. Kay stated to the members 2024 CPTA
117 conference will be held in San Francisco and there is no meeting in April.

118
119 Ms. McMillian swore in Mr. Qiu.

120 Ms. McMillian thanked on behalf of the Board West Coast University for
121 hosting PTBC for September 2023 Board meeting.

122
123 **6. Executive Officer's Report – Jason Kaiser**

124
125 (A) Administrative Services
126 1) Staffing

127 Mr. Kaiser updated the members with the cancelation of June Board meeting
128 the Board is picking up where they left off. Mr. Kaiser added since the
129 cancelation of the June Board meeting, the Board has been busy extremely
130 busy.

131
132 Mr. Kaiser welcomed Sam Qiu to the Board, Mr. Kaiser added Mr. Qiu came to
133 the Board as an Assembly Speaker appointment and has a great deal of Board
134 experience serving as a commissioner and as a member of several different
135 councils, Mr. Qiu replaces Johnathon Ervin. Mr. Kaiser thanked Mr. Qiu and
136 welcomed him for his commitment and service. Additionally, Mr. Kaiser would
137 like to thank Johnathon Ervin for his service and there is still one vacancy to be
138 filled, a Governors Professional position, Dr. Drummers prior position.

139
140 Dr. Rabena-Amen asked Mr. Kaiser what the amount of time for the Board is
141 to expect the vacancy to be filled. Mr. Kaiser stated the appoint should be filled
142 by the end of the year.

143

Mr. Kaiser presented to the members vacancies within the Board, there are 6 vacancies, 4 in Application and Licensing and 2 that are new authority as of July 1, 2023, 1 in Continuing Competency and 1 in Consumer Protection which is at 20% vacancy rate. Mr. Kaiser stated with the 20% vacancy rate this should result in some kind of backlogs or performance issues, but staff have really taken this in stride.

Mr. Kaiser added Outreach and he is happy Ms. Beauchamps is back and have tackled big projects including creating PTBC's new website, Tik Tok and Outreach presentations scheduled out well into the future with a pretty very busy rest of the year.

Dr. Rabena-Amen asked how long vacancies go unfilled and how difficult it is to fill those vacancies. Mr. Kaiser responded vacancies are take longer in a post-pandemic era. Mr. Kaiser added typically the process can take 3-4 months start to finish but now is taking 6 months. Mr. Kaiser added sometimes the best suitable candidates happens to be an internal candidate, which turns around and creates a new vacancy.

Ms. McMillian asked if staff is onsite now. Mr. Kaiser responded the average is 2 days in the office and some staff with the nature of their work can't telework like receptionist and cashiering where it is necessary to be in the building. Mr. Kaiser added with the new vacancies it is much easier to train people in person then training remote, there may be some changes with 2 days remote and 3 days in office vice versa. Ms. McMillian asked Mr. Kaiser if all the vacant positions are onsite, Mr. Kaiser responded those positions are hybrid, but in the beginning with training they will be onsite 5 days and depending on the position there maybe potential to telework 1 or 2 days a week.

Dr. Rabena-Amen asked Mr. Kaiser how he feels the Board is staffed. Mr. Kaiser responded when he took over as the Executive Officer there were 13 positions, and the profession continues to grow. Mr. Kaiser added with 30 staff assuming all the vacancies are filled, he feels the Board is good with a couple of projects on the horizon possibly another Probation Monitor.

Dr. Rabena-Amen stated as a Board member it is difficult to understand how much more work is there that justifies another position. Mr. Kaiser responded right now data is where data is at our grasp, and it is a matter of filtering it out and looking at it. Mr. Kaiser added another way to look at it is from the point of application to the time license are issue and what kind of timeline is he looking at along with the efficiencies that are put into place and the additional to staff.

187
188 Dr. Armstrong asked if all the Outreach presentations are in person. Mr. Kaiser
189 responded no, some are in-person, and some are online. Mr. Kaiser added
190 request for in-person has increased since the pandemic.

191
192 Mr. Kay reported to the Board that September 21-22, 2024, will be the dates
193 for the CPTA conference.

194
195 (B) Licensing Services

196 Dr. Brandon asked how the processing time compares to other groups with the
197 same number of applications per month/year. Mr. Kaiser responded that is a
198 really hard comparison, there are certain things about the Boards application
199 process that may differ. Mr. Kaiser added for PT/PTAs there are fixed date
200 testing systems where they can only test 4 times a year where another
201 profession may have continuous testing where that continues testing might
202 speed it up a little bit. Mr. Kaiser stated if the fix state testing was removed and
203 moved to continuous testing, time would have been saved more and the time
204 would look even better. Mr. Kaiser added the Boards timeframes are excellent
205 with fixed testing.

206
207 Dr. Brandon asked with the fixed dates and number of applications who
208 compares to PTBC with the same level of education. Mr. Kaiser responded with
209 application process alone the closes is Occupational Therapy except there
210 aren't the same number of programs and there aren't the same number of
211 graduates. Mr. Kaiser added the closest number of applications received would
212 be Board of Behaviors Sciences, but it is difficult to compare.

213
214
215 (C) Consumer Protection Services

216
217 Mr. Kaiser stated Consumer Protection Services the Enforcement program has
218 experienced change as well with vacancies and moving around Mr. Phelps
219 has done an excellent job in maintaining the status quo and keeping projects
220 like training for DFI and training for expert consultants.

221
222 Ms. McMillian asked what happened to the second Probation Monitoring
223 position. Mr. Kaiser responded the number of probationers to the number of
224 probation monitors the ration was high and they wanted to have 2 Probation

Monitors, one for Southern California and one for Northern California or divide the list of probationers up. Mr. Kaiser added authority was given to hire a second probation monitor, but COVID allowed the probation monitors to monitor those probationers remotely with more frequent phone calls whereas before travel was required to make observations and the number of probationers starting to go down. Currently, the number of probationers is enough for just one probation monitor. Mr. Kaiser added the second probation monitor position was reclassified as an ADA/IT position and moved to another unit, but, as we come out of the pandemic revisiting the issue again can happen.

7. Consumer and Professional Associations and Intergovernmental Relations Report

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

Mr. Kaiser reported he and Ms. Eleby attended a leadership issues forum with a lot of talks of artificial intelligence, tele medicine, sexual boundaries and sexual misconducts among practitioners and guidance. Mr. Kaiser added during the 3rd day of the meeting he and Ms. Eleby were invited to a Model Practice Act session and looked at what is FSBPT/APT's Model Practice Act and compared it to the existing Practice Act. Mr. Kaiser added the Model Practice Act is contained within the California Practice Act and there is a cross walk now where they can look at what those differences are and keep them on the horizon and always consider them when looking at future legislation.

Dr. Rabena-Amen asked if there was anything that wasn't included that might stand out. Mr. Kaiser responded in the Model Practice Act that the hot button topics are dry needling, difference between manipulation and mobilization, legislation of cannabis and how that play to topical medication and contraindications in treatments. Mr. Kaiser added the idea of animal rehabilitation is now a portion of the Model Practice Act.

Dr. Rabena-Amen since the meeting what is next. Mr. Kaiser responded FSBPT will do a comparative analysis what was provided back as input and there will be a few more workshops to discuss the language refinements that might need to be made as a result to the workshops and how it might fit other jurisdiction better or even optional language to the Model Practice Act.

261 Ms. McMillian asked Mr. Kaiser if he wanted to update on dry needling. Mr.
262 Kaiser responded there is no update with where they are today and potentially
263 where they could be in the future with future legislation where the association
264 may bring the modernization bill.(A) Department of Consumer Affairs (DCA) –
265 Executive Office

266 Ms. Gear reported to the Board and congratulated Mr. Qiu to his appointment
267 and Ms. McMillian on her re-appointment and thanking Mr. Ervin for his service.
268

269 Ms. Gear added on September 29, 2023, the DEI (Diversity Equity and
270 Inclusion Steering Committee will hold its quarterly meeting to discuss
271 employee engagement, cultural events and observations, membership
272 composition, DEI training, DEI hiring principles and development of a DEI
273 development webpage. Ms. Gear added the DEI Steering committee
274 announced an outside consultant Dr. Bernard Gibson will provide in-person DEI
275 training to DCA managers, supervisors and leaders in October in addition Dr.
276 Gibson will provide virtual training to Board members on the morning of October
277 9, 2023. Ms. Gear added on November 7, 2023, consultant Christopher Vil will
278 provide training on DEI dialogue for leaders to DCA managers, supervisors and
279 leaders, training will include example language and tools discuss psychological
280 safety and how it impacts these conversations and include interactive
281 discussion around challenges leaders are facing. Lastly, DEI Steering
282 Committee is pleased to highlight the work of the Board of Barbering and
283 Cosmetology (BBC) is collaborating with the Los Angeles County probation
284 department to launch the first youth and county level barbering program by late
285 winter. Furthermore, BBC has been collaborating with Department of
286 Corrections and Rehabilitation (CDCR) to relaunch its testing program within
287 State Correctional Facilities expanding to include barbering, anticipating this
288 will be a large program with four facilities committing to include barbering
289 schools. Ms. Gear stated if the Board wishes to share its DEI activities with
290 other boards and bureaus, your Executive Officer can do so with Tanya
291 Corcoran, DEI Steering coordinator. Ms. Gear stated DCA will request boards
292 and bureaus translate press releases into both Spanish and English.
293

294 Ms. Gear stated as of July 1, 2023, public meetings are subject to the traditional
295 pre-covid requirements for open meetings, DCA board and bureaus should be
296 prepared to conduct public meeting to comply with the Bagley Keen Opening
297 Meeting Act. Ms. Gear added, as of August 28, 2023, DCA's Division of
298 Legislative Affairs has been monitoring SP 143 which is a trailer bill that
299 includes langue related to the Bagley Keen Open Meeting Act proposed
300 changes would allow for remote public meetings without notice locations

301 accessible to the public until December 31, 2023, since this is a Budget Trailer
302 bill it will be immediately effective once it is signed by the Governor. Ms. Gear
303 added SB 544 which may allow for some meetings to be held without it noticing
304 the location of the Board members. Allowing remote virtual meetings is still
305 going through the legislative process and the DCA's Division of Legislative
306 Affairs is working with stakeholders to provide updates to the boards and
307 bureaus.
308

309 Ms. Gear updated the Board on the Enlightened Enforcement Project, which
310 was piloted by the California Dental Board, the project aims to improved
311 procedures, share best practices and standardized procedures for all board
312 and bureaus ultimately creating a template for enforcement policies and
313 procedures. Ms. Gear added DCA continues to improve its reports regarding
314 licensing and enforcement activities, the director recently led multiple work
315 group meeting from staff from each board and bureau to update data metrics
316 reported in DCA's annual report.
317

318 Ms. Gear wanted to remind the Board before a newly appointed or reappointed
319 Board member performs official functions Board members must take the Oath
320 of Office. Additionally, Board members must complete documents listed on the
321 Board member appointment checklist (HR-5) and return them to the office of
322 Human Resources no less than 30 days after their appointment or
323 reappointment appointment or re-appointment duties cannot be assumed, and
324 appointments cannot be processed until documents are received and are
325 accurately completed. Ms. Gear added there are two DCA wide mandatory
326 trainings for 2023, Sexual Harassment Prevention Training and Information
327 Security Awareness, All DCA appointed employees including Board members
328 need to complete the trainings this year.
329

330 Ms. Gear shared with the Board the Attorney General recently issued a press
331 release adding three new states to California's restricted travel list with
332 staggered effective dates in 2023 and 2024 are Wyoming (restricted July 14,
333 2023), Missouri (restricted August 28, 2023), Nebraska (restricted October 1,
334 2023). Lastly, Board members must complete Board Member Orientation
335 Training (BMOT) within 1 year of appointment or reappointment. BMOT will be
336 offered virtually on October 10, 2023.
337

338 Dr. Rabena-Amen asked Ms. Gear how many states are on the no go list. Ms.
339 Gear responded there are 27.
340 Mr. Kaiser thanked Ms. Gear for handling the Boards request quickly.

The Board entered into break at 10:39 a.m. and reconvened at 10:58 a.m. on September 13, 2023

(A) California Physical Therapy Association (CPTA)

Mr. Kaiser stated there is no update on CPTA.

8. Website Presentation – April Beauchamps & Vincent Azar

Ms. Beauchamps and Mr. Azar presented the Board with the new PTBC website.

Ms. Eleby requested on the “contact us” page to add a phone number for PTBC staff to contact the requestor.

Dr. Rabena-Amen asked why there is not a contact number for each unit on the “contact us” page. Mr. Azar responded the main phone number is listed and the caller will be directed to a phone tree where they can select the unit to be connect to.

Dr. Rabena-Amen asked when submitting a request on the “contact us” tab if there could a response time frame. Mr. Kaiser responded that can be added.

Mr. Kanotz complimented Ms. Beauchamps and Mr. Azar on the new website and how easy it is to use. Mr. Beauchamps responded and thanked other staff who have helped develop the website.

Dr. Rabena-Amen asked how the Board will get feedback on the new website. Ms. Beauchamps responded a survey will be created and will post on the website along with e-blast if possible and post on social media.

9. Closed Session

The Board entered into closed session at 1:10 p.m. And adjourned at 1:35 p.m. on September 13, 2023.

10. Public Comment on Items Not on the Agenda

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

11. Recess

The meeting recessed at 1:35 p.m. on September 13, 2023.

Thursday, September 14, 2023

12. Call to Order

The Physical Therapy Board of California (Board) meeting was called to order by President. McMillian at 9:05 a.m. and adjourned at 11:56 a.m. by Vice President Armstrong on September 14, 2023. Ms. McMillian was absent beginning at 11:16 a.m..

13. Roll Call and Establishment of Quorum

McMillian - Present
Armstrong- Present
Brandon - Present
Eleby – Present
Qiu- Present
Rabena-Amen - Present

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; Brooke Arneson, Legislation and Regulation Manager; Carole Phelps, Enforcement Manager; Valerie Kearney, Licensing Manager and Board staff Kim Rozakis, April Beauchamps and Alicia Hernandez.

14. Reading of the Board's Mission Statement

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

15. Federal Military Spouse Licensing Relief Act – Michael Kanotz

417 Mr. Kanotz presented on the Federal Military Spouse Licensing Relief Act that
418 came into law January 5, 2023.

419
420 Mr. Kaiser stated Mr. Kanotz' presentation is directly related to the federal
421 statutes itself. Mr. Kaiser added the Board has everything they need in the
422 federal statute alone, provide the Board with the military order that can be used
423 to determine what licensees they have in other states, but they also reserve the
424 rights for point of clarity in that statutes where the Board can ask to prove the
425 military spouse. Mr. Kaiser stated when staff receives one of these they will look
426 at if they have licenses in other states and would they consider those licenses
427 to be in good standing (no discipline), where the current licenses have to be
428 active and current. Mr. Kaiser stated registrant equals licensees for the purpose
429 of things like discipline and continuing competency that will have to be case by
430 case tested as they come across those situations.

431
432 Mr. Kanotz added they do not have to get an official endorsement to register for
433 a license in another state where they can provide a copy of the other states
434 online look-up. Mr. Kanotz stated this does not preempt or foreclose the other
435 avenues that are currently available for services members or spouses.
436 Additionally, if they choose to obtain a license in California, they are still entitled
437 to the expedited application process.

438
439 Dr. Rabena-Amen asked if there are some states who are not allowing these
440 individuals to practice sooner. Mr. Kaiser responded yes, there are other points
441 of resistance not necessarily this Board or this State, but the Department of
442 Defense has had this kind of continuing issue with licensure portability,
443 deployments, reassignments and with the lack of flexibility for active-duty
444 members and their military spouses. Mr. Kaiser added the Board has devoted a
445 Liaison or resource to help them walk through the process to make it easier and
446 to make their transition coming to California to be as simple as it possibly can
447 be.

