



Physical Therapy Board of California

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY - GOVERNOR EDMUND G. BROWN JR.

Physical Therapy Board of California

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Board Members

President

Alicia Rabena-Amen, PT, DPT

Vice-President

TJ Watkins

Members

Debra Alviso, PT, DPT

Jesus Dominguez, PT, PhD

Daniel Drummer, PT, DPT

Katarina Eleby

Tonia McMillian

Physical Therapy Board of California Adopted Meeting Minutes

March 22, 2018 9:00 a.m.

March 23, 2018 9:00 a.m.

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

Board Staff

Jason Kaiser, Executive Officer

Sarah Conley, Manager

Liz Constancio, Manager

Elsa Ybarra, Manager

Brooke Arneson, Associate

Analyst

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

Thursday, March 22, 2018

1. Call to Order

The Physical Therapy Board of California (Board) meeting was called to order by President Dr. Rabena-Amen at 9:08 a.m. and recessed at 2:55 p.m. on March 22, 2018. The Board reconvened at 9:01 a.m. and adjourned at 5:20 p.m. on March 23, 2018.

2. Roll Call and Establishment of Quorum

Alviso – Present
Dominguez- Present
Drummer – Present
Eleby – Present
McMillian – Present
Rabena-Amen - Present
Watkins – Present

All members were present, and a quorum was established. Also present at the meeting were: Salwa Bojack, Legal Counsel; Jason Kaiser, Executive Officer; Liz Constancio, Elsa Ybarra, Sarah Conley, Brooke Arneson and Monny Martin, Board staff.

3. Special Order of Business – 9:05 a.m.

(A) Petition for Reinstatement of License – Natalie Ann Kolbrak

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).

The petitioner, Natalie Kolbrak asked for a continuance and to seek legal counsel in this case.

MOTION: To approve the continuance of Natalie Kolbrak Petition for Reinstatement of License.
M/S: Eleby/Alviso
VOTE: Alviso – Aye
Dominguez- Aye
Drummer – Aye
Eleby – Aye
McMillian – Aye
Rabena-Amen - Aye
Watkins - Aye
7-0 Motion carried

4. 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.

The Board went into closed session at 9:51 a.m. and reconvened at 11:53 a.m.

5. Reconvene Open Session

The Board reconvened at 11:53 a.m. after going into closed session at 9:51 a.m.

6. Review and Approval of November 15-16, 2017 Meeting Minutes – Brooke Arneson

Ms. Conley presented the draft November minutes on Ms. Arneson's behalf. Dr. Alviso commented that under Agenda Item #18, the date should be changed from 2018 to 2017.

Mr. Kaiser solicited the Board for their feedback on how the votes for the elections were captured and if the Board agreed with the level of detail and formatting of the meeting minutes. Board members commented that the level of detail is probably not required for

external and public review; however, it is very helpful to the Board to refresh and visualize the Board's discussions from previous meetings.

Mr. Kaiser informed the Board that staff are looking at potentially providing some updates to the meeting minutes. These updates include clickable links and bookmarks in the meeting minutes which would refer to the webcast; and posting to the Board's website, action minutes to provide motions and highlights of the meeting to the public immediately after the meeting.

The Board agreed that action meeting minutes provided would be helpful. Mr. Kaiser questioned Ms. Bojack if the action meeting minutes would need to be adopted by the Board at the end of the meeting. Ms. Bojack stated that the proposed publication may not require a Board vote if precautions were taken to distinguish it from the official meeting minutes. Ms. Bojack also stated that she would work with Board staff to provide legal review of the proposed publication.

The Board directed staff to amend the meeting minutes for the elections at the November 2017 meeting to ensure clarity and transparency. Board staff will amend each of the election votes to include who was elected and by what margin.

MOTION: To approve the November 15-16, 2017 minutes as amended.

M/S: Watkins/Dominguez

VOTE: Alviso – Aye
Dominguez- Aye
Drummer – Aye
Eleby – Abstain
McMillian – Aye
Rabena-Amen - Aye
Watkins - Aye
6-0 Motion carried, 1 abstention

7. President's Report – Alicia Rabena-Amen

(A) 2018 Adopted Meeting Calendar

Ms. McMillian and Dr. Rabena-Amen questioned what event was on the calendar for June 27-30th as it was not identified at the bottom of the calendar. Dr. Drummer confirmed that it was the American Physical Therapy Association (APTA) NEXT Annual Meeting in Orlando, Florida. Dr. Rabena-Amen asked that the dates for both the FSBPT Leadership Issues Forum (LIF) and the 2018 Annual Meeting and Delegate Assembly be confirmed. Dr. Drummer confirmed that FSBPT 2018 LIF meeting is

scheduled for July 14-15, 2018 in Alexandria, Virginia and the 2018 Annual Meeting Delegate Assembly is October 25-27, 2018 in Reston, Virginia. Mr. Kaiser assured the Board that the 2018 calendar would be updated with the above amendments.

