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

1. **Call to Order**
   The Physical Therapy Board of California (Board) meeting was called to order by President Eleby at 8:22 a.m. on November 16, 2016.

2. **Roll Call and Establishment of a Quorum**
   Ms. Rabena-Amen, Ms. McMillian and Mr. Watkins were detained in traffic and not present for roll call. All remaining members were present and a quorum was established. Also present at the meeting were Tara Welch, Legal Counsel; Jason Kaiser, Executive Officer; Liz Constancio, Sarah Conley, Elsa Ybarra and Brooke Arneson, Board staff.

3. **Review and Approval of October 25, 2016 Meeting Minutes – Brooke Arneson**
   Ms. Arneson directed the Board to the draft included in the agenda materials. Dr. Alviso requested comments made by the California Physical Therapy Association be included under agenda item #4, “Public Comment on Items Not on the Agenda.” The October 25, 2016 minutes will be reviewed at the next meeting after the comments have been added.

4. **President’s Report – Katarina Eleby**
   
   **(A) 2017 Proposed Meeting Calendar**
   
   The Board discussed the dates proposed for November were problematic due to the dates of the FSBPT Annual Conference and agreed to move the proposed dates to November 15 and 16, 2017.

   **MOTION:** To adopt the calendar as amended.

   **M/S:** Rabena-Amen/Watkins
VOTE: 7-0 Motion carried

5. **Administrative Services Report** – *Liz Constancio*

   **(A) Budget**

   Ms. Constancio reported on the status of the Board’s first quarter of budget year 2016/17 and reported there are no significant increases in expenditures but a 46% increase in revenue. She also reported there are no concerns regarding the Board’s ability to stay on budget thus far.

   The Board recessed at 8:35 until 9:06 a.m.

6. **Special Order of Business – 9:06 a.m.**

   **(A) Petition for Modification of Probation/Termination of Probation – Nolan John Arieta, PT**

   **(B) Petition for Modification of Probation/Termination of Probation – Daniel Leroy James, PT**

   **(C) Petition for Modification of Probation/Termination of Probation – Courtney Jump, PT**

   *After submission of the matter(s), the Board convened in CLOSED SESSION to deliberate on the petitions per Government Code section 11126(c)(3).*

   Once issued, disciplinary decisions can be found on the Board’s website at [www.ptbc.ca.gov](http://www.ptbc.ca.gov).

7. **Closed Session**

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

   Once issued, disciplinary decisions can be found on the Board’s website at [www.ptbc.ca.gov](http://www.ptbc.ca.gov).

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

8. **Reconvene Open Session – 3:55 p.m.**

9. **Discussion and Possible Board Action Regarding Sunset Review Subcommittee’s Recommendation on Issues to be Identified on the Sunset Review Report**
Pursuant to Business and Professions Code Section 2602 – Jason Kaiser

(A) BPC Section 2648.7, clarifying revisions to retired license status

The Board considered three options drafted by legal counsel to resolve statutory discrepancies associated with entering into retired license status. The three options discussed are as follows: option 1 - repeal BPC §2648.7; option 2 - amend BPC §2648.7 incorporating language from AB 2859 (2016); and option 3 – continue using the authority in BPC §2648.7. Mr. Kaiser advised he and Ms. Arneson had met with Vincent Chee, Consultant to the Assembly Business and Professions Committee. Mr. Kaiser relayed Mr. Chee was sympathetic to the dilemma the Board faced with the conflict between its existing statute and the amendments to BPC 464 and seemed supportive whichever path the Board chose to resolve the conflicts.

MOTION: Include the issue in the Sunset Review Report recommending option #1 as drafted by legal counsel.

M/S: Eleby/Watkins
VOTE: 7-0

(B) BPC Section 2620.1, adding exemptions to 45-day/12 visit treatment plan of care required

Mr. Kaiser explained the Sunset Review Report Subcommittee considered including amendments to BPC section 2620.1 as an issue for the Sunset Review Report (report) and determined the issue was more appropriately addressed in another vehicle due to inadequate time to thoroughly address the issue.

Stacy DeFoe, Executive Director of the California Physical Therapy Association and Dawn James, PT of the Los Angeles Unified School District, appealed to the Board to reconsider their decision. Ms. DeFoe and Ms. James delivered a compelling presentation to the Board regarding the issue and its impact on the children. The Board asked Ms. DeFoe to submit a briefing paper including statistics on the number of children affected by the issue for consideration at their meeting on November 28, 2016.