448
449 Dr. Rabena-Amen asked what kind of documentation might the Board ask for
450 from a military spouse as far as their work experience in the last two years? Mr.
451 Kaiser responded active in the last 2 years can mean saw one patient in the last
452 two years and the Board would give them the benefit of the doubt that would
453 allow them to qualify. Mr. Kanotz added the statute requires them to sign an
454 affidavit saying that they have performed some activity in the last two years.

455
456 Dr. Brandon asked does it require that the Board create another category in the
457 current licensure assessment. Mr. Kaiser answered the onus of practice in the
458 military order and termination date the onus of that fall on the military member.
459 Mr. Kaiser added any interaction with these military members, or their spouses
460 will be reactionary.

461
462 Dr. Armstrong asked does the clock or the date start when they start practicing
463 here or does the Board go back two years. Mr. Kanotz answered it is unclear.
464 Mr. Kaiser added internally, but an example would be if the Board received a
465 Consumer complaint about that military member and as part of that investigation
466 one of the things that the Board would ask is in California however long you
467 have been here, have you collected thirty hours within the last two years.

468
469 Dr. Brandon asked if she was an employer of a physical therapist and an
470 application was received, what is required for the physical therapist to provide
471 to know they are authorized to practice in this state. Mr. Kaiser answered the
472 portal itself is being designed, depending on the assignment order received
473 there may be a filed in the portal where there might be a display and if there is
474 an extension, they are obligated to send it to the Board. Mr. Kanotz added one
475 of the requirements for posting on the internet website is the person's
476 registration status, that may be the opportunity for the Board to ascertain when
477 their end date is. Dr. Brandon stated she would appreciate the concept of having
478 the end date versus the current or not current because one day it could be
479 current and the next day it says not current, where patients are scheduled. Mr.
480 Kaiser added military orders commonly have an end date on assignment, but it
481 is also very common to see it to be determined. Mr. Kaiser stated they would
482 have to take consideration when looking through the portal.

483
484 Mr. Kanotz added another situation that has been discussed is if the spouse and
485 the service member are divorced or they dissolve their domestic partnership,
486 the privilege to practice for the spouse would immediately end.

487
488 Dr. Rabena-Amen asked this individual coming in under SB-143 is required to
489 take the Board's California Law Exam. Mr. Kaiser responded no. Mr. Kanotz
490 added that federal law prohibits it.

In public comment, Mr. Kay stated that his employer has to credential all of their therapists and have contracts with insurance companies to do that credentialing. Mr. Kay added he is warning the Board that they will be inundated with calls as to credentialing. Mr. Kaiser responded if there were anything the Board could do other than the situation they are in now, they might have done it differently. Mr. Kaiser added the federal statute is something the Board has no control over.

16. Legislation Report – Brooke Arneson

Ms. Arneson presented the Legislative Report and referred the members to the legislative summary in the meeting materials and discussed the current status and changes to each bill since the last Board meeting as follows:

(A) 2022/23 Legislative Session Summary

1) AB 47 (Boerner Horvath) Pelvic Floor Physical Therapy Coverage

This bill was introduced on December 5, 2023, which 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. This bill's last location was Assembly Health Committee since it failed the legislative deadline it is now a two-year bill and maybe acted up January 2024. At the March Board meeting the board did take a support position on this bill, a copy of the support letter was included in the Board meeting materials.

2) AB 381 (Blanca Rubio) Teacher Credentialing: Services Credential with a Specialization in Health: Occupational and Physical Therapists

This bill was amended May 1, 2023, which would allow occupational therapists and physical therapists to use their specializations to hold teacher credentials with a specialization in health. This bill's last location was the Assembly Appropriation Suspense File and since it failed the Legislative deadline it is now a two-year bill and may be acted upon January 2024. At the March Board meeting the Board took a support position on this bill, a copy of the support letter was included in the Board meeting materials and submitted to the legislature earlier in the session.

3) AB 796 (Weber) Athletic Trainers

528 This bill was amended July 6, 2023, and the last location was the Senate
529 BMP committee, since it failed the legislative deadline, it is also a two-
530 year bill and may be acted upon January 2024. This bill would enact the
531 Athletic Training Practice Act, which would establish, until January 1,
532 2028, the Athletic Trainer Registration Committee within the Medical
533 Board of California to register athletic trainers and administer duties
534 under the act. The bill would prohibit a person from practicing as an
535 athletic trainer or using certain titles or terms without being registered by
536 the Committee.

537 4) AB 814 (Lowenthal) Veterinary Medicine: Animal Physical Rehabilitation

538 This bill was amended April 27, 2023 which would authorize a licensed
539 physical therapist to be registered with the Veterinary Medical Board
540 as a registered animal physical therapist and to provide animal physical
541 rehabilitation, as defined, to an animal if specified requirements are
542 met, including that the registered animal physical therapist performs all
543 delegated animal rehabilitation tasks under the supervision of a
544 veterinarian who has an established veterinarian-client-patient-
545 relationship with the animal. This bill would authorize an animal
546 physical rehabilitation assistant, as defined, to assist with delegated
547 animal rehabilitation tasks subject to specified conditions, including that
548 the tasks are performed under the direct supervision of a registered
549 animal physical therapist. This bill would require the owner or operator
550 of an animal physical rehabilitation facility, as defined, to submit a
551 registration application to the Veterinary Medical Board and pay a
552 registration fee, as prescribed. This bill is a two-year bill and did not
553 pass the Senate BMP committee by the Legislative deadline and could
554 be acted upon on January 1, 2024. Additionally, a handout was given,
555 which is a letter that was received on behalf of the Animal Physical
556 Therapy Coalition regarding their support of this bill.

557

558 5) AB 820 (Reyes) State Boards and Commissions: Seniors

559 This bill was amended on July 3, 2023, and was held under submission
560 in the Senate Appropriation Committee. This would require the
561 composition of various advisory groups and bodies to include a state
562 agency official responsible for administering programs that serve, or

563 state commission official that advocates on behalf of, older adults, as
564 defined, or a representative from an organization that serves or
565 advocates on behalf of older adults. For purposes of this bill, “older
566 adult” is defined as a person 60 years of age or older. This bill is a two-
567 year bill and did not pass the Senate BMP committee by the Legislative
568 deadline and could be acted upon on January 1, 2024

569
570 6) AB 931 (Irwin) Prior Authorization: Physical Therapy

571 On September 11, 2023, the Assembly concurred with the Senate’s
572 amendments, on September 12, 2023, this bill was enrolled. This bill
573 would prohibit a health care service plan contract or health insurance
574 policy issued, amended, or renewed on or after January 1, 2025, that
575 provides coverage for physical therapy from imposing prior
576 authorization for the initial 12 treatment visits for a new episode of care
577 for physical therapy. The bill would require a physical therapy provider
578 to verify an enrollee’s or an insured’s coverage and disclose their share
579 of the cost of care, as specified. The bill would require a physical
580 therapy provider to obtain separate written consent for costs that may
581 not be covered by the enrollee’s or insured’s plan contract or policy,
582 that includes a written estimate of the cost of care for which the enrollee
583 or insured is responsible if coverage is denied or otherwise not
584 applicable. With respect to health care service plans, the bill would
585 specify that its provisions do not apply to Medi-Cal managed care plan
586 contracts. The Board did take a support position at the March 2023
587 Board meeting, a copy of the letter is in the meeting materials. The
588 support letter was sent to both the Author’s Office and the Legislature.

589
590 7) AB 996 (Low) DCA: Continuing Education: Conflict-of-Interest Policy

591 This bill was ordered on an active file at the request of Senator Roth on
592 August 17, 2023. This bill would require entities within the Department of
593 Consumer Affairs, who are responsible for approving continuing
594 education providers or courses, to develop and maintain a conflict-of-
595 interest policy that discourages the use of any continuing education
596 course, if the provider of that course has an economic interest in a
597 commercial product or enterprise promoted in that course and requires
598 conflicts to be disclosed at the beginning of each continuing education

599 course. 8) AB 1028 (McKinnor) Reporting of Crimes: Mandated
600 Reporters

601
602 This bill was amended in the Senate on June 28, 2023, and failed the
603 Legislative deadline on September 1, 2023. The last location of the bill
604 was the Senate filed on September 29, 2023, and may be acted upon
605 again on January 1, 2024. This bill would, on and after January 1,
606 2025, remove the requirement that a health practitioner make a report
607 to law enforcement when they suspect a patient has suffered physical
608 injury caused by assaultive or abusive conduct, and instead only
609 require that report if the health practitioner suspects a patient has
610 suffered a wound or physical injury inflicted by the person's own act or
611 inflicted by another where the injury is by means of a firearm, a wound
612 or physical injury resulting from child abuse, or a wound or physical
613 injury resulting from elder abuse.

614
615 9) AB 1163 (Luz Rivas) State Forms: Lesbian, Gay, Bisexual and
616 Transgender Disparities Reduction Act

617 This bill was amended in the Senate on September 8, 2023, and signed
618 by the governor and chaptered September 13, 2023. The Lesbian, Gay,
619 Bisexual, and Transgender Disparities Reduction Act, requires
620 prescribed state entities, including the State Department of Health Care
621 Services and the Civil Rights Department, in the course of collecting
622 demographic data directly or by contract as to the ancestry or ethnic
623 origin of Californians, to collect voluntary self-identification information
624 pertaining to sexual orientation and gender identity, except as specified.
625 Current law prohibits these state entities from reporting demographic
626 data that would permit identification of individuals or would result in
627 statistical unreliability and limits the use of the collected data by those
628 entities, as specified. Current law requires these state entities to report
629 to the Legislature specified information related to the data and make the
630 data available to the public, except for personally identifiable
631 information, which existing law deems confidential and prohibits
632 disclosure of that information. This bill would add intersexuality to the
633 voluntary self-identification information to be collected, would apply
634 these provisions to additional state entities, and would require these
635 state entities to come into compliance with these provisions as early as
636 possible following January 1, 2024, but no later than July 1, 2025.

637 10) AB 1751 (Gipson) Opioid Prescriptions: Information:
638 Nonpharmacological Treatments for Pain

639 This bill was amended on April 13, 2023, in the Assembly and its last
640 location was the Assembly Health Committee, but failed the Legislative
641 deadline and is not a two-year bill. Current law requires a prescriber,
642 with certain exceptions, before directly dispensing or issuing for a minor
643 the first prescription for a controlled substance containing an opioid in a
644 single course of treatment, to discuss specified information with the
645 minor, the minor's parent or guardian, or another adult authorized to
646 consent to the minor's medical treatment. This bill would extend that
647 requirement for the prescriber by applying it to any patient, not only a
648 minor, under those circumstances. This bill defies nonpharmacological
649 treatments for pain to include but are not limited to acupuncture;
650 chiropractic care; physical therapy; occupational therapy; and licensed
651 mental health provider services.

652
653 11) SB 14 (Grove, Caballero, and Rubio) Violent Felonies: Serious
654 Felonies: Human Trafficking
655

656 This bill was amended on September 1, 2023, and was passed out of
657 the assembly and on September 13, 2023, the Senate concurred with
658 the Assembly amendments and was ordered to engrossing and
659 enrolling. This bill designates human trafficking of a minor for purposes
660 of a commercial sex act as a "serious felony," making it a strike for
661 purposes of the Three Strikes Law.
662

663 12) SB 143 (Committee on Budget & Fiscal Review): State Government
664

665 This bill was signed by the Governor and chaptered September 13,
666 2023, since this bill was a trailer bill it did become effective immediately.
667 The Bagley-Keene Open Meeting Act requires, with specified
668 exceptions, that all meetings of a state body be open and public, and all
669 persons be permitted to attend any meeting of a state body. The act
670 authorizes meetings through teleconference under specified conditions,
671 including, among others, that each teleconference location be
672 accessible to the public and that at least one member of the state body
673 be physically present at the location specified in the notice of the
674 meeting. Prior to July 1, 2023, current law, authorized, subject to
675 specified notice and accessibility requirements, a state body to hold
676 public meetings through teleconferencing and suspended certain

requirements of the act, including the requirements referenced above. This bill, until December 31, 2023, would reinstate the above-described authorization for a state body to hold public meetings through teleconferencing utilizing online platforms such as Webex etc.

This bill would additionally, require a registering authority, defined as specified boards, bureaus, and commissions and the Department of Real Estate, to register a servicemember or a spouse of a servicemember who relocated to this state because of military orders for military service within this state and meets specified requirements, including that the applicant submits to the registering authority an affidavit attesting that the applicant meets all of these requirements and the information submitted to the registering authority is accurate to the best of the applicant's knowledge. This bill would require the registering authority to post specified information on the registering authority's internet website for each person registered pursuant to these provisions. This bill would provide that a person registered pursuant to these provisions be deemed to be a licensee of the registering authority for purposes of the laws administered by that registering authority relating to standards of practice, discipline, and continuing education, as specified, and would authorize the registering authority to take specified enforcement actions against the person. Additionally, this bill would prohibit a registering authority from collecting or requiring a fee for registration pursuant to these provisions.

13) SB 268 (Gil) Crimes: Serious and Violent Felonies

This bill was amended in the Senate on April 25, 2023, but failed the Legislative deadline and it's las location was the Senate Public Safety Committee and is not a two-year bill. 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 designates rape of an intoxicated person where the defendant drugged the victim with intent to commit sexual assault as a violent felony.

14) SB 372 (Menjivar) DCA: Licensee and Registrant Records: Name and Gender Changes

This bill was amended in the Assembly on September 1, 2023, and enrolled and presented to the Governor on September 11, 2023. This bill would require a board within the DCA to update a licensee's or registrant's license by replacing references to the former name or gender on the license or registration, as specified, if the board receives documentation, as described, from the licensee or registrant demonstrating that the licensee or registrant's legal name or gender has been changed. If the board operates an online license verification system, this bill will require the board to replace references to the licensee's or registrant's former name or gender with the individual's current name or gender, as applicable, on the publicly viewable information displayed on the internet. This bill would prohibit a board from publishing information relating to the licensee's or registrant's former name or gender online. Instead, this bill would require the board to post an online statement directing the public to contact the board for more information. For specified licensees or registrants, the board would be prohibited from posting enforcement records online but would be required to post an online statement stating that the individual was previously subject to an enforcement action and directing the public to contact the board, as prescribed. This bill would provide that all records related to a request to update an individual's license or registration under these provisions are confidential and not subject to public inspection or disclosure.

15) SB 525 (Durazo) Minimum Wage: Health Care Workers

This bill was amended in the Assembly on September 11, 2023, on September 13, 2023, it was read a second time in order to a third reading. this bill would establish separate minimum wage schedules for covered health care employees, as defined within the provisions of the bill, depending on the nature of the employer. This includes the following:

Dialysis clinics and large health systems with more than 10,000 workers would pay a minimum wage of \$23 an hour in 2024, \$24 in 2025, and \$25 in 2026. Hospitals with a high mix of Medi-Cal and Medicare patients, as well as rural independent hospitals would have to pay workers \$18 an hour in 2024. That rate would increase 3.5% annually until it reaches \$25 in 2033. Community clinics would start the pay increase at \$21 per hour in 2024, rising to \$22 in 2026 and \$25 in 2027. Other health care employers would increase their minimum wage to \$21 per hour in 2024, \$23 in 2026 and \$25 by 2028.