MOTION: To adopt the 2018 calendar as amended.

M/S: Eleby/Watkins

VOTE: Alviso – Aye
Dominguez- Aye
Drummer – Aye
Eleby – Aye
McMillian – Aye
Rabena-Amen - Aye
Watkins - Aye
7-0 Motion carried

8. Presentation of Certificate of Appreciation to Debra Alviso – *Alicia Rabena-Amen*

President Dr. Rabena-Amen expressed gratitude for Dr. Alviso's many years of public service to the Board and presented her with a Certificate of Appreciation.

9. Executive Officer's Report – *Jason Kaiser*

Mr. Kaiser discussed that the Administration Services Program recently hired a new Outreach Coordinator, Alycia Miller, to help the Board disseminate information to its stakeholders. Mr. Kaiser stated that the Board has already made progress in outreach efforts in the short time Ms. Miller has been with the Board. Ms. Miller has already attended the Board's outreach events at Fresno State and Sac City College PTA program. He discussed that outreach efforts have increased with the publication of the "About Us" brochure and a rebrand of the social media pages. Mr. Kaiser reported that the next outreach project is overhauling the Board's website to create fluidity and more appropriate internet protocols and etiquette, so stakeholders can find information more easily.

Mr. Kaiser reported that the Department of Consumer Affairs (DCA's) SOLID received quite a bit of feedback regarding the Board's strategic planning session scheduled for April 12, 2018. The Board surveyed close to 30,000 people which took SOLID longer than expected to collect the data and create the environmental analysis. Mr. Kaiser stated that SOLID is almost done with the analysis and upon completion it will be provided to Board staff. Mr. Kaiser assured the Board that staff will create a draft of the plan for distribution to Board members ahead of the April 12th planning session.

10. Legislation Report – Brooke Arneson

(A) Discussion and Possible Board Action Regarding the 2017/18 Legislative Session Summary

Ms. Arneson referred the members to the legislative summary report included in the agenda book.

i. Discussion and Possible Board Action Regarding AB 2078 (Daly) Sex Offenses: Professional Services

Ms. Arneson provided a brief overview and update on the status of AB 2078 to the Board.

ii. Discussion and Possible Board Action Regarding AB 2138 (Chiu & Low) Licensing Boards: Denial of Application: Criminal Conviction

Ms. Arneson provided a brief overview and update on the status of AB 2138 to the Board. Mr. Kaiser stated that the Board has seen language like this bill in prior legislative sessions that would lessen the Board's ability to take any kind of action on a sole conviction and in this case, as far down as nonviolent crime. Mr. Kaiser urged the Board to watch this bill as it would hinder the ability of the Board's Enforcement Program to investigate something that could be extremely egregious that the Board may consider to be a harm to consumer protection.

iii. Discussion and Possible Board Action Regarding AB 2221 (Bloom) Occupational Therapy Practice Act

Ms. Arneson provided a brief overview and update on the status of AB 2221 to the Board. Ms. Stacy DeFoe, CPTA Executive Director, reported that CPTA has not taken a formal position on this bill; however, CPTA has been in communication with the author and language will be forthcoming with substantive changes to modernize the Occupational Therapy Practice Act.

iv. Discussion and Possible Board Action Regarding AB 2386 (Rubio) Teacher Credentialing: Services Credential with a Specialization in Occupational Therapy or Physical Therapy Services

Ms. Arneson provided a brief overview and update on the status of AB 2386 to the Board. Ms. DeFoe, CPTA Executive Director, reported that CPTA is one of the sponsors of this bill along with the Occupational Therapy Association of

California. Ms. DeFoe clarified that this bill would give Occupational Therapists and Physical Therapists working in the school system, an opportunity to have a career and to have more of an impact on policy and policy changes in the school system.

v. Discussion and Possible Board Action Regarding AB 2423 (Holden) Physical Therapists: Direct Access to Services: Plan of Care Approval

Ms. Arneson provided a brief overview and update on the status of AB 2423 to the Board. Ms. DeFoe, CPTA Executive Director, reported that CPTA is sponsoring this bill to provide for an exemption of physical therapy services as part of an individualized education program (IEP) pursuant to the federal Individuals with Disabilities Education Act (IDEA) from the direct access limitation that prohibits physical therapists from continuing treatment beyond 45 calendar days or 12 visits, whichever occurs first, without first receiving a physicians signed approval of the physical therapist's plan of care.