10. Review, Discussion and Possible Board Action on Sunset Review Report Pursuant to Business and Professions Code (BPC) Section 2602 – Jason Kaiser

11. Public Comment on Items Not on the Agenda

There was no public comment on items not on the agenda.

12. Recess

The Board recessed at 5:10 p.m.
Agenda – Thursday, November 17th

13. Call to Order – 8:02 a.m.

14. Roll Call and Establishment of Quorum

Ms. McMillian was detained. All remaining members were present and a quorum was established.

15. Review, Discussion and Possible Board Action on Sunset Review Report
Pursuant to Business and Professions Code (BPC) Section 2602 – Jason Kaiser

PTBC staff presented the draft Sunset Review Report to the Board for their review. The Board provided edits and feedback throughout the report which were made during the meeting.

16. Board Member Elections

(A) President – Ms. Eleby was elected President.

Ms. Rabena-Amen nominated Ms. Eleby. Ms. Eleby nominated Ms. Rabena-Amen and she declined the nomination. Ms. Eleby expressed concern with her scheduling conflicts for the next year. Ms. Rabena-Amen then nominated Dr. Drummer and he declined the nomination. Ms. Eleby accepted the nomination.

MOTION: Ms. Eleby nominated for President.
M/S: Rabena-Amen/Watkins
VOTE: 7-0 Motion Carried.

(B) Vice President – Ms. Rabena-Amen was elected Vice President.

Ms. Rabena-Amen nominated Mr. Watkins. Mr. Watkins nominated Ms. Rabena-Amen. Ms. Eleby nominated Dr. Dominguez and he declined the nomination.

MOTION: Mr. Watkins nominated for Vice President.
M/S: Rabena-Amen/Eleby
VOTE: 3-4 Motion Failed
[Ms. McMillian – Y; Dr. Alviso – N; Mr. Watkins – N; Ms. Rabena-Amen – Y; Ms. Eleby – Y; Dr. Dominguez – N; Dr. Drummer – N]

MOTION: Ms. Alicia-Ramen nominated for Vice President.
M/S: Watkins/Alviso
VOTE: 7-0 Motion Carried
(C) FSBPT Delegate – Ms. Rabena-Amen was elected FSBPT Delegate.

MOTION: Ms. Rabena-Amen nominated for FSBPT Delegate.
M/S: Eleby/Watkins
VOTE: 4-2/1 Abstention Motion Carried
[Ms. McMillian – Y; Dr. Alviso – N; Mr. Watkins – Y; Ms. Rabena-Amen – A; Ms. Eleby – Y; Dr. Dominguez – N; Dr. Drummer – Y]

MOTION: Mr. Watkins nominated for FSBPT Delegate.
M/S: Alviso/Rabena-Amen
VOTE: 3-4 Motion Failed
[Ms. McMillian – Y; Dr. Alviso – N; Mr. Watkins – N; Ms. Rabena-Amen – Y; Ms. Eleby – Y; Dr. Dominguez – N; Dr. Drummer – N]

(D) FSBPT Alternate Delegate – Mr. Watkins was elected FSBPT Alternate Delegate.

Mr. Watkins nominated Dr. Drummer and he declined the nomination.

MOTION: Mr. Watkins nominated for FSBPT Alternate Delegate.
M/S: McMillian/Alviso
VOTE: 7-0 Motion Carried

(E) FSBPT Back-up Alternate Delegate – Dr. Drummer was elected FSBPT Back-up Alternate Delegate.

MOTION: Dr. Drummer nominated for FSBPT Back-up Alternate Delegate
M/S: McMillian/Rabena-Amen
VOTE: 7-0 Motion Carried

MOTION: Members Dr. Alviso, Dr. Dominguez, Ms. Eleby and Ms. McMillian to serve as FSBPT Back-ups to the Delegate, Alternate and Back-up Alternate Delegate
M/S: Eleby/Drummer
VOTE: 7-0 Motion Carried

17. Public Comment on Items Not on the Agenda

There was no public comment on items not on the agenda.

18. Agenda Items for Future Meeting – November 28, 2016

The Board indicated it did not have any specific items at this time for the November 28, 2017 meeting.

Ms. Rabena-Amen expressed her appreciation of staff and their dedication to the quality of work performed on the Sunset Review Report.
19. **Adjournment**

   The Board adjourned at 3:29 p.m.