757
758 16) SB 544 Bagley-Keene Open Meeting Act: Teleconferencing

759 This bill is sponsored by the California Commission on Aging, and it
760 revises, until January 1, 2026, certain teleconference requirements
761 under the Bagley-Keene Open Meeting Act which requires all meetings
762 of a state body be open and public. Specifically, this bill as recently
763 amended: Preserves existing Bagley-Keene teleconference law as is
764 with no changes, members can attend meetings from multiple different
765 teleconference sites, connected electronically via audio or audio and
766 video, and the public must be allowed to personally attend each
767 teleconference site where a member is located. For this bill, a
768 "teleconference location" is defined to mean a physical location that is
769 accessible to the public and from which members of the public may
770 participate in the meeting. This bill adds a new, but not exclusive,
771 teleconference option in new section Government Code Section
772 11123.2 that requires a majority of the members of the state body must
773 be at one physical, publicly accessible location, and also allows
774 additional members above a majority to participate in the meeting from
775 non-public sites remote sites, as long as the public can also participate
776 in the meeting both remotely and from publicly-accessible sites. A
777 remote location is not required to be accessible to the public. The
778 notice and agenda shall not disclose information regarding a remote
779 location. If a member of the state body attends the meeting by
780 teleconference from a remote location, the member shall disclose
781 whether any other individuals 18 years of age or older are present in
782 the room at the remote location with the member and the general nature
783 of the members relationship with any such individuals. In addition, the
784 members of the state body shall visibly appear on camera during the
785 open portion of a meeting that is publicly accessible via the internet or
786 other online platform. This bill also requires that upon discovering that
787 a means of remote public access and participation required has failed
788 during a meeting and cannot be restored, the state body shall end or
789 adjourn the meeting. This bill would permit a person to submit a
790 pseudonym or other anonymous information when using the internet
791 website or other online platform to attend the meeting via an exemption
792 from current law where an internet website or other online platform may
793 require the submission of information to log into a teleconferenced

meeting. It amends existing law Government Code section 11123.5 for advisory bodies only (i.e., advisory committees to a board) to allow all members of advisory bodies to participate remotely in meetings from private non-public locations, as long as there's one physical location with at least one staff member where the public can attend, and the public can also access the meeting remotely.

PTBC Board President Ms. McMillian took an interim support position on this bill in July, a copy of the interim support letter is included on meeting materials which was submitted to the Legislature. Staff is recommending the Board consider taking an official position in support in this bill as it will increase public access and engagement to stakeholders.

MOTION: Move to take a support President McMillians letter on SB 544

M/S: Armstrong/Rabena-Amen

VOTE: McMillian - Aye
Armstrong- Aye
Brandon - Aye
Eleby – Aye
Qiu- Aye
Rabena-Amen - Present
6-0 Ayes, Motion Carried

Mr. Kaiser added should this bill be signed by the Governor, there are two things to consider. SB 143 the trailer bill that has language pertaining to federal statute for military spouses also has language in that extended the executive order during the pandemic for teleconferences until January 1, 2024. Additionally, for the rest of the year the Board can do remote meetings similar to which was done during the pandemic after January 1, 2024. Under SB 544, Bagley-Keene remains the same and an addition allows remote meeting but the majority of the Board members would have to be in a single location, the ones that are remote would not have to post where they were and would not have to make it public accessible, but, would have to be able to provide access to the public where they can participate remote or access to the physical location where majority of the members are. Mr. Kanotz added if a Board member has a disability and is unable to come to

834 the physical location, they can, prior to the meeting, obtain an exemption
835 and they would not count towards the majority of being present.

836
837 Dr. Rabena-Amen asked if there can be more than one teleconferencing
838 location. Mr. Kaiser answered with the traditional teleconference you could
839 have up to eight (central location with staff and each board member)
840 somewhere within California that is accessible to California citizen. Mr.
841 Kaiser added the second addition you would have to have one physical
842 location where the public can participate and in that location the majority of
843 the members, but you could have exemptions for things, but the other
844 members can participate remotely not have to display or provide access to
845 the public at that location. Mr. Kanotz added the real danger of having
846 several locations if anyone of those locations goes down, then you would
847 have to cancel the meeting until it comes back up. Mr. Kanotz stated some
848 Boards have standing committees rather than having discussions in the
849 main board meeting. They would make decision then advise the Board
850 streamlining the Board meeting to an extent.

851
852
853 17) SB 816 (Roth) Professions and Vocations
854

855 This bill was amended in the Assembly on September 8, 2023, and on
856 September 13, 2023, the Senate concurred with the Assembly's
857 amendments. This bill is the Business and Professions omnibus bill.
858 Current law, effective until January 1, 2025, sets forth an approval
859 process for a vocational nursing school or program and authorizes the
860 Board of Vocational Nursing and Psychiatric Technicians to reduce the
861 continuing approval fees, by no more than 1/2 of the established fee, for
862 a program that experiences a reduction in state funding that directly
863 leads to a reduction in enrollment capacity. Current law, the Psychiatric
864 Technicians Law, also grants the board authority to license and regulate
865 psychiatric technicians. That law, effective until January 1, 2025,
866 similarly establishes an approval process for a school or program for
867 psychiatric technicians and authorizes the board to reduce the
868 continuing approval fees, by no more than 1/2 of the established fee, for
869 a program that experiences a reduction in state funding that directly
870 leads to a reduction in enrollment capacity. This bill would instead
871 authorize the board to reduce the continuing approval fees in the above-
872 described circumstances for a program that experiences a reduction in
873 enrollment capacity that directly leads to a reduction in state funding.
874 This bill would revise related provisions to require the board to require a
875 program to provide documentation for purposes of issuing the fee
876 reduction.

877 **17. Rulemaking Report – Brooke Arneson**

878 Ms. Arneson presented the rulemaking report.

879 (A) 2023 Rulemaking Update for Pending or Proposed Regulations (Title
880 16, California Code of Regulations (16 CCR))

881 1) Amendments to 16 CCR section 1398.26.5- Clinical Service
882 Requirements for Foreign Educated Applicants Completing a
883 Supervised Clinical Practice in the United States
884

885 Ms. Arneson stated the Performance Evaluation Tool for foreign
886 educated PTs was submitted to the Office of Administrative Law on
887 March 28, 2023, and was approved and became effective on May
888 9, 2023. Ms. Arneson added the final rulemaking file is posted on
889 the Boards website.
890

891 2) Update Regarding the Development of Possible Amendments to
892 the Board’s Continuing Competency Regulations

893 Ms. Arneson reported they are still in the process of researching
894 and developing regulatory proposal and will be presenting those to
895 the Boards at a possible meeting date in the future.

896 Ms. Arneson added at the December 2023 Board meeting the 2024
897 proposed Rulemaking calendar for Board consideration.

898
899 Dr. Rabena-Amen asked when the continuing competency report
900 will be out. Mr. Kaiser answered best guess would be the March
901 2024 meeting. Mr. Kaiser added there are ideas of proposals that
902 the Board would like to present but a little more work is needed with
903 vacancy issues.
904

905 Dr. Rabena-Amen added the two different evaluation tools if Board
906 staff will be able to report back at a future meeting the use of one
907 or the other and the CPI was updated to a new version. Mr. Kaiser

908 responded at the December 2023 Board meeting it can be
909 incorporated in the Applications Licensing report and show the
910 statistics through the clinical instructors who are using the PET and
911 who are using the CPI.

912
913 In public comment, Mr. Armstrong asked from Potential regulations
914 related to SB 372, does the Board think there will need to be
915 regulations given that names might need to be changed in the
916 system but if someone has a disciplinary record or has a prior
917 record going back, will those documents also have to be changed
918 to reflect the persons new name? Mr. Kaiser answered the current
919 statute that is written if the Board receives a request to have those
920 documents changed, they have to be specific they would likely be
921 changed. If it is a disciplinary history that would have to be part of
922 the request, but if it was a request the Board would have to go back
923 and change those names.

924
925 In public comment, Mr. Armstrong asked if the Board anticipates
926 having regulations to reflect the document change, or letting
927 consumers know the change happened. Mr. Kaiser added there
928 is something set in place currently for license to be able to protect
929 previous history using a legal court document. Additionally, if a
930 consumer tried to verify the name on the website the name would
931 be there, the history would be there, but the documents would not
932 be attached and a link would be there a requester to make a
933 request to the Board directly for the Board to provide, those
934 documents would have a combination of the historical document
935 and redacted document.

936
937 **18. Communication & Education Update – April Beauchamps**

938 (A) Outreach
939

940 Ms. Beauchamps presented to the member the outreach report. Ms.
941 Beauchamps added during fiscal year 2023-23 Q4 PTBC provided virtual and
942 in-person outreach workshops to two PTA and PT programs, for the entire
943 fiscal year PTBC provided 23 outreach workshops and also attended the
944 annual CPTA conference and hosted FSBPT Annual Meeting in Orange
945 County last year. Additionally, on September 6, 2023, Mr. Row and Ms. Conley

provided outreach at Fort Irwin and the Board is looking forward to attending this year's CPTA annual conference that is being held on October 7-8 in Long Beach. Ms. Beauchamps added the summer progress notes are now out and provided the members with a copy, the next edition will be Winter 2023 and will be out sometime in December 2023. Lastly, the new PTBC website is live.

Ms. McMillian asked since Twitter changed to X does that effect the Board. Ms. Beauchamps responded no, the followers and posting are the same.

Dr. Rabena-Amen asked what the analysis of the effectiveness of our social media campaigns that is comes from looking at Tik Tok and seeing low numbers versus looking at Facebook and seeing high numbers there. April responded when comes to the followers, non-followers can still access the Boards page. Mr. Kaiser added Facebook has been around for a long time versus Tik Tok and on Linked In new graduates are adding and tagging the Board as a new certification that they have received as a result of receiving their license.

19. Administrative Service Update
(A) Budget Report – Alicia Hernandez

Ms. Hernandez presented to the members the budget report. Statistical Report can be found on the materials. Ms. Hernandez added PTBC Admin unit is currently working to fill some vacancies moving into fiscal year 2023-2024, PTBC is currently working with DCA budget office during the galley period to finalize the items aligned with a more accurate account for expenditures of different areas.

Dr. Rabena-Amen asked did the temp help expenditures go up because of the vacancies. Mr. Kaiser answered when building a limited term position funding will come out of the blanket while collecting data the Board is also building a request to make the limited term position permanent either through a BCP proposal or utilizing some other position authority the Board may have on the boo. There is no actual budget for temp help, anytime temp help is used it will be in the red and when spending money out of the blanket it is unplanned part of the budget and will always be an over expenditure of that line item anytime the Board utilizes that.

Dr. Rabena-Amen asked the Board Member expenditure looks higher than before. Mr. Kaiser answered over the last 6 years Board Member expenditures always exceed allocation, typically over time that should be adjusted to prove that allocation needs to be increased. Mr. Kaiser added during the pandemic the Board saved money on travel, but in the next fiscal year or after the adjustment will reflect less red and a truer budget will display. Dr. Brandon asked what the \$12,000 budget base was off of. Mr. Kaiser answered that number was based on previous years but have been over expending for a long time now.

The Board entered into break at 11:02 a.m. and reconvened at 11:16 a.m. on September 14, 2023.

20. Licensing Services Update – Valerie Kearney

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

Ms. Kearney and Ms. Conley presented to the member the Licensing Services update. Ms. Kearney reported there are 4 vacancies, 1 full-time position in Continuing Competency, 2 full-time Applications Analyst and 1 full-time Lead. Additionally, for the past year PTA applications have been processed by the Military and Endorsement Applications Analyst, but the recruitment process for the PTA Analyst position has been initiated and the recruitment process for the Continuing Competency Position and 2 Applications Analyst position will begin soon. Ms. Kearney added with the staff vacancies and a 12% increase in total applications received applications processing times have increased 27 to an average of 25 days from applications received to licensure or denial, that processing time is well below the target due to the efficiency and dedication to staff. Ms. Kearney stated with the vacancy of the Continuing Competency position it explains the decrease of audits performed but current staff is compensating for the vacancy while approval agency audits continue.

Ms. Kearney reported with the new website and ease of navigation for applicants and licensees will make application submission or license renewal even easier than the previous version and the home page posting of licenses issued and applications received is a feature that will benefit staff by allowing them to see their numbers in real time.

Ms. Conley reported to the members that Ms. Kearney is serving as the Manager for the Licensing Program, Ms. Kearney was the lead of the Licensing Program and evaluated initial license applications as an analyst prior. Ms. Conley added the Board had piloted the program to designate resources to the military members and partners which has proved successful and are excited to continue these efforts. Additionally, for the application data licenses issued is consistent with the workload output with increase of applications specifically in the area of PTA applications tying back to the need for additional resources and those BCP positions. Ms. Conley added the average processing time of the initial license applications taking out the applicant time, reflecting the time and number of days that the Board is responsible for those applications. The Board is meeting the performance measure target.

Dr. Rabena-Amen asked is there an anticipation still of switching over to the Jurisprudence Assessment Module (JAM). Mr. Kaiser responded yes. He and Ms. Conley are working on the existing JAM bank and working with FSBPT with a little more to do, they will start talking about development time and actual launch dates.

Ms. Coley presented to the members the application survey responses that are being provided as one of the measures used to determine if the licensing goal for PTBC's 2018-2022 Strategic Plan was achieved. Staff reported the outcome of the plan at the March 2023 meeting. Ms. Conley added the data collection dates were selected based on available date starting from 2022, overall, there is a high satisfaction rate with over 90% for both years with an increase of 2.56%.

Dr. Rabena-Amen asked if the survey was offered to everyone who was issued a license. Ms. Conley answered yes, the survey is included on every email that goes out to new licensee.

Ms. Conley reported to the members on license maintenance with the new automated reports there are still some adjustments, for example, in address changes processing times where it shows 0, meaning it took less than 1 day to process.

Ms. Conley reported applications received are growing at a rate faster than expected, typically it is 3-5 % but is at 16% with licenses issued being consistent.

Ms. Conley reported the PTA pass rate is slight smaller, that is due to a smaller sample rate and due to vacancy and reducing the sample size to account for resources. Additionally, the Continuing Competency Unit is auditing approval agencies, that work is continuing.

21. Consumer Protection Services Update – Carole Phelps

(A) Program Updates

(B) Statistical Reports

Ms. Phelps presented to the members last Board meeting there were 2 vacancies, as of July 1, 2023, Angel Ottley has filled one of them. Ms. Ottley recently worked in the Boards Continuing Competency Unit and has quickly become familiar with the enforcement investigation process, with her past experience in the Continuing Competency Unit and as an Application Analyst has been an asset to the Unit. Additionally, they are in the process of filling the 2nd vacant position. Ms. Phelps added they continue to have regular meetings with the Supervising Investigator with the Division of Investigations Enforcement Support Unit, Division of Investigations (DOI) conducts field investigations for complaint for the Board which includes sites visits, interviews, the issuance of subpoenas when necessary, obtaining certified documents, etc. The purpose of the regular meetings with DOI is to have an open line of communication between the Board and DOI to discuss urgent and high-profile cases as well as other enforcement related matters that may impact the Board and DOI.

Ms. Phelps stated they hold regular meetings with the Deputy Attorney General Liaison with the Attorney General's office at these meetings they discuss and receive guidance on specific cases and review and make improvement to various procedures and to the overall discipline process.

Ms. Phelps presented the CPS statistics report on Performance Measure 1 reports the number of consumer complaints and arrest and conviction reports the Board received last fiscal year, which has increased by 41 cases from the prior year. Ms. Phelps stated Performance Measures 3 average case age in days for all cases that were closed without referral to the Attorney General's Office for formal discipline, the average for those were 157 days, decrease of 23% in comparison to last fiscal year. Additionally meeting their target which is 180 days for this performance measure. Ms. Phelps stated Performance

Measure 4 reflects the average number of days to complete investigations and enforcement actions for complaints that are transmitted to the Attorney General's Office for formal disciplines, case aging average for this performance measure have increased compared to last year, however, these averages fluctuate regularly due to multiple factors including analyst caseload, case complexity and the timeline of other involved parties.

Ms. Phelps reported the number of complaints received has steadily increased over the three-year time period and is now approaching the pre-pandemic levels. Ms. Phelps shared Enforcement staff is extremely experienced and extremely motivated to be on top of there case load and doing everything they can do keep the cases moving.

Ms. Phelps reported the discipline summary of all disciplinary actions taken by the board in quarter 4, one license was issued a public approval, three licensees were placed on probation and two licensees surrendered their license through the disciplinary process.

22. Probation Monitoring Services Update – Carole Phelps

(A) Program Updates

(B) Statistical Reports

Ms. Phelps reported during the last quarter of last fiscal year there was a high of 80 licensee on probation of that sixty two probationers were actually actively practicing in California, the remaining ten probationers were tolling meaning they were not receiving credit towards the completion of probation because they were either practicing in another state or not currently practicing, ten were not practicing in tolling and living out of state and eight tolling but living in California.