MOTION: To take a support position on AB 2423 and direct staff to draft and deliver a letter of support on behalf of the Board to the author.

M/S: Eleby/Drummer

VOTE: Alviso – Aye
Dominguez- Aye
Drummer – Aye
Eleby – Aye
McMillian – Aye
Rabena-Amen - Aye
Watkins - Aye
7-0 Motion carried

vi. Discussion and Possible Board Action Regarding AB 3013 (Chu) Veterinary Medicine: Animal Physical Rehabilitation

Ms. Arneson provided a brief overview and update on the status of AB 3013 to the Board and provided a handout of recent proposed amendments to the bill. Mr. Kaiser questioned what role the Board would provide to determine the qualifications necessary for the specialized certificate. Ms. DeFoe, CPTA Executive Director, clarified that the language is still being worked on; however, the intent was to remove animal from the Physical Therapy Practice Act. Mr. Kaiser added that he has an appointment with the author to get additional clarity. Karen Atlas, PT, President of California Association of Animal Physical

Therapists and sponsor of this bill stated that the reason they would like to have the Board's cooperation with Veterinary Medical Board (VMB) is to determine competency standards because it has been shown that there is not an in depth understanding by the VMB on PT competency and education and it would be in the best interest to the consumer to have the two Boards work together. Ms. Atlas also stated that the chief consultant from the Senate B&P Committee recommended the VMB and Board work collaboratively.

Ethan Mathis, Executive Officer of the VMB stated that the Board is aware of the new language and has concerns. Mr. Mathis informed the Board that the VMB had previously worked on proposed language specifying that the Physical Therapist would work in cooperation with the veterinarian and the VMB determined that direct supervision would be required for a Physical Therapist; which this new proposed language is in direct conflict with.

vii. Discussion and Possible Board Action Regarding AB 3110 (Mullin) Athletic Trainers

Ms. Arneson provided a brief overview and update on the status of AB 3110 to the Board. Ms. DeFoe, CPTA Executive Director reported that CPTA currently has an opposed position on this bill as written. Ms. DeFoe stated that this bill has come forward in previous legislative sessions and the language is overly broad and that title protection is more appropriate.

Ms. Eleby commented that this bill, as currently written, is riddled with public protection issues and would like to watch this bill to see how it unfolds during the legislative session.

MOTION: To take a watch position on AB 3110
M/S: McMillian/Dominguez
VOTE: Alviso – Aye
Dominguez- Aye
Drummer – Aye
Eleby – Aye
McMillian – Aye
Rabena-Amen - Aye
Watkins - Aye
7-0 Motion carried

11. Rulemaking Report – *Brooke Arneson*

(A) Discussion and Possible Board Action Regarding the 2018 Rulemaking Update

Ms. Arneson referred the Board to the rulemaking tracking form included in the agenda materials and advised on the status.

(B) Discussion and Possible Board Action Regarding Examination Passing Standard/Setting Examination Score

Ms. Arneson referred the Board to the rulemaking tracking form included in the agenda materials and advised on the status.

(C) Discussion of Issues and Possible Board Action Regarding Guidelines for Issuing Citations and Imposing Discipline, 6th Edition.

Ms. Ybarra presented two final revisions to the regulatory language of the Guidelines for Issuing Citations and Imposing Discipline included by reference in section 139915 of Article 8, Division 13.2, Title 16 of the California Code of Regulations. Specifically, the definition of Substance Abuse Rehabilitation Programs has been amended to delete the reference to “diversion program” since it no longer exists pursuant to the current statutes, and Business and Professions Code (BPC) section 480 has been amended to include the minimum and maximum disciplines pursuant to each of the specific subsections as specified in BPC section 480. Ms. Bojack described the rationale behind the proposal of including each of BPC section 480’s subdivisions in the Guidelines. Mr. Kaiser agreed that there was value in this proposal to give guidance to applicants, though overall the Guidelines are directed towards licensees.

The Board reviewed the proposed amendments, discussion pursued, and the Board revised the proposed amended language.