Ms. Phelps added one licensee was placed on probation in the quarter and four licensees completed probation in the quarter. Of the sixty-two licensees actively practicing in California eight were enrolled in participating in the Board's drug and alcohol Recovery Monitoring Program (Maximus), one licensee enrolled in the Maximus Program and one licensee completed the program.

Ms. Phelps added there were zero instances of noncompliance with probation in the quarter. For the entire fiscal year there were two instances of noncompliance with probation, and both were for not following the requirements

of the Maximus program. Additionally, over the past three years the numbers of licensees on probation have increased significantly going from fifty-seven probationers in fiscal year 2020-21 to eighty in fiscal year 2022-23, in the same time period the number of Maximus participants has decreased from thirteen participants in fiscal year 2020-21 to only eight in fiscal year 22-23.

23. Public Comment on Items Not on the Agenda

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

**24. Agenda for Future Meeting- December 6-8, 2023
Sacramento, CA**

There were no items to add to the agenda at a future meeting.

25. Adjournment

The meeting adjourned at 11:56 a.m. on September 14,2023.

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				

January			February			March			April		
1	New Year's Day		19	President's Day		20-21	PTBC Meeting		3-4	PTA NPTE	
3-4	PTA NPTE		15-17	APTA Sections Meeting		TBD, Bay Area, CA			24-25	PT NPTE	
15	Martin Luther King Jr		Boston, MA								
23-24	PT NPTE					31	César Chávez Day				
						31	Easter				

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

September			October			November			December		
2	Labor Day		TBD	FSBPT Annual Meeting		11	Veteran's Day		5-6	PTBC Meeting	
18-19	PTBC Meeting			TBD		28	Thanksgiving			Sacramento, CA	
	Loma Linda, CA		8-9	PTA NPTE					25	Christmas	
21-22	CPTA Annual Meeting		29-30	PT NPTE							
	San Francisco, CA		31	Halloween							

Physical Therapy Board of California

Proposed 2025 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							1							1			1	2	3	4	5
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8	6	7	8	9	10	11	12
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15	13	14	15	16	17	18	19
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22	20	21	22	23	24	25	26
26	27	28	29	30	31		23	24	25	26	27	28		23	24	25	26	27	28	29	27	28	29	30			
														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	1	2	3	4	5	6	7			1	2	3	4	5						1	2
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
25	26	27	28	29	30	31	29	30						27	28	29	30				24	25	26	27	28	29	30
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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				1	2	3	4							1		1	2	3	4	5	6
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27
28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31			
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January			February			March			April		
1	New Year's Day		17	President's Day		19-20	PTBC Meeting		TBD	PTA NPTE	
TBD	PTA NPTE		13-15	APTA Sections Meeting		TBD, Bay Area, CA			TBD	PT NPTE	
20	Martin Luther King Jr		Houston, TX						20	Easter	
TBD	PT NPTE					31	César Chávez Day				

May		June		July		August	
11	Mother's Day	TBD	FSBPT REG Training	4	Independence Day		
TBD	FSBPT BM Training		Alexandria, VA	TBD	PTA NPTE		
	Alexandria, VA	15	Father's Day	TBD	FSBPT LIF		
26	Memorial Day	26-27	PTBC Meeting		Alexandria, VA		
			Sacramento, CA	TBD	PT NPTE		

September		October		November		December	
1	Labor Day	TBD	FSBPT Annual Meeting	11	Veteran's Day	4-5	PTBC Meeting
17-18	PTBC Meeting		TBD	27	Thanksgiving		Sacramento, CA
	TBD, Southern CA	TBD	PTA NPTE			25	Christmas
21-22	CPTA Annual Meeting	TBD	PT NPTE				
	San Francisco, CA	31	Halloween				



Briefing Paper

Date: November 2, 2023

Agenda Item 22

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:

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						
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12	13	14	15	16	<u>17</u>	18
19	<u>20</u>	21	22	23	24	25
26	27	28				

MARCH						
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26	27	28	29	<u>30</u>	<u>31</u>	

APRIL						
S	M	T	W	TH	F	S
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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						
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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
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- 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
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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
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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 931 Prior Authorization: Physical Therapy**

Author: Irwin (D)

Status: 10/7/2023 Vetoes by Governor

Position: Support Position. [Support Letter](#)

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. The bill would require a physical therapy provider to verify an enrollee's or an insured's coverage and disclose their share of the cost of care, as specified. The bill would require a physical therapy provider to obtain separate written consent for costs that may not be covered by the enrollee's or insured's plan contract or policy, that includes a written estimate of the cost of care for which the enrollee or insured is responsible if coverage is denied or otherwise not applicable. With respect to health care service plans, the bill would specify that its provisions do not apply to Medi-Cal managed care plan contracts.

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 931 without my signature.

Beginning January 1, 2025, this bill would prohibit a health plan or insurer from requiring prior authorization for the initial 12 physical therapy treatment visits for a new episode of care. The bill would also require that, prior to treatment, the provider verify an enrollee's coverage and disclose the enrollee's cost sharing, maximum out-of-pocket expense per visit, and whether the provider is in-network for the enrollee.

I appreciate the author's intent to increase access to physical therapy treatment. However, prior authorization, when applied appropriately, can be an important tool to contain health care costs, protect patients from unanticipated billing, and ensure medically necessary care. Further, existing law requires health plans to provide appointments within a timely access minimum standard, even when prior authorization is required.

For these reasons, I cannot sign this bill.

Sincerely,

Gavin Newsom

2023/24 Legislative Summary

Agenda Item 22

SB 143 State Government

Author: Committee on
Budgets and Fiscal
Review

Status: 9/13/2023 Chaptered by Secretary of State. Chapter 196, Statutes of 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:

The Bagley-Keene Open Meeting Act requires, with specified exceptions, that all meetings of a state body be open and public, and all persons be permitted to attend any meeting of a state body. The act authorizes meetings through teleconference under specified conditions, including, among others, that each teleconference location be accessible to the public and that at least one member of the state body be physically present at the location specified in the notice of the meeting. Prior to July 1, 2023, current law authorized, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and suspended certain requirements of the act, including the requirements referenced above. This bill, until December 31, 2023, would reinstate the above-described authorization for a state body to hold public meetings through teleconferencing.

SB 544 Bagley-Keene Open Meeting Act: Teleconferencing

Author: Laird (D)

Status: 9/22/2023 Chaptered by Secretary of State. Chapter 216, Statutes of 2023.
Position: Support Position. [Support Letter](#)

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

Summary:

Current law, until July 1, 2023, authorized, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and suspended certain requirements of the Bagley-Keene Open Meeting Act, including the specified-described teleconference requirements. This bill would remove the teleconference requirements that a state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, and that each teleconference location be accessible to the public. This bill would require a state body to provide a means by which the public may remotely hear audio of the meeting, remotely observe the meeting, or attend the meeting by providing on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for at least one site, including, if available, access equivalent to the access for a member of the state body participating remotely. This bill would require any notice required by the act to specify the applicable teleconference telephone number, internet website or other online platform, and physical address indicating how the public can access the meeting remotely and in person. This bill would revise existing law to no longer require that members of the public have the opportunity to address the state body directly at each teleconference location but would continue to require that the agenda provide an opportunity for members of the public to address the state body directly. This bill would require a member or staff to be physically present at the location specified in the notice of the meeting. This bill would require a majority of the members of the state body to be physically present at the same location for at least 1/2 of the meetings of that state body.

Department-Wide Legislation:

[AB 1163](#)

Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act

Author: Rivas (D)

Status: 10/13/2023 Chaptered by Secretary of State. Chapter 832, Statutes of 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:

The Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act, requires prescribed state entities, including the State Department of Health Care Services and the Civil Rights Department, in the course of collecting demographic data directly or by contract as to the ancestry or ethnic origin of Californians, to collect voluntary self-identification information pertaining to sexual orientation and gender identity, except as specified. Current law prohibits these state entities from reporting demographic data that would permit identification of individuals or would result in statistical unreliability and limits the use of the collected data by those entities, as specified. Current law requires these state entities to report to the Legislature specified information related to the data and make the data available to the public, except for personally identifiable information, which existing law deems confidential and prohibits disclosure of that information. This bill would add intersexuality to the voluntary self-identification information to be collected, would apply these provisions to additional state entities, and would require these state entities to come into compliance with these provisions as early as possible following January 1, 2024, but no later than July 1, 2025.

[SB 14](#)

Serious Felonies: Human Trafficking

Author: Grove (R)

Status: 9/25/2023 Chaptered by Secretary of State. Chapter 230, Statutes of 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 designates human trafficking of a minor for purposes of a commercial sex act as a “serious felony,” making it a strike for purposes of the Three Strikes Law.

2023/24 Legislative Summary

Agenda Item 22

SB 372

DCA: Licensee and Registrant Records: Name and Gender Changes

Author: Menjivar (D)

Status: 9/23/2023 Chaptered by Secretary of State. Chapter 225, Statutes of 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 board within the DCA to update a licensee's or registrant's license by replacing references to the former name or gender on the license or registration, as specified, if the board receives documentation, as described, from the licensee or registrant demonstrating that the licensee or registrant's legal name or gender has been changed. If the board operates an online license verification system, this bill would require the board to replace references to the licensee's or registrant's former name or gender with the individual's current name or gender, as applicable, on the publicly viewable information displayed on the internet. This bill would prohibit a board from publishing information relating to the licensee's or registrant's former name or gender online. Instead, this bill would require the board to post an online statement directing the public to contact the board for more information. For specified licensees or registrants, the board would be prohibited from posting enforcement records online but would be required to post an online statement stating that the individual was previously subject to an enforcement action and directing the public to contact the board, as prescribed. This bill would provide that all records related to a request to update an individual's license or registration under these provisions are confidential and not subject to public inspection or disclosure.

SB 525

Minimum Wage Health Care Workers

Author: Durazo (D)

Status: 10/13/2023 Chaptered by Secretary of State. Chapter 890, Statutes of 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, commencing June 1, 2024, and until June 1, 2025, require a health care worker minimum wage of \$21 per hour for hours worked in covered health care employment, as defined. Commencing June 1, 2025, this bill would require a health care minimum wage of \$25 per hour for hours worked in covered health care employment, as defined, subject to adjustment, as prescribed. This bill would provide that the health care worker minimum wage constitutes the state minimum wage for covered health care employment for all purposes under the Labor Code and the Wage Orders of the Industrial Welfare Commission. The health care worker minimum wage would be enforceable by the Labor Commissioner or by a covered worker through a civil action, through the same means and with the same relief available for violation of any other state minimum wage requirement. By establishing a new minimum wage, the violation of which would be a crime, this bill would impose a state-mandated local program. This bill would require, for covered health care employment where the employee is paid on a salary basis, that the employee earn a monthly salary equivalent to no less than 150% of the health care worker minimum wage for full-time employment in order to qualify as exempt from the payment of minimum wage and overtime.

[SB 816](#)

Professions and Vocations

Author: Roth (D)

Status: 10/10/2023 Chaptered by Secretary of State.

Chapter 723, Statutes of 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 is the Business and Professions omnibus bill. Current law, effective until January 1, 2025, sets forth an approval process for a vocational nursing school or program and authorizes the Board of Vocational Nursing and Psychiatric Technicians to reduce the continuing approval fees, by no more than 1/2 of the established fee, for a program that experiences a reduction in state funding that directly leads to a reduction in enrollment capacity. Current law, the Psychiatric Technicians Law, also grants the board authority to license and regulate psychiatric technicians. That law, effective until January 1, 2025, similarly establishes an approval process for a school or program for psychiatric technicians and authorizes the board to reduce the continuing approval fees, by no more than 1/2 of the established fee, for a program that experiences a reduction in state funding that directly leads to a reduction in enrollment capacity. This bill would instead authorize the board to reduce the continuing approval fees in the above-described circumstances for a program that experiences a reduction in enrollment capacity that directly leads to a reduction in state funding. This bill would revise related provisions to require the board to require a program to provide documentation for purposes of issuing the fee reduction.



April 13, 2023

The Honorable Jim Wood, DDS
Chair, Assembly Health Committee
State Capitol
Sacramento, CA 95814

RE: AB 931 (Irwin), Prior Authorization: Physical Therapy: *Support Position*

Dear Assemblymember Wood,

The Physical Therapy Board of California (PTBC), at its March 2023 meeting, adopted a Support position on AB 931 (as introduced 2/14/2023), which 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.

The PTBC recognizes that AB 931 is an important patient care and access to care issue and prevents unnecessary review and administrative burden and allows for early access to medically necessary physical therapy treatment by allowing physical therapists to provide 12 visits before continued authorization is needed which is a great benefit to the consumer.

Many health plans/insurers and third-party administrators are using computer algorithms and automated systems for determining the care their beneficiaries may receive. These practices are inconsistent with community standards of care for symptoms and diagnoses presented by patients and can directly limit the numbers of visits patients may obtain. This creates barriers and challenges to patients by delaying access to medically necessary care and increases the administrative burden required to navigate prior authorization, unnecessary reviews and manage appeals. Unfortunately, these barriers can result in delays and stoppages in care for consumers and these delays in treatment can result in poorer outcomes for the patient and increased health care costs.

The PTBC is mandated by Business and Professions Code Section 2602.1 that PTBC's highest priority is to protect the public. The provisions outlined in AB 931 would greatly benefit California consumers and eliminate delays and provide timely access to care and prevent unnecessary administrative burden, therefore, we are in Support of AB 931.

If additional information is needed, please feel free to contact the Board's Legislative Manager, Brooke Arneson at (916) 561-8260.

Sincerely,

A handwritten signature in black ink, appearing to read "Tonia McMillian". The signature is fluid and cursive, with the first name "Tonia" written in a larger, more prominent script than the last name "McMillian".

Tonia McMillian
President, Physical Therapy Board of California

Cc:

The Honorable Assemblymember Irwin

Honorable Members, Assembly Health Committee

Jennifer Simoes, Deputy Director, Legislative Affairs, Deputy Director, Division of
Legislative Affairs, Department of Consumer Affairs



July 7, 2023

Honorable Senator Laird
1021 O Street, Suite 8720
Sacramento, CA 95814

RE: SB 544, Bagley-Keene Open Meeting Act: Teleconferencing – *Support Position*

Dear Senator Laird,

The Physical Therapy Board of California (PTBC) Board President, Tonia McMillian took an interim support position on SB 544 on the April 27, 2023, version of the bill.

The PTBC's mission is to advance and protect the interests of the people of California by the effective administration of the Physical Therapy Practice Act. If this bill is passed, the PTBC intends to adhere to its mandate to meet in-person at least once in Northern California and once in Southern California (BPC section 2611). During the PTBC's 2021 Sunset Review, the Board recommended amending BPC section 2611 to require the Board to provide online access in addition to its existing mandate of in-person Board meetings. The PTBC believes that requiring the use of an online platform, would increase consumer and stakeholder access and participation; and is more effective than a teleconference. This requirement is intended as an additional point of access, not as a replacement or in lieu of the existing mandate.

SB 544 amends the Bagley-Keene Open Meeting Act to allow meetings to be conducted remotely, while maintaining a method for greater public access. The PTBC believes this legislation will provide an option to meet remotely at any time and allow for an enhanced method for public participation. While the PTBC fully intends to continue to meet in-person for each meeting, the PTBC has found that meeting remotely in the last three years has provided opportunities for increased public access.

Thank you on behalf of the PTBC for your thoughtful consideration of this request. If additional information is needed, please feel free to contact the PTBC's Executive Officer, Jason Kaiser at (916) 561-8278.

Sincerely,

Tonia McMillian
President, Physical Therapy Board of California

Cc:

Assembly Member Miguel Santiago, Chair of the Governmental Organization Committee
Jennifer Simoes, Deputy Director, Division of Legislative Affairs, Department of
Consumer Affairs



Briefing Paper

Date: November 7, 2023

Agenda Item 23(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. [2023 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: https://oal.ca.gov/publications/notice_register/

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.

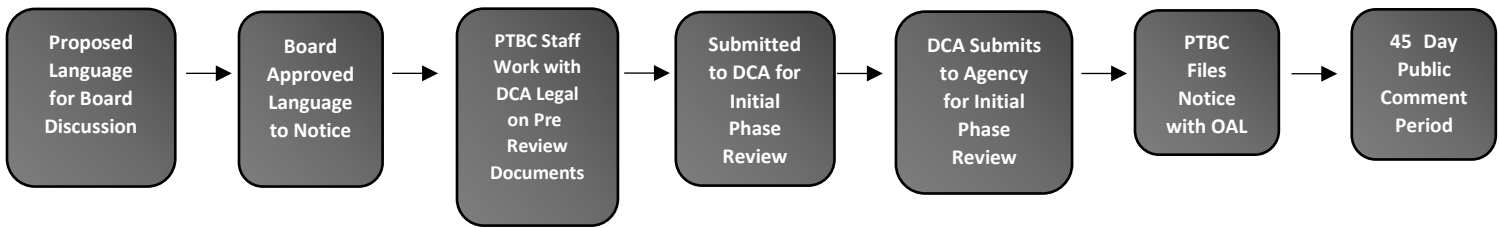
Action:

No action is requested on presentation of the rulemaking report.

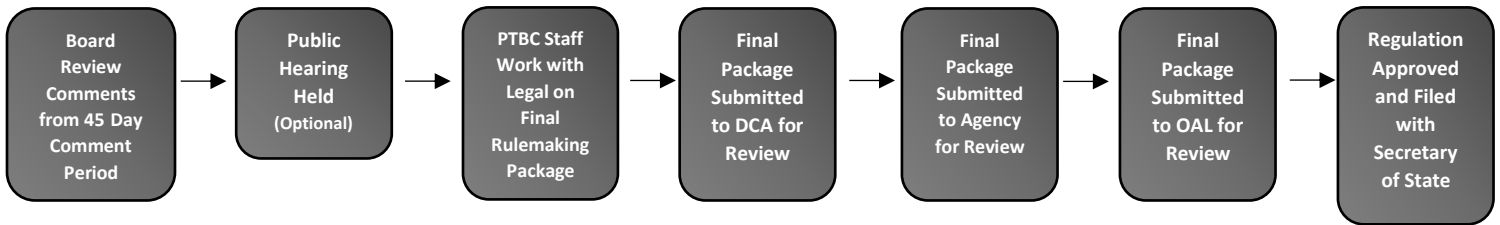
2023 Rulemaking Update

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 2023 Rulemaking Calendar that was adopted at the Board meeting on December 7, 2022. PTBC staff are in the process of researching and developing proposed language for consideration by the Board at a future meeting date.

Processing Times

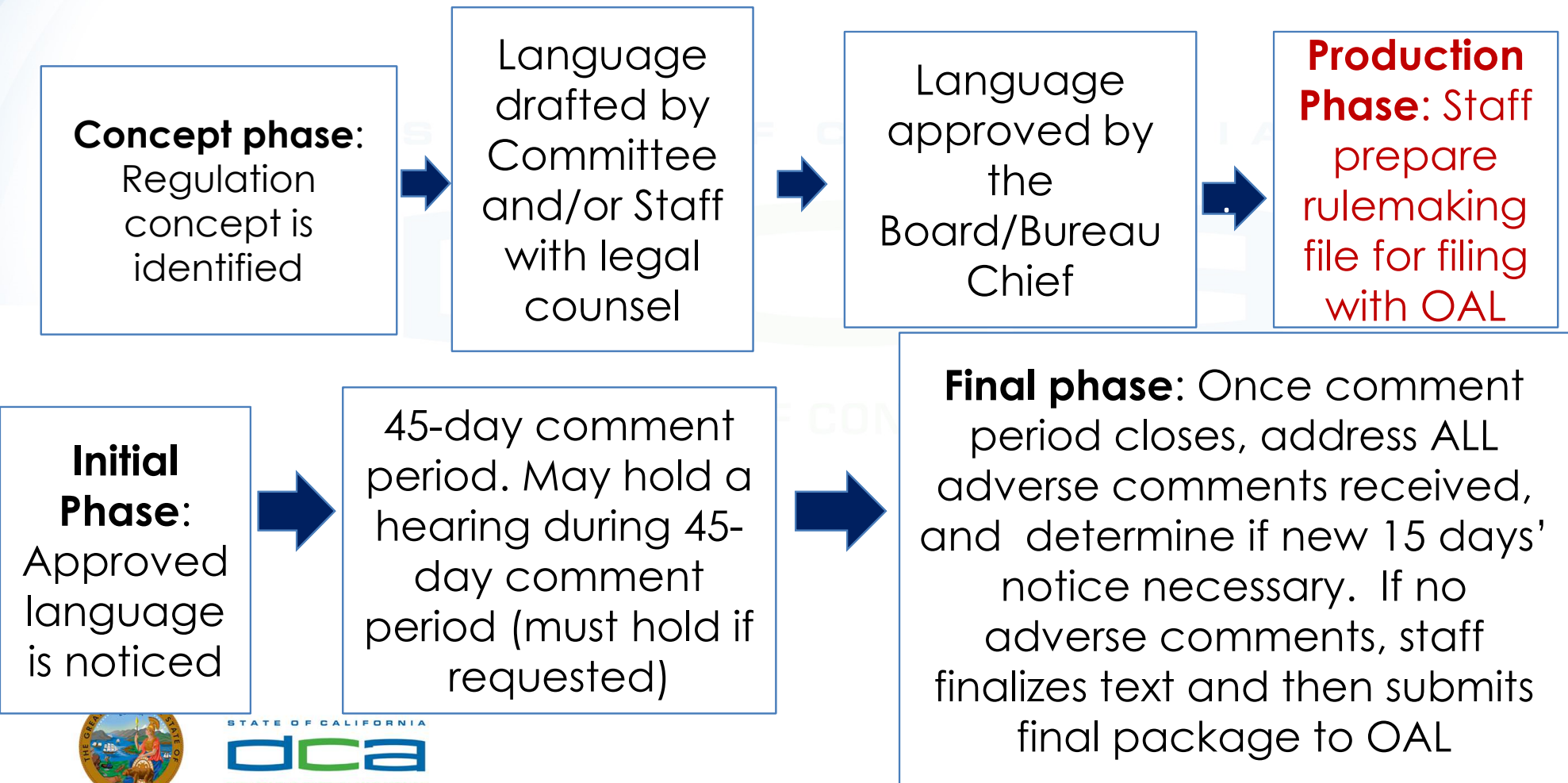
- A rulemaking file must be completed within one year of the publication date of the Notice of Proposed Action. The OAL issues the Notice File Number upon filing the Notice of Proposed Action.
- The DCA is allowed thirty calendar days to review the rulemaking file prior to submission to the Department 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 1 st – November 30 th	January 1 st
December 1 st – February 29 th	April 1 st
March 1 st – May 31 st	July 1 st
June 1 st – August 31 st	October 1 st

General Overview of Regulatory Process





Briefing Paper

Date: November 7, 2023

Agenda Item 24

Prepared for: PTBC Members

Prepared by: Brooke Arneson

Subject: 2024 Rulemaking Calendar

Purpose:

To introduce the proposed 2024 Rulemaking Calendar.

Attachments: 1. [Proposed 2024 Rulemaking Calendar](#)

Background:

Government Code (GC) § 11017.6 requires all agencies annually submit a calendar of anticipated regulatory changes and the timeframe in which they expect to submit those changes. This allows OAL to prepare for anticipated workload in the coming year. Therefore, at each November meeting, the Board adopts a proposed Rulemaking Calendar. 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: https://oal.ca.gov/publications/notice_register/

Board staff has been reviewing all regulations under Division 13.2 of Title 16 of the California Code of Regulations to identify regulations in need of amending or repealing. From this review, staff is proposing the attached rulemaking to be added to the 2024 Rulemaking Calendar.

Action Requested:

To adopt the 2024 Rulemaking Calendar as required by Government Code (GC) § 11017.6.

**DEPARTMENT OF CONSUMER AFFAIRS
Physical Therapy Board of California
2024 RULEMAKING CALENDAR**

**SCHEDULE A: NO PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED
DURING THE YEAR 2023**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR
TO THE YEAR 2023**

Subject: Continuing Competency

California Code of Regulations Title and Sections Affected:
16 CCR 1399.90 through 1399.99

Statute(s) Being Implemented:
Business and Professions Code section 2644 & 2649

Responsible Agency Unit: Administrative Services

Contact Person and Phone Number: Brooke Arneson (916) 561-8260

Projected Notice Publication Date: September 2024

Projected Public Hearing Date: None anticipated unless requested

Adoption by Your Agency Date: June 2024

Projected to OAL for Review Date: February 2025

NEXT

Subject: Continuing Competency Approval Agency Fees

California Code of Regulations Title and Sections Affected:
16 CCR 1399.90 through 1399.99

Statute(s) Being Implemented:
Business and Professions Code section 2644 & 2649

Responsible Agency Unit: Administrative Services

Contact Person and Phone Number: Brooke Arneson (916) 561-8260

Projected Notice Publication Date: December 2024

Projected Public Hearing Date: None anticipated unless requested

Adoption by Your Agency Date: September 2024

Projected to OAL for Review Date: May 2025

**Report on the Status of all Uncompleted Rulemaking Described on Previous
Calendars:**

The Physical Therapy Board of California has no uncompleted rulemaking during the previous calendar year to report.



Briefing Paper

Agenda Item 25

Date: 10/17/2023

Prepared for: PTBC Members

Prepared by: April Beauchamps

Subject: Outreach Report

Purpose: To provide PTBC's Outreach activities and statistics for FY 2022-23 (Q1).

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 analysis of those activities for the current fiscal year in comparison to the previous fiscal year. The website statistics and Social Media statistics are generated by PTBC staff on a quarterly basis: Jul-Sep (Q1), Oct-Dec (Q2), Jan-Mar (Q3) and Apr-Jun (Q4).

During this quarter (Q1) the PTBC had eight outreach events. PTBC provided Outreach school presentations to San Francisco State University on 7/19/2023, Pima Medical Institute on 7/20/2023, Samuel Merritt University on 7/25/2023, Mount Saint Mary's University on 8/23/2023, Mendocino College on 9/20/2023, California State University, Sacramento on 9/22/2023 and 9/29/2023, and Western University on 9/28/2023.

Analysis:

Website – The PTBC launched its new website on September 7, 2023. The PTBC had 163,510 web-hits through its web page tabs, resulting in a 14% increase over last fiscal year (Q1).

Social Media¹:

Facebook – The PTBC received 46 “likes” this quarter (Q1). In comparison to last fiscal year (Q1), there was also an increase of 100% in page visits and an increase 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 (Q1) PTBC had a 29% increase in page reach for Instagram and a 22% decrease in profile visits in comparison to last fiscal year (Q1).

Tik Tok – When looking at Tik Tok stats for FY 2023-24 (Q1), PTBC had a 166% increase in new video views/impressions compared to last fiscal year (Q1). There was also a 26% decrease in new followers compared to last fiscal year (Q1) and a 78% decrease in new likes compared to last fiscal year (Q1).

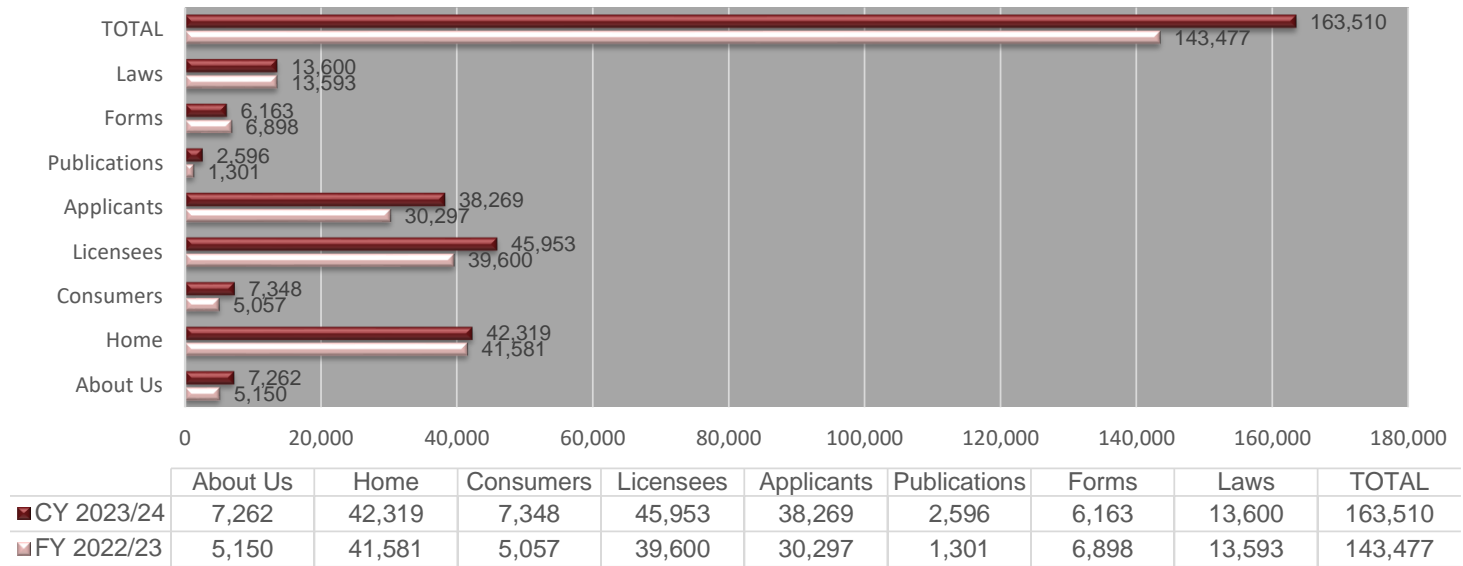
Twitter – When looking at Twitter stats for FY 2023-24, the PTBC had an increase of people reached by 34% and a 28% decrease of page engagements compared to last fiscal year (Q1). There was also a 38% increase of new followers compared to last fiscal year (Q1).

LinkedIn – When looking at LinkedIn stats for FY 2023-24 (Q1) the PTBC had a 31% increase in impressions compared to last fiscal year (Q1), a 469% increase in page visits compared to last fiscal year (Q1), and a 47% increase in engagements compared to last fiscal year (Q1).

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.

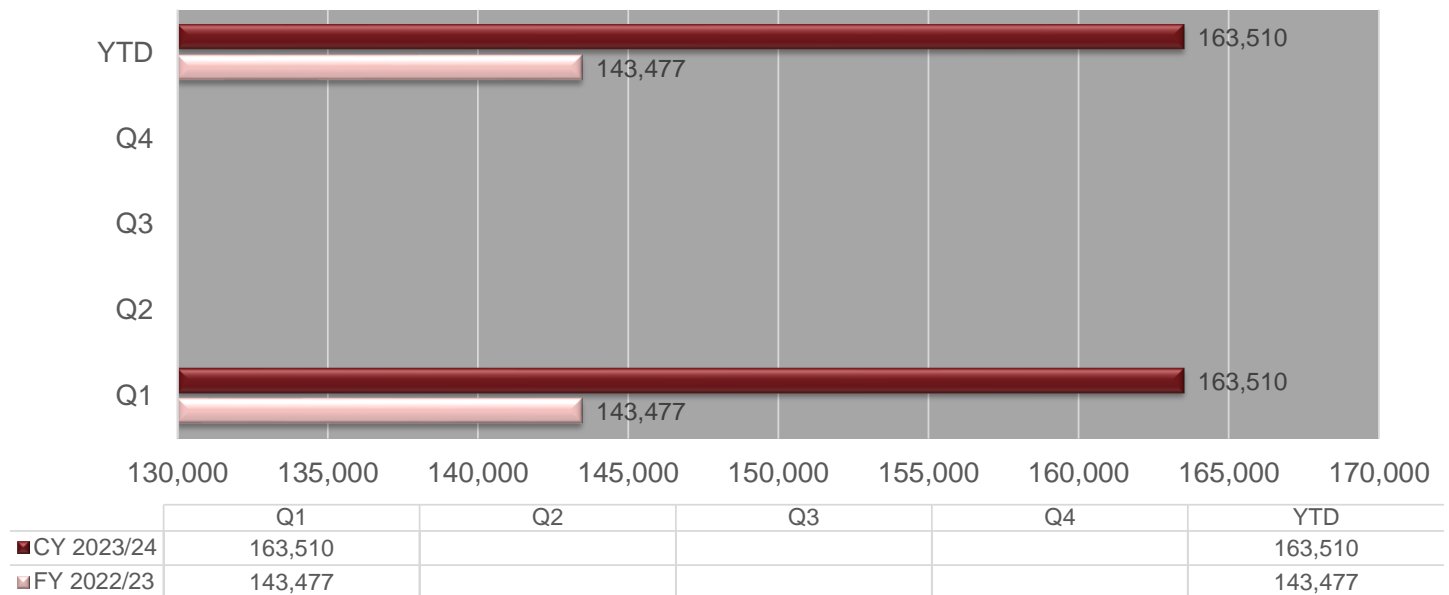
**Website Activity
Q1 (Jul - Sept)**



This chart reflects an 14% increase in traffic over last Q1 (FY 2022/23).