MOTION: To approve the proposed modified text presented and amended today and incorporate these changes to the existing rulemaking packet approved at the November 2017 Board Meeting. Direct the Executive Officer to take all steps necessary to initiate the rulemaking process, authorize the Executive Officer to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day comment period, and if no

adverse comments are received and no hearing is requested, adopt the proposed regulatory changes, as modified.

M/S:

Eleby/McMillian

VOTE:

Alviso – Aye

Dominguez- Aye

Drummer – Aye

Eleby – Aye

McMillian – Aye

Rabena-Amen - Aye

Watkins - Aye

7-0 Motion carried

(D) Discussion of Issues and Possible Board Action Regarding Satisfactory Documentary Evidence of Equivalent Degree for Licensure as a Physical Therapist or Physical Therapist Assistant/Coursework Tool

Ms. Arneson referred the Board to the rulemaking tracking form included in the agenda materials and advised on the status.

12. 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).]

During Agenda Item 11(A), Mr. Michael Skates, California Physical Therapist, and Ms. Stacey Orosco, owner and operator of Contra Costa Medical Career College asked the Board to exercise its authority to approve the Contra Costa Medical Career College Physical Therapy Assistant Program so that it can begin matriculating students. Mr. Skates informed the Board that Ms. Orosco was unsuccessful in receiving approval authority from CAPTE due to CAPTE's two-year backlog.

13. Recess

The Board recessed at 2:55 p.m. on Thursday, March 22, 2018 – Day one

Friday, March 23, 2018

14. Call to Order

The Physical Therapy Board of California (Board) reconvened at 9:01 a.m. and adjourned at 5:20 p.m. on March 23, 2018.

15. Roll Call and Establishment of Quorum

Alviso – Present
Dominguez- Present
Drummer – Present
Eleby – Present
McMillian – Present
Rabena-Amen - Present
Watkins – Present

All members were present, and a quorum was established. Also present at the meeting were: Salwa Bojack, Legal Counsel; Jason Kaiser, Executive Officer; Liz Constancio, Elsa Ybarra, Sarah Conley, Brooke Arneson and Monny Martin, Board staff.

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

Dr. Rabena-Amen shared with the Board that the request for the increase in Board level and exempt status of the Executive Officer was approved at the exempt level N; not L as the Board requested; she stated that she is still concerned that the Board will not have the ability to meet its goals of an Assistant Executive Officer and additional growth of the Board.

Mr. Castrillo, Deputy Director of Board and Bureau Services reported that the Executive Officer level increase was approved effective February 22, 2018 at exempt level N; which was a 4.9% increase in the Executive Officer's salary. Mr. Castrillo stated that he and Mr. Kaiser have been engaging in conversations with DCA's Human Resources team on how to address the growth and goals of the Board.

Board members shared their frustrations with Mr. Castrillo on not being provided any additional information and justification on why the Board's request was denied for exempt level L and the lack of transparency in the approval process and asked for an explanation on why the request was not approved at the level the Board requested.

Mr. Kaiser thanked Mr. Castrillo and DCA for their assistance and support during this request process.

17. Discussion and Possible Board Action on the Federation of State Boards of Physical Therapy's (FSBPT) Performance Evaluation Tool for Foreign Educated Physical Therapists Completing a Supervised Clinical Practice in the United States Presentation – Alicia Rabena-Amen

Dr. Rabena-Amen reported that at the May 2017 meeting, FSBPT provided a presentation on the Performance Evaluation Tool (PET) for Foreign Educated Physical Therapists Completing a Supervised Clinical Practice in the United States and that the Board did not have any further discussion after the presentation and she wanted to bring it back to the Board for further consideration.

Mr. Kaiser discussed that the Board was considering at the August 2017 meeting, to pursue regulatory change to update the tool currently used by the Board, APTA's paper based Clinical Performance Instrument (CPI), which is outdated and has not been used by APTA in years. Mr. Kaiser stated that APTA uses a new online tool; however, FSBPT has a similar tool, Performance Evaluation Tool (PET) for foreign educated physical therapists. Mr. Kaiser solicited the Board for their feedback on which tool the Board would like to utilize.

Discussion pursued, and the Board determined that additional research was needed by Board staff and legal counsel to determine what instrument should be used, or to avoid limiting the Board to one specific tool evaluating clinical practice for foreign educated PT's and possibly specify in the regulation that it would be a "tool designated and approved by the Board."

MOTION: To direct the Executive Officer and board staff to develop language for modification of regulations regarding the evaluation of supervised clinical practice of foreign educated physical therapist applicants.