This chart also shows the Licensees tab was accessed the most and the publications tab had the least amount of access this Q1.

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



This chart reflects an 14% increase over last Q1, year-to-date.

Social Media Statistical Reports									
Facebook									
	FY 2022/23	Fiscal Year 2023/24						Year → Year Change	
	Q1	Q1	Q2	Q3	Q4	YTD	Q1		
Page Reach/Impressions	1,912	2,888				2,888	2,888	↑	34%
Page Visits	697	1,396				1,396	1,396	↑	100%
New Followers (Likes)	83	46				45	45	↓	-46%
Instagram									
	FY 2022/23	Fiscal Year 2023/24						Year → Year Change	
	Q1	Q1	Q2	Q3	Q4	YTD	Q1		
Page Reach/Impressions	409	526				526	526	↑	29%
Profile Visits	185	144				144	144	↓	-22%
Tik Tok									
	FY 2022/23	Fiscal Year 2023/24						Year → Year Change	
	Q1	Q1	Q2	Q3	Q4	YTD	Q1		
New Video Views (Impressions)	1,143	3,041				3,041	3,041	↑	166%
New Likes	50	11				11	11	↓	-78%
New Followers	19	14				14	14	↓	-26%
Twitter									
	FY 2022/23	Fiscal Year 2023/24						Year → Year Change	
	Q1	Q1	Q2	Q3	Q4	YTD	Q1		
Page Reach/Impressions	1,746	2,652				2,652	2,652	↑	34%
Page Engagements	53	38				38	38	↓	-28%
New Followers	8	11				11	11	↑	38%
LinkedIn									
	FY 2022/23	Fiscal Year 2023/24						Year → Year Change	
	Q1	Q1	Q2	Q3	Q4	YTD	Q1		
Page Reach/Impressions	937	1,232					1,232	↑	31%
Page Visits	16	91					91	↑	469%
Reactions to Content (Engagement)	15	22					22	↑	47%

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

Agenda Item 26(C)

Date: December 6, 2023

Prepared for: PTBC Members

Prepared by: Alicia Hernandez, Budget Analyst

Subject: Budget Report

Purpose: To provide an update on the PTBC's Budget activities and statistics for quarter one (Q1) for CY 2023-24.

Attachments: [1. Expenditure Report Q1 2023-24](#)
[2. Expenditure Measures Q1 2023-24](#)
[3. Revenue Report Q1 2023-24](#)
[4. Revenue Measures Report Q1 2023-24](#)

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).

CY 2023-24, according to the Governor's Budget, the PTBC is authorized \$7,253,000 which includes personnel services, operating expenses, and equipment, and 29.3 positions to support program requirements. The PTBC's Operating Expenses (PERS SVS/OE&E) budget for (CY 2023-24) has increased \$126,000 over previous fiscal year's budget allotment of \$7,127,000 (PY 2022-23).

The PTBC's fund is projected at 7.0 months reserve CY 2023-24, and 5.6 reserve BY 2024-25.

Analysis:

PTBC spent \$2,077,935 Q1 (CY23-24), an overall 4.9% decrease from previous fiscal year's Q1 expenditures of \$2,184,759 (PY22-23). The PTBC had a decrease of \$58,682 in Personnel services, \$126,751 decrease in General services, \$21,970 decrease in Departmental services, \$103,127 increase in Enforcement cost and \$2,548 increase in Scheduled Reimbursements.

PTBC collected \$2,062,640 during Q1 (FY23-24), an overall 8.11% or 154,792 increase over Q1 revenue of \$1,907,848 over previous fiscal year (FY22-23). The PTBC had a \$3,885 decrease in Other Regulatory fees, \$22,162 decrease in Initial Applications, \$239,700 increase in Renewals, \$1,921 decrease in Miscellaneous fees, \$2,548 increase in Scheduled Reimbursements, and \$59,298 decrease in Unscheduled Reimbursements.

Action Requested: No action requested.

Physical Therapy Board of California
Expenditure Statistics Report
CY 2023-24 (Q1)

Agenda Item 26(C) - Attachment 1

Expenditure Statistics Report

Budget Line Items	PY (2022-23)			CY (2023-24)				
	Authorized Budget	Q1 Jul-Sep	YTD (As of 09/30/22)	Authorized Budget	Q1 Jul Sep	YTD (As of 09/30/23)	Percent Budget Spent	Balance
PERSONNEL SERVICES								
Civil Services Permanent	1,861,000	436,329	436,329	1,959,000	445,510	445,510	23%	1,513,490
Statutory Exempt	77,000	30,475	30,475	77,000	29,930	29,930	39%	47,070
Temp help	0	50,299	50,299	0	50	50	-	(50)
Board Members	12,000	8,500	8,500	32,000	7,300	7,300	23%	24,700
Overtime	0	0	0	0	0	0	-	0
Staff Benefits	1,221,000	329,697	329,697	1,319,000	313,828	313,828	24%	1,005,172
TOTAL PERS SVS	3,171,000	855,300	855,300	3,387,000	796,618	796,618	24%	2,590,382
OPERATING EXPENSES & EQUIPMENT								
General Services Totals	621,000	223,303	223,303	679,000	96,552	96,552	14%	582,448
Fingerprints	99,000	5,194	5,194	69,000	3,528	3,528	5%	65,472
General Expense	7,000	2,867	2,867	17,000	7,352	7,352	43%	9,648
Minor Equipment	26,000	933	933	62,000	2,560	2,560	4%	59,440
Major Equipment	0	0	0	0	0	0	-	0
Printing	17,000	305	305	21,000	0	0	0%	21,000
Communications	17,000	655	655	21,000	633	633	3%	20,367
Postage	9,000	678	678	11,000	718	718	7%	10,282
Insurance	0	0	0	0	0	0	-	0
Travel in State	13,000	0	0	29,000	2,368	2,368	8%	26,632
Training	6,000	0	0	8,000	0	0	0%	8,000
Facilities Operations (Utilities/Leases)	261,000	59,670	59,670	275,000	62,012	62,012	23%	212,988
C&P SRVS Internal	12,000	133,819	133,819	12,000	0	0	0%	12,000
C&P SRVS External	154,000	19,182	19,182	154,000	17,381	17,381	11%	136,619
Departmental Services Totals	1,062,000	479,296	479,296	989,000	457,326	457,326	46%	531,674
Consumer Client Services - ProRata	991,000	479,000	479,000	910,000	455,000	455,000	50%	455,000
Interagency Services	37,000	3	3	37,000	2,326	2,326	6%	34,674
Consolidated Data Center	18,000	0	0	26,000	0	0	0%	26,000
Information Technology	16,000	293	293	16,000	0	0	0%	16,000
Exams Totals	0	0	0	0	0	0	-	0
Exam Admin External -FSBPT	0	0	0	0	0	0	-	0
Enforcement Totals	2,372,000	628,526	628,526	2,297,000	731,653	731,653	32%	1,565,347
Attorney General	794,000	0	0	794,000	79,534	79,534	10%	714,466
Office of Admin Hearings	110,000	0	0	110,000	0	0	0%	110,000
Evidence/Witness	100,000	10,538	10,538	100,000	5,220	5,220	5%	94,780
Court Reporters	0	488	488	0	399	399	-	(399)
DOI Investigation (ProRata)	1,368,000	617,500	617,500	1,293,000	646,500	646,500	50%	646,500
TOTAL OE & E	4,055,000	1,331,125	1,331,125	3,965,000	1,285,531	1,285,531	32%	2,679,469
Scheduled Reimbursements								
Fingerprints	-99,000	-1,666	-1,666	-99,000	4,214	4,214		
TOTALS, PERS SVS/OE&E	7,127,000	2,184,759	2,184,759	7,253,000	2,077,935	2,077,935	29%	5,269,851

*The PTBC is authorized to allocate \$99k of its revenues collected from scheduled/unscheduled reimbursements towards CY expenditures. Revenues over 99k are transferred/ deposited directly to fund (year-end).

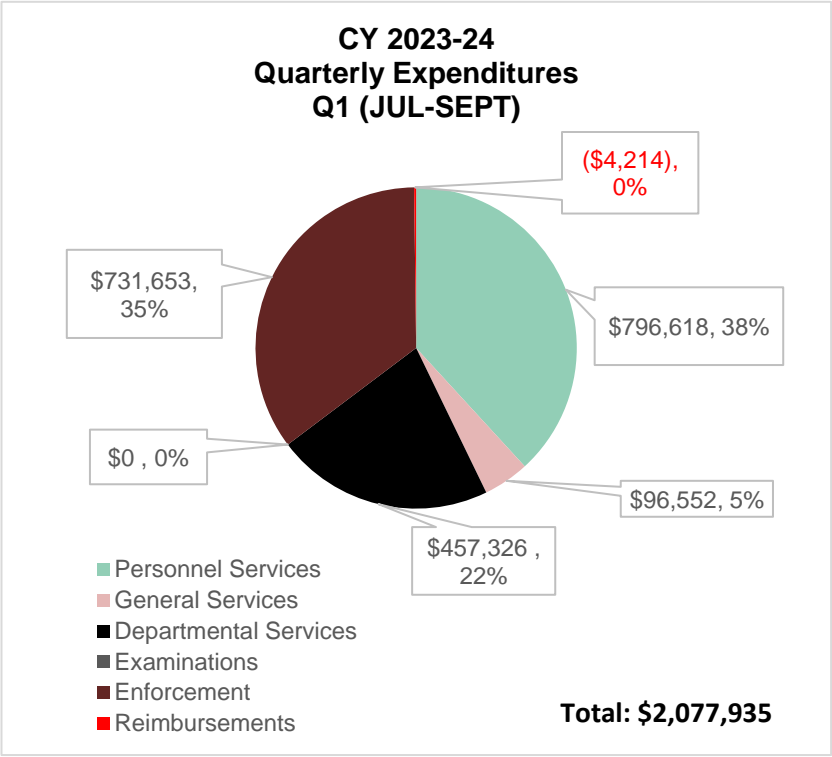
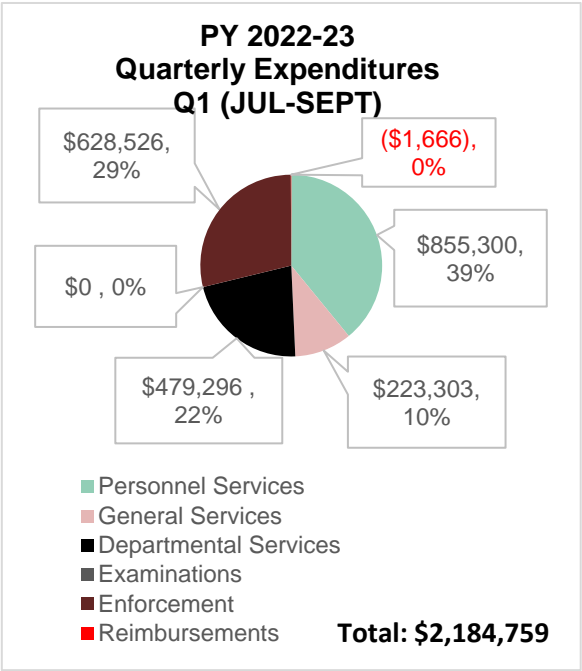


Chart reveals Personnel Services was the highest expenditure at \$796,618 or 38%, a \$58,682 or 6.86% decreased over previous fiscal year Q1.

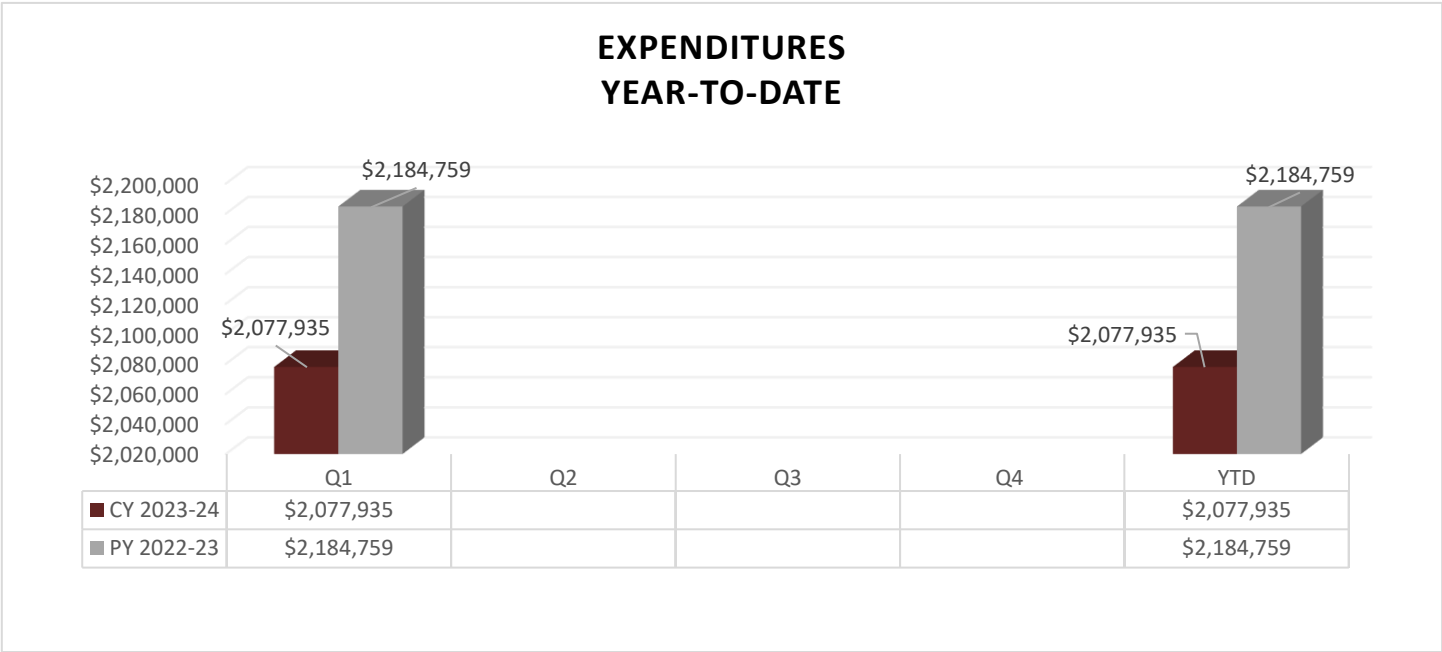


Chart reveals a \$106,824 or 4.9% decrease in Year-to-date expenditures over previous Year-to-date Q1.

**Physical Therapy Board of California
Budget Revenue Statistics Report
CY 2023-24 (Q1)**

Agenda Item 26(C) - Attachment 3

Revenue Statistics Report				
Revenue Line Items	PY 2022 23		CY 2023 24	
	Q1 Jul - Sep	YTD As of 9/30/2022	Q1 Jul -Sep	YTD As of 09/30/2023
OTHER REGULATORY				
Cite and Fine (Citations)	\$ 7,775	\$ 7,775	\$ 4,850	\$ 4,850
Endorsement (License Verification)	\$ 20,760	\$ 20,760	\$ 17,100	\$ 17,100
Duplicate License / Certificate	\$ 3,800	\$ 3,800	\$ 3,800	\$ 3,800
Retired License App PT	\$ -	\$ -	\$ 2,200	\$ 2,200
Retired License App PTA	\$ -	\$ -	\$ 500	\$ 500
TOTALS	\$ 32,335	\$ 32,335	\$ 28,450	\$ 28,450
INITIAL APPLICATION & LICENSE				
ENMG Exam Fee	\$ -	\$ -	\$ -	\$ -
ENMG Application Fee	\$ -	\$ -	\$ -	\$ -
KEMG Exam Fee	\$ -	\$ -	\$ -	\$ -
KEMG Application Fee	\$ -	\$ -	\$ -	\$ -
PTA Application & Initial License Fee	\$ 67,800	\$ 67,800	\$ 52,800	\$ 52,800
FPTA Application & Initial License Fee	\$ 3,600	\$ 3,600	\$ 5,400	\$ 5,400
PT Application Fee	\$ 160,800	\$ 160,800	\$ 156,300	\$ 156,300
PT Initial License Fee	\$ 89,749	\$ 89,749	\$ 84,646	\$ 84,646
FPT Application Fee	\$ 14,449	\$ 14,449	\$ 12,049	\$ 12,049
<i>Refunded Reimbursements</i>	\$ -	\$ -	\$ -	\$ -
<i>Overt/Short Fees</i>	\$ -	\$ -	\$ -	\$ -
<i>Suspended Revenue</i>	\$ 2,404	\$ 2,404	\$ 5,200	\$ 5,200
<i>Prior Year Revenue Adjustment</i>	\$ (4,753)	\$ (4,753)	\$ (4,508)	\$ (4,508)
TOTALS	\$ 334,049	\$ 334,049	\$ 311,887	\$ 311,887
LICENSE RENEWAL				
PTA Renewal Fee	\$ 333,450	\$ 333,450	\$ 370,650	\$ 370,650
PT Renewal Fee	\$ 1,120,800	\$ 1,120,800	\$ 1,323,250	\$ 1,323,250
ENMG Renewal Fee	\$ -	\$ -	\$ 150	\$ 150
KEMG Renewal Fee	\$ 150	\$ 150	\$ 50	\$ 50
<i>Automated Revenue Refund Claim</i>	\$ -	\$ -	\$ -	\$ -
<i>Overt/Short Fees</i>	\$ -	\$ -	\$ -	\$ -
TOTALS	\$ 1,454,400	\$ 1,454,400	\$ 1,694,100	\$ 1,694,100
DELINQUENT LICENSE RENEWAL				
PTA Delinquent Fee	\$ 3,300	\$ 3,300	\$ 2,850	\$ 2,850
PT Delinquent Fee	\$ 9,000	\$ 9,000	\$ 9,300	\$ 9,300
ENMG Delinquent Fee	\$ -	\$ -	\$ -	\$ -
KEMG Delinquent Fee	\$ -	\$ -	\$ -	\$ -
TOTALS	\$ 12,300	\$ 12,300	\$ 12,150	\$ 12,150
MISCELLANEOUS				
Public Sales	\$ -	\$ -	\$ -	\$ -
Surplus Money Investments	\$ -	\$ -	\$ -	\$ -
Attorney General Proceeds	\$ -	\$ -	\$ -	\$ -
Unclaimed/Cancelled Warrants	\$ 2,708	\$ 2,708	\$ 747	\$ 747
Misc Revenue	\$ -	\$ -	\$ -	\$ -
Dishonored Check Fees	\$ -	\$ -	\$ -	\$ -
TOTALS	\$ 2,708	\$ 2,708	\$ 747	\$ 747
SCHEDULED REIMBURSEMENTS				
Fingerprint Reports	\$ 1,666	\$ 1,666	\$ 4,214	\$ 4,214
External/Private/Grant	\$ -	\$ -	\$ -	\$ -
TOTALS	\$ 1,666	\$ 1,666	\$ 4,214	\$ 4,214
UNSCHEDULED REIMBURSEMENTS				
Cost Recovery - Investigations	\$ 66,640	\$ 66,640	\$ 7,492	\$ 7,492
Cost Recovery - Probation Monitoring	\$ 3,750	\$ 3,750	\$ 3,600	\$ 3,600
TOTALS	\$ 70,390	\$ 70,390	\$ 11,092	\$ 11,092
TOTAL REVENUES	\$ 1,907,848	\$ 1,907,848	\$ 2,062,640	\$ 2,062,640

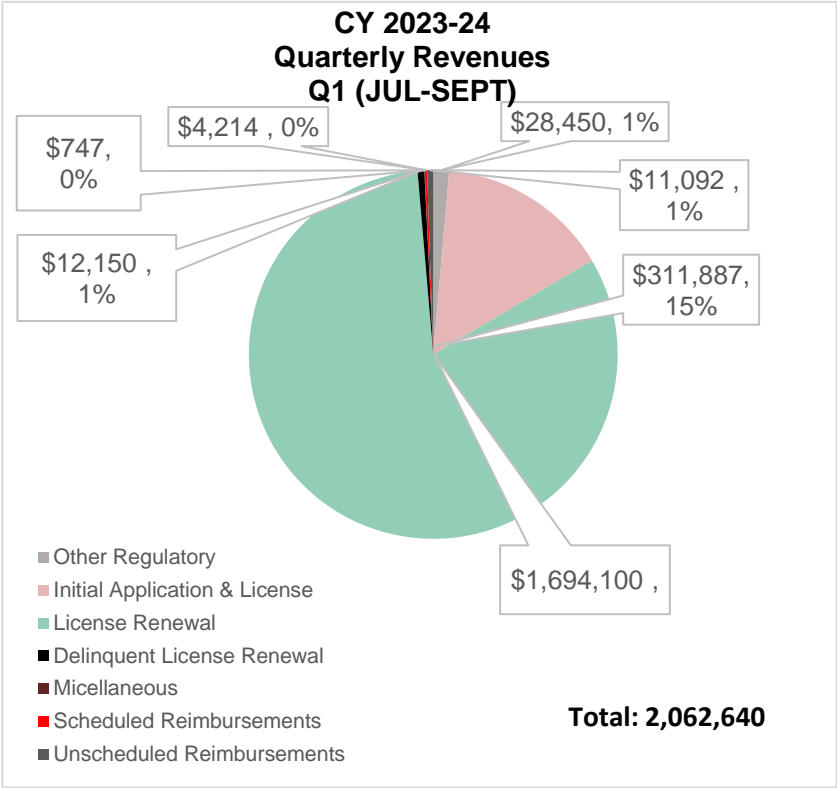
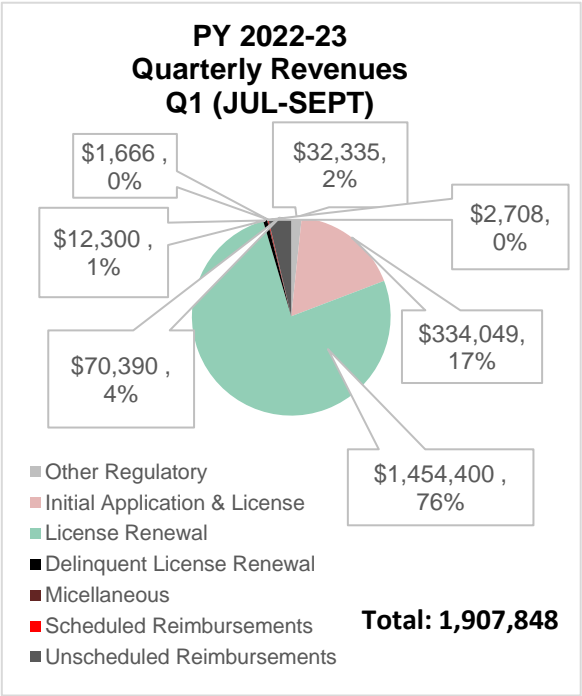


Chart reveals license renewals was the highest revenue collected at \$1,694,100 or 82%, a \$239,700 or 16.48% increase in revenues over previous year Q1 .

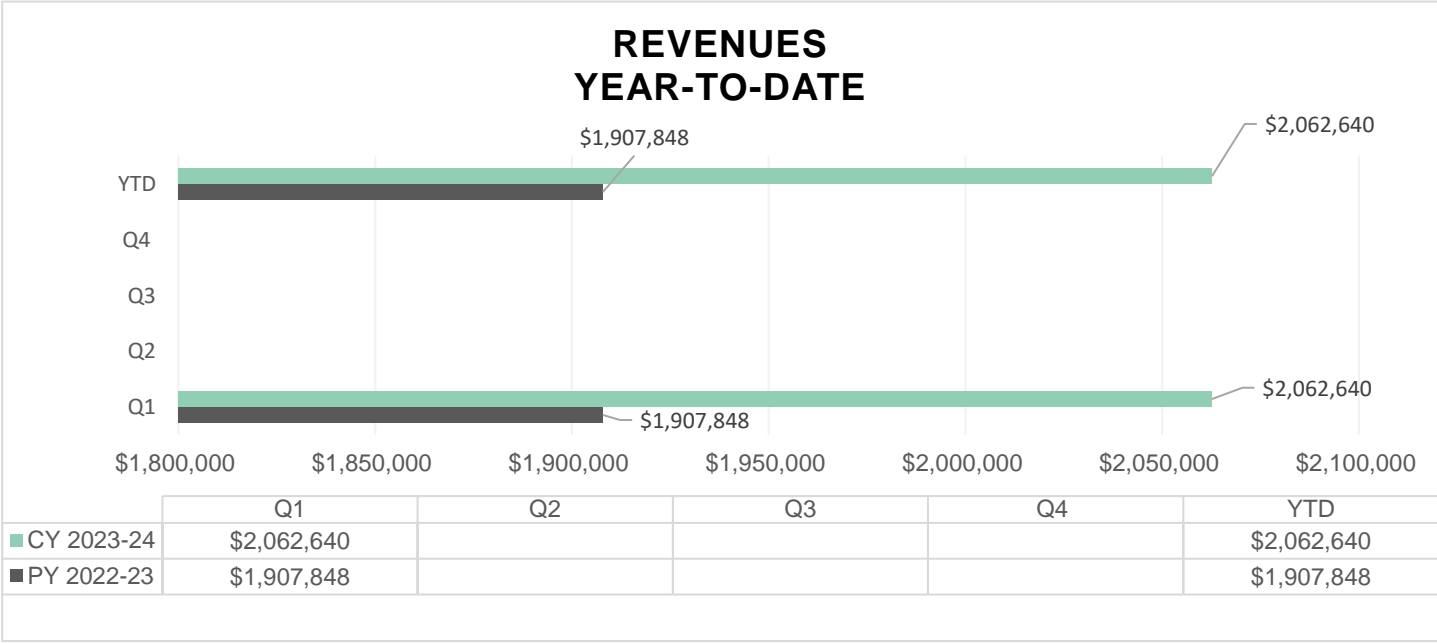


Chart reveals a year-to-date increase of \$154,792 or 8.11% in revenues over previous fiscal year.



Briefing

Agenda Item 27

Date: 11/2023

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:

1. Initial License Application Statistics
2. License Application Processing Times
3. Examination Statistics
4. License Maintenance Statistics
5. Continuing Competency Licensee Audit Statistics

Data Format:

The reports display 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. For end-of-year (fiscal year) reporting.

Licensing Services Update:

The Applications unit is recruiting for the Physical Therapist Assistant (PTA) Applications Analyst position. Paul Row, the Endorsement and Military Applications Analyst has overseen PTA new graduate applications for the past year and a half. Paul has done an outstanding job handling the increased workload of PTA applications to his assigned duties.

Application Services Statistics indicate that all application types received Q1 2023/24 were down compared to Q1 of the previous year. Non-CAPTE-Accredited PTA applications were the exception which saw a slight increase. Licenses issued for PTAs also increased by 29% for a total of 50 new PTA licenses issued in Q1 this fiscal year over those issued in Q1 of FY 2022/23. And more PTAs (64 additional) sat for the National Physical Therapist Assistant Exam (NPTAE) in Q1 of FY2023/24 than the same quarter last year with an improved pass rate of 74% over 67% for Q1 FY2022/23.

License Maintenance continues to improve processing times for license verification requests which are issued in-house after the licensee requests the verification through their Breeze account. The processing time for Name Changes increased by one day but this transaction is dependent upon the licensee submitting required documents verifying the name change.

Continuing Competency licensee audits are ongoing but the number of licensees audited is fewer than Q1 of the previous year due to the vacancy of a full-time position. Recruitment for the position will begin in early 2024. Audits of the 128 Approval Agencies proceed satisfactorily.

Application Services Data Summary:

Endorsement	33%
Exam	67%
U.S. Education	93%
Foreign Educated	7%
Military	3%

License Maintenance Data Summary:

Current PT & PTA	38,439	81%*
Current PT	29,829	
Current PTA	8,610	
Inactive PT & PTA	1,643	3%*
Delinquent PT & PTA	6,641	14%*
Retired PT & PTA	515	1%*

*Percent of total renewable licenses

Continuing Competency Data Summary:

PT Pass Rate	91%
PTA Pass Rate	61%
Overall Pass Rate	82%

Action Requested:

None.

Application Services Statistics Report

Licenses Issued

	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	681	665				665	-2%
Physical Therapist Assistant (PTA)	179	229				229	28%
Total	860	894				894	4%

Total Applications Received

	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	580	563				563	-3%
Physical Therapist Assistant (PTA)	223	163				163	-27%
Total	803	726				726	-10%

U.S. Educated Applications Received

	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	534	520				520	-3%
Physical Therapist Assistant (PTA)	211	146				146	-31%
Total	745	666				666	-11%

Foreign Educated Applications Received

	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	46	43				43	-7%
Physical Therapist Assistant (PTA)	12	17				17	42%
Total	58	60				60	3%

Endorsement Applications Received

	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	198	187				187	-6%
Physical Therapist Assistant (PTA)	44	24				24	-45%
Total	242	211				211	-13%

Military Applications Received

	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	16	13				13	-19%
Physical Therapist Assistant (PTA)	10	8				8	-20%
Total	26	21				21	-19%

Total Applications Processing Times							
	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	24	33	0	0	0	33	37%
Physical Therapist Assistant (PTA)	32	35	0	0	0	35	7%
Total	26	33	0	0	0	33	29%

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

U.S. Educated Applications Processing Times							
	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	23	32	0	0	0	32	35%
Physical Therapist Assistant (PTA)	32	34	0	0	0	34	8%
Total	25	33	0	0	0	33	28%

Foreign Educated Applications Processing Times							
	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	43	51	0	0	0	51	20%
Physical Therapist Assistant (PTA)	44	40	0	0	0	40	-10%
Total	43	49	0	0	0	49	14%

Endorsement Applications Processing Times							
	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	15	13	0	0	0	13	-14%
Physical Therapist Assistant (PTA)	14	11	0	0	0	11	-20%
Total	15	13	0	0	0	13	-14%

Military Applications Processing Times							
	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	12	8	0	0	0	8	-32%
Physical Therapist Assistant (PTA)	18	8	0	0	0	8	-54%
Total	13	8	0	0	0	8	-38%

Application Services Report - Examination Statistics

National PT and PTA Examination - California Statistics

Accredited PT Program

	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	483				483	476				476	↓ -1%
Fail	76				76	106				106	↑ 39%
Total	559				559	582				582	↑ 4%
Pass Rate	86%				86%	82%				82%	↓ -5%

Non-Accredited PT Program

	Fiscal Year 2021/22					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	10				10	8				8	↓ -20%
Fail	14				14	15				15	↑ 7%
Total	24				24	23				23	↓ -4%
Pass Rate	42%				42%	35%				35%	↓ -18%