M/S: Drummer/Dominguez

VOTE: Alviso – Aye
Dominguez- Aye
Drummer – Aye
Eleby – Aye
McMillian – Aye
Rabena-Amen - Aye
Watkins - Aye
7-0 Motion carried

18. Closed Session

(A) Pursuant to Government Code section 11126(c)(3), Deliberation on Disciplinary

Actions and Decisions to be Reached in Administrative Procedure Act Proceeding

The Board entered closed session on day two, March 23, 2018 at 3:49 p.m.

(B) Pursuant to Government Code section 11126(a)(1), Evaluation of Executive Officer

The Board opted to discuss Agenda Item 18(B) during open session. Mr. Castrillo, Deputy Director of Board and Bureau Services provided the Board with additional information regarding the evaluation of the Executive Officer. Ms. Bojack also stated that the Legal Affairs Division would be working with Board and Bureau Services on the logistics of the evaluation of the Executive Officer.

19. Reconvene Open Session

The Board reconvened into open session to adjourn at 5:20 p.m.

20. Consumer and Professional Associations and Intergovernmental Relation Reports

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

No representatives were present.

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

Karen Nelson, Assistant Deputy Director of Board and Bureau Services advised the Board that DCA has a new Deputy Director of Legislative Affairs, Mr. Dennis Cuevas-Romero, who started with the Department on March 12, 2018. Ms. Nelson also updated the Board on recent and upcoming activities within the Department; DCA recently graduated their inaugural cohort from the Future Leadership Program in early March; Board Member Orientation Training will occur on June 6th, September 18th and December 5th; and on April 30th the Department will hold its Director's quarterly meeting.

Ms. Nelson shared that SOLID will be offering additional training courses and customizable training components geared toward Board members and Board executive staff. Mr. Kaiser questioned what delivery mechanism these training courses would be offered, and Ms. Nelson responded that these trainings could be offered individually to Board members or provided as a training for all members during a Board meeting. The Board inquired of Ms. Bojack whether there would be an Open Meetings Act violation if Board members attended these trainings outside of a Board meeting. Ms. Bojack advised that it depends on the type of training and whether

Board members discuss Board issues with each other at the training. Ms. Bojack advised that it was possible not to violate the Open Meetings Act and provided the Board Member Orientation Training as an example. Ms. Bojack agreed to advise the Board regarding trainings and the Open Meetings Act on a case-by-case basis.

Ms. Nelson reported that the Department would be holding licensing and enforcement workgroups to share best practices for consumer protection. These workgroups will be launched in April and Ms. Nelson encouraged Board staff to participate.

President Dr. Rabena-Amen solicited the Board to provide any training they would be interested in to Mr. Kaiser to include in future meetings.

(C) California Physical Therapy Association (CPTA)

No representatives were present.

21. Board Member Training – Jason Kaiser

(A) Council on Licensure, Enforcement and Regulation (CLEAR) Professional Discipline

The Board found the training to be valuable and applicable to their roles and responsibilities. They encouraged further training at future meetings.

22. Administrative Services Report

(A) Budget– Carl Nelson

i. Fi\$cal– DCA, Budget Office

Mr. Nelson was accompanied by Robert De Los Reyes, DCA Budget Manager and Carl Bierman, DCA Budget Analyst.

Mr. Nelson provided the Board with two corrections to his briefing paper; the total budget authority for CY 2017-18 is \$4,983,000 and the Operating Expense and Equipment budget allotment is \$2,944,000. Mr. Nelson stated that the reason for this correction is that the original report did not reflect reimbursements.

Ms. Eleby questioned what attributed to the decrease in the Division of Investigation (DOI) budget. Mr. De Los Reyes explained that the DOI budget is based on investigative hours that are tracked from DOI. Mr. Kaiser added that the reason for the decrease in the DOI budget is the decrease in the number of complaints received. He added that there is no way to predict the enforcement program and that can change annually.

Mr. De Los Reyes explained the State transitioned to the new accounting system Fi\$cal this fiscal year. He assured the Board that the new system is working; however, it brings a higher level of sophistication and transparency that requires a

larger learning curve. Mr. De Los Reyes updated the Board that they are closing out fiscal months 2 and 3, and while they are still significantly backlogged, they anticipate being caught up by mid-April. Mr. De Los Reyes assured the Board that the Budget Office has been monitoring the spending of the Board by manually tracking information outside of the Fi\$cal system to ensure that the Board is within budget. Mr. Kaiser expressed his appreciation to the DCA Budget Office for providing the budget information to the Board outside of the Fi\$cal system.

(B) Outreach – Alycia Miller

Ms. Miller presented the outreach report to the Board. She noted that there was a decrease in traffic on the Board's Facebook page by 60% for quarter 2 and by 11% year-to-date over last fiscal year (FY 2016-17). Ms. Miller attributed this decrease to the Board only posting 20 Facebook posts this fiscal year compared to 75 posts last fiscal year. Ms. Miller is hoping to increase Facebook posts to increase visitors to the Board's Facebook page.

Ms. Miller informed the Board that additional information will be provided in the outreach briefing paper for future meetings to include outreach presentations and attendance to schools and add the number of CAPTE accredited PT and PTA schools.

Mr. Kaiser encouraged Board members to attend outreach events to provide another perspective to licensees. Dr. Dominguez attended Student Conclave this year in Mr. Kaiser's place and stated it was very enjoyable and drew a large audience.

Dr. Alviso questioned if the Progress Notes were sent out digitally, if that worked well and was complimentary on the presentation both digitally and in print. Mr. Kaiser responded it was sent out successfully digitally and thanked DCA's Publication Design and Editing team for their hard work.

23. Application Services Report – Sarah Conley

(A) Application Process Presentation – Sarah Conley and Eura Trent

Ms. Conley provided a presentation on the application process and directed Board members to the Application Services Report included in the materials and fielded questions regarding the information presented. Board members thanked Ms. Conley for the informative presentation.

Ms. Eleby suggested providing a similar presentation for the foreign educated application process at a future Board meeting.

24. Licensing Services Report – Eura Trent

Ms. Trent stated that the number of active licenses has increased 4% since last year, and the overall number of inactive licenses has decreased 9% since last year. Ms. Trent informed the Board that the number of retired licenses continues to rise with a 70% increase over last year. Ms. Trent discussed that since the implementation of BreEZe and online renewal, the number of renewal payments processed in-house has decreased significantly; however, the workload has remained the same. For Quarters 1 and 2 of FY 2017/18, 80% of renewals were submitted online and the remaining 19% were processed by DCA.

(A) Continuing Competency Report – *Alaysha Crutcher and Veronica Gutierrez*

Ms. Crutcher and Ms. Gutierrez directed the members to the report included in the agenda book. Ms. Gutierrez informed the Board that the recognized approval agencies on the website has been updated. Ms. Crutcher reported that the Continuing Competency concluded its data collection for approval agencies and plans to audit the approval agencies this next fiscal year to ensure compliance.

Ms. McMillian questioned why approval agencies ask for removal. Ms. Crutcher responded that some approval agencies do not offer California courses or have sold their business or are under new management and ask to be withdrawn.

Ms. Eleby questioned what the consequence of not being compliant would be for a licensee and what the process is to bring the licensee into compliance. Ms. Gutierrez responded that the analysts work with the licensee to bring them into compliance and if the licensee does not comply or respond, they are forwarded to the Consumer Protection Services Unit.

25. Consumer Protection Services Report – *Cristy Livramento*

Ms. Livramento presented the report as included in the agenda materials and informed the Board that the performance measures report, which is provided by the Department, is not included in the materials and they hope to provide that data for the following Board meeting.

26. Probation Monitoring Report – *Monny Martin*

Mr. Martin reported there are 89 licensees on probation, 79 probationers are practicing in California and 10 probationers are practicing outside of California, which are not currently gaining credit toward the completion of their probation.

Mr. Martin stated that in Quarter 3, seven (7) licensees completed probation in the quarter and one (1) licensee violated their probation and was referred to the Deputy Attorney General's Office for discipline. Of the 79 probationers, 20 are enrolled in Board's Drug and Alcohol Recovery Monitoring Program equaling about 25% of all licensees on probation. There were no licensees that entered the Drug and Alcohol Recovery Monitoring Program during this quarter.

27. Public Comment on Items Not on the Agenda

Please note that the Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code sections 11125, 11125.7(a).]

28. Agenda Items for Future Meeting –

June 20-21, 2018
Western University
Rodney P. Wineburg Center (RCW)
Cooper Hall
309 East 2nd Street.
Pomona, CA 91766

Agenda Items for Future Meeting: Ms. Eleby requested that a presentation on the Board's foreign educated application process be included at the next meeting, and for the Board to consider adding an agenda item to discuss the request made by Mr. Skates and Ms. Orosco for the Board to exercise its authority to approve the Physical Therapy Assistant Program for Contra Costa Medical Career College.

29. Adjournment

The meeting adjourned at 5:20 p.m.