Accredited PTA Program

	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	134				134	199				199	↑ 49%
Fail	66				66	71				71	↑ 8%
Total	200				200	270				270	↑ 35%
Pass Rate	67%				67%	74%				74%	↑ 10%

Non-Accredited PTA Program

	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	6				6	5				5	↓ -17%
Fail	4				4	3				3	↓ -25%
Total	10				10	8				8	↓ -20%
Pass Rate	60%				60%	63%				63%	↑ 5%

California Law Examination (CLE)

Accredited Program

	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	741				741	752				752	↑ 1%
Fail	173				173	210				210	↑ 21%
Total	914				914	962				962	↑ 5%
Pass Rate	81%				81%	78%				78%	↓ -4%

Non-Accredited Program											
	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	40				40	41				41	↑ 3%
Fail	31				31	27				27	↓ -13%
Total	61				61	68				68	↑ 11%
Pass Rate	66%				66%	60%				60%	↓ -10%

National PT and PTA Examination - National Statistics											
Accredited PT Program											
	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	4,970				4,970	4,934				4,934	↓ -1%
Fail	983				983	1,214				1,214	↑ 23%
Total	5,952				5,952	6,148				6,148	↑ 3%
Pass Rate	84%				84%	80%				80%	↓ -5%

Non-Accredited PT Program											
	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	233				233	223				223	↓ -4%
Fail	339				339	498				498	↑ 47%
Total	572				572	721				721	↑ 26%
Pass Rate	41%				41%	31%				31%	↓ -28%

Accredited PTA Program											
	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	2,391				2,391	2,429				2,429	↑ 2%
Fail	809				809	767				767	↓ -5%
Total	3,200				3,200	3,196				3,196	↓ 0%
Pass Rate	75%				75%	76%				76%	↑ 1%

Non-Accredited PTA Program											
	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	51				51	89				89	↑ 75%
Fail	34				34	37				37	↑ 9%
Total	85				85	126				126	↑ 48%
Pass Rate	60%				60%	71%				71%	↑ 17%

Jurisprudence Examination - National Statistics											
Accredited Program											
	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	1,831				1,831	1,796				1,796	↓ -2%
Fail	432				432	443				443	↑ 3%
Total	2,263				2,263	2,239				2,239	↓ -1%
Pass Rate	81%				81%	80%				80%	↓ -1%

Non-Accredited Program											
	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	
Pass	85				85	69				69	↓ -19%
Fail	38				38	40				40	↑ 5%
Total	123				123	109				109	↓ -11%
Pass Rate	69%				69%	63%				63%	↓ -9%

License Maintenance Statistics Report

License Status Count

	Fiscal Year 2023/24				
	Current	Inactive	Delinquent	Retired	Cancelled
Physical Therapist (PT)	29829	1303	5085	406	15560
Physical Therapist Assistant (PTA)	8610	343	1556	109	4072
Total	38439	1643	6641	515	19632

Renewals Received

	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Physical Therapist (PT)	3,536	3,747				3,747	6%
Physical Therapist Assistant (PTA)	1,079	1,101				1,101	2%
Total	4,615	4,848				4,848	5%

Other License Maintenance Requests Received

	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Address Changes	1,086	898				898	-17%
Duplicates <i>(PT Wall Certificates)</i>	77	74				74	-4%
License Verifications	320	273				273	-15%
Name Changes	127	125				125	-2%

License Maintenance Requests Processing Times

	FY 2022/23	Fiscal Year 2023/24					Year to Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Address Changes	0	0				0	0%
Duplicates <i>(PT Wall Certificates)</i>	0	0				0	0%
License Verifications	8	6				6	-21%
Name Changes	2	3				3	59%
Renewals	3	2				2	-22%

* 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 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD through Q4	Q1	Q2	Q3	Q4	YTD through Q4	
Pass	118				118	40				40	↓ -34%
Fail	12				12	4				4	↓ 33%
Pending	0				0	0				0	→ 0%
Total	130				130	44				44	↓ -34%
Pass Rate	91%				91%	91%				91%	→ 0%

➡ Physical Therapist Assistant

	Fiscal Year 2022/23					Fiscal Year 2023/24					Year → Year Change
	Q1	Q2	Q3	Q4	YTD through Q4	Q1	Q2	Q3	Q4	YTD through Q4	
Pass	30				30	11				11	↓ -37%
Fail	5				5	7				7	↑ 71%
Pending	0				0	0				0	→ 0%
Total	35				35	18				18	↓ -51%
Pass Rate	86%				86%	61%				61%	↓ -34%

Approval Agencies and Courses

Approval Agencies	128



Briefing Paper

Agenda Item 28

Date: November 1, 2023

Prepared for: PTBC Members

Prepared by: Carole Phelps, Enforcement Manager

Subject: Consumer Protection Services (CPS) Program

Purpose: Update on Consumer Protection Services Program
FY 2023/24, Quarter 1

Attachments: [A. CPS Statistics Report for FY 2023/24, Q1](#)
[B. Disciplinary Summary](#)

Update:

Effective July 1, 2023, the CPS Program filled one of our vacant analyst positions and welcomed Angel Ottley to our team. Ms. Ottley came to us from the Board's Continuing Competency Unit, and now conducts desk investigations of consumer complaints. As a result, we have been able to alleviate the workload of the other enforcement analysts who have been taking on additional cases due to vacancies since the beginning of the year.

As of the writing of this report, we are actively working to fill the remaining vacant analyst position and hope to have it filled well before the end of the year. This will further decrease the individual analysts' caseload to a more sustainable level. CPS staff have continued to be flexible in taking on the additional workload to help support each other and the CPS Program as a whole.

Working together with other Board staff, we successfully updated the Board's website where we now provide consumer protection-related resources and information on our Consumers page and on our Enforcement page. While the Consumers page still contains information on filing complaints, the link to conduct a license search, and answers to consumers' frequently asked questions, the Enforcement page now provides easy access to the Board's Performance Measures, Disciplinary Guidelines, information on the Probation Monitoring Program, Expert Consultant Program, and other information specific to the Board's enforcement actions.

[Attachment A: CPS Statistics Report for FY 2022/23](#)

Performance Measure 1 (Complaint Intake) shows that the number of complaints received this quarter has increased by 34% over last fiscal year, with a total of 160 complaint received.

PTBC's average for Performance Measure 2 (Complaint Intake) remains 3 days, coming well under the target of 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.

Performance Measures 3 shows the average case age in days for all cases that did not result in a referral to the Attorney General's Office for formal discipline. The average case age went down 27% in comparison to 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. Our target for this performance measure is 180 days, so with the current average cycle time of 122 days, we are meeting this target this quarter.

Note also that 81% of completed investigations, or 103 cases, aged 180 days or less this quarter (72 cases were completed within 90 days, and another 31 cases were completed within 180 days)

Performance Measure 4 captures the average case age in days for cases that were referred to the Attorney General's Office for formal discipline. The average age of 552 days is lower compared to last fiscal year and is currently just over the target of 540 days.

Although pandemic-related issues are no longer causing lengthy delays, the statistics reported here may still reflect higher processing times as we finalize cases that experienced pandemic-related delays earlier in their investigation process.

Attachment B: Disciplinary Summary

Disciplinary Summary of all formal discipline issued for Q1 of FY 2023-24. 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 2022/23	Fiscal Year 2023/24					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
PM1: Complaints Received	83	106				106	↑ 28%
PM1: Convictions/Arrest Received	36	54				54	↑ 50%
PM1: Total Received	119	160				160	↑ 34%

Intake

Target: 9 Days	FY 2022/23	Fiscal Year 2023/24					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
PM2: Intake/Avg. Days	3	3				3	→ 0%

Investigations

Target: 180 Days	FY 2022/23	Fiscal Year 2023/24					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
PM3: Cycle Time-Investigation	167	122				122	↓ -27%
PM3a: Intake Only	4	4				4	→ 0%
PM3b: Investigation Only	161	116				116	↓ -28%
PM3c: Post Investigation Only	2	2				2	→ 0%

Investigations Aging

	FY 2022/23	Fiscal Year 2023/24					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Up to 90 Days	54%	72				57%	↑ 3%
91 - 180 Days	16%	31				24%	↑ 8%
181 Days - 1 Year (364)	15%	10				8%	↓ -7%
1 to 2 Years (365-730)	9%	12				9%	↑ 0%
2 to 3 Years (731- 1092)	3%	1				1%	↓ -2%
Over 3 Years (1093 +)	3%	1				1%	↓ -2%

Citations

	FY 2022/23	Fiscal Year 2023/24					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Final Citations	11	10				10	↓ -9%
Average Days to Close	437	166				166	↓ -62%

Transmittals to Attorney General (AG)

Target: 540 Days	FY 2022/23	Fiscal Year 2023/24					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
PM4: AG Cases	837	552				552	↓ -34%
PM4a: Intake Only	3	1				1	↓ -67%
PM4b: Investigation Only	455	300				300	↓ -34%
PM4c: Pre-AG Transmittal	2	1				1	↓ -50%

PM4d: Post-AG Transmittal	378	249				249	↓ -34%
	FY 2022/23	Fiscal Year 2023/24					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
AG Cases Initiated	13	7				7	↓ -46%
AG Cases Pending	39	41				41	↑ 5%
SOIs Filed	0	0				0	#DIV/0!
Accusations Filed	5	3				3	↓ -40%

AG Transmittals							
	FY 2022/23	Fiscal Year 2023/24					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Total Closed After Transmission	14	11				11	↓ -21%
Total Average Days to Complete	841	551				551.0	↓ -34%

Total Orders Aging/Final Decision							
	FY 2022/23	Fiscal Year 2023/24					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Up to 90 Days	0%	0				0%	⇒ 0%
91 - 180 Days	0%	0				0%	⇒ 0%
181 Days - 1 Year (364)	7%	4				36%	↑ 29%
1 to 2 Years (365-730)	50%	5				45%	↓ -5%
2 to 3 Years (731- 1092)	21%	1				9%	↓ -12%
Over 3 Years (1093 +)	21%	1				9%	↓ -12%

Other Legal Actions							
	FY 2022/23	Fiscal Year 2023/24					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Interim Suspension or PC 23 Ordered	1	0				0	↓ -1

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 withdrawals, 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 2023-2024 / Quarter 1**

The following is a list of disciplinary actions taken by the Physical Therapy Board of California for the months of July 2023 through September 2023. 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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July 2023

HOLLENBECK, JUDITH REBEKAH PTA 48382

Violations: Failure to cooperate and participate in board investigation; Prescribing or administering to self, use of dangerous drugs or alcohol; Conviction of a crime; Violating the PT Practice Act or Medical Practice Act; Failure to report disciplinary or criminal action to the board; Unprofessional Conduct; Habitual intemperance. Order Effective 07/26/2023, Stipulated Disciplinary Surrender

AVILA, ABRAHAM PT 298657

Violations: Conviction of a crime; Violating the PT Practice Act or Medical Practice Act; Unprofessional Conduct; Habitual intemperance; Prescribing or administering to self, use of dangerous drugs or alcohol. Order Effective 07/26/2023, 5 years' Probation

August 2023

CHATWIN, DAN E PT 6128

Violations: Aiding or abetting any person to engage in the unlawful practice of physical therapy; Failure to maintain adequate and accurate patient records; Patient record documentation requirements; Gross negligence or repeated acts of negligence; Aiding, abetting, or permitting a PTA or Aide to perform PT services beyond their level of education, training, or experience; Charging a fee for services not performed; Requirements for use of Aides. Order Effective 8/4/2023, Stipulated Disciplinary Surrender

GJERTSEN, BRUCE AXEL PT 5937

Violations: Patient record documentation requirements; Requirements for use of Aides; Failure to maintain adequate and accurate patient records; Gross negligence or repeated acts of negligence. Order Effective 8/10/2023, Stipulated Disciplinary Surrender

September 2023

WALKER, DAVID PAUL PTA 11155

Violations: Violating the PT Practice Act or Medical Practice Act, Conviction of a crime. Order Effective 09/18/2023, Revocation

JOHNSON-EGERTSON, STEVEN DENNIS PT 14805

Violations: Conviction of a crime; Failure to report disciplinary or criminal action to the board; Habitual intemperance; Prescribing or administering to self, use of dangerous drugs or alcohol. Order Effective 09/20/2023, Revocation

Glossary of Disciplinary Terms

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B & P Code – Business and Professions Code
CCR – California Code of Regulations, Title 16

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

Decision: The Order issued by the Board in a disciplinary action.

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.

Public Reproval: A formal public reproval, pursuant to B&P Code, section 495, may be issued for an act constituting grounds for suspension or revocation of a license. This requires filing of a formal accusation. A public reproval is considered disciplinary action.

Revoked: The license is revoked as a result of disciplinary action rendered by the Board, and the licensee is prohibited from engaging in the practice, or assisting in the provision, of physical therapy.

Revoked, Stayed, Probation: "Stayed" means the revocation is postponed, put off. Professional practice may continue so long as the licensee complies with specific probationary terms and conditions. Violation of probation may result in the revocation that was postponed.

Statement of Issues: 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 29

Date: November 3, 2023
Prepared for: PTBC Members
Prepared by: Monny Martin, PTBC Probation Monitor
Subject: Probation Monitoring Program

Purpose: Update on Probation Monitoring Program for Quarter 1 – FY 2023 - 2024

Attachments: [A. Statistical Report](#)

Background:

This is a report on the Board's Probation Monitoring Program for Quarter 1 of FY 2023-2024. Please refer to attachment (1) which contains the probation statistics for Quarter 1 - FY 2023-2024.

Analysis:

At the end of the first quarter of FY 2023-2024 there were a total of seventy-seven (77) licensees on probation for various causes. Besides the fifty-nine (59) licensees on probation and actively working in the state of California, there were an additional nine (9) out of state probationers tolling (not receiving credit toward completion of probation), and nine (9) in-state probationers tolling due to unemployment or underemployment. One (1) licensee was placed on probation in the quarter, and one (1) licensee completed probation in the quarter.

Of the fifty-nine (59) licensees that are not tolling, nine (9) are enrolled and participating in the Board's Substance Abuse Rehabilitation Program (Maximus), equaling about 15% of all licensees on probation that weren't tolling. One (1) licensee enrolled in Maximus in the quarter and zero (0) licensees completed the program.

There were zero (0) instances of major Non-Compliance with probation in the quarter. However, there were four (4) instances of minor violations which were handled by sending warning letters to the offending licensees.

There were no other changes to the Probation Monitoring Program for the first quarter.

Action Requested: No Action Required.

Probation Statistics Report

Probation							
	FY 2022/23	Fiscal Year 2023/2024					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Entered Probationer	4	1				1	↓ -75%
Completed Probation/Ended (Writ)	1	1				1	→ 0%
Probation Terminated (Revocation/Stip Su	0	1				1	↑ 100%
Non-Compliant w/Probation	1	4				4	↑ 300%
Tolling (Out of State)	10	9				9	↓ -10%
Tolling (In State) (Previously N/A)	N/A	9				9	N/A
Surrenders (Voluntary)	0	0				0	→ 0%
Total Probationers	75	77				77	↑ 3%

Maximus							
	FY 2022/23	Fiscal Year 2023/2024					Year → Year Change
	YTD	Q1	Q2	Q3	Q4	YTD	
Entered Maximus	1	1				1	→ 0%
Completed Maximus	0	0				0	→ 0%
Total Maximus Participants	9	9				9	→ 0%
Determined To Be Clinically Inappropriate	0	0				0	→ 0%
Terminated - Public Risk	1	0				0	↓ -100%
Terminated - Failure to Receive Benefit	0	0				0	→ 0%
Withdrawn (Expense) - Post-Dec	0	0				0	→ 0%
Withdrawn (Left State) - Post-Dec	0	0				0	→ 0%
Withdrawn - Pre-Dec	0	0				0	→ 0%
Withdrawn - Voluntary	0	0				0	→ 0%