

**e) ENFORCEMENT DATA FOR 10/1/2023 – 12/31/2023.**

## **CBOT CASES/COMPLAINTS DATA**

**October 1, 2023 – December 31, 2023**

<b>CATEGORY</b>	<b>QUANTITY</b>
<b><i>Total Complaints Opened/Received:</i></b>	<b>237</b>
Conviction/Arrest Investigations:	<b>31</b>
Complaints Opened/Received:	<b>206</b>
Petition for Reinstatement Received	<b>1</b>
Applications Denied per BPC 480:	<b>0</b>
Complaints Closed	<b>158</b>
<b><i>Total Complaints/Cases Pending:</i></b>	<b>518</b>
DOI Investigations Initiated:	<b>1</b>
DOI Investigation Reports Received:	<b>2</b>
<b><i>DOI Investigations Pending:</i></b>	<b>4</b>
Cases Transmitted to AGO:	<b>12</b>
Statement of Issues Filed:	<b>0</b>
Accusations Filed:	<b>5</b>
BPC 820 Ordered:	<b>1</b>
PC 23 Issued:	<b>0</b>
ISO Issued:	<b>0</b>
Petition to Revoke Probation (PTR) Filed:	<b>0</b>
Accusation and PTR Filed:	<b>0</b>
Case(s) Withdrawn:	<b>1</b>
Case(s) Dismissed	<b>0</b>
<b><i>Total Cases Pending at Office of the Attorney General</i></b>	<b>26</b>
Cease Practice Order(s) Issued:	<b>0</b>
Cease Practice Order(s) Lifted:	<b>0</b>
Final Decisions Effective:	<b>4</b>

**OT CITATIONS**  
**October 1, 2023 - December 31, 2023**

#	VIOLATION						FINE	FINE REDUCE	TOTAL FINE DUE	DATE ISSUED	ABATE	APPEAL RECEIVED				PAYMENT			
	FTC	UPC	ULP	PDU	ADC	OTHER						ICRC	ADMIN	DISMISSED	WITHDRAWN	Payment Date	Paid in Full	Payment Amount	Balance (OT)
1						1	\$900	\$0	\$900	10/04/23	0					11/2/2023	1	\$900	\$0
1			1				\$375	\$0	\$375	10/04/23	0					11/4/2023	1	\$375	\$0
1			1				\$300	\$0	\$300	11/16/23	0					12/18/2023	1	\$300	\$0
1			1				\$375	\$0	\$375	11/16/23	0					12/7/2023	1	\$375	\$0
1			1				\$225	\$0	\$225	11/22/23	0					12/8/2023	1	\$225	\$0
1	1						\$600	\$0	\$600	11/22/23	1							\$0	\$600
1			1				\$300	\$0	\$300	11/22/23	0					11/25/2023	1	\$300	\$0
1			1				\$150	\$0	\$150	11/22/23	0					11/30/2023	1	\$150	\$0
1			1				\$300	\$0	\$300	11/22/23	0					12/7/2023	1	\$300	\$0
1			1				\$225	\$0	\$225	11/29/23	0							\$0	\$225
1	1		1				\$600	\$0	\$600	12/08/23	1							\$0	\$600
1			1				\$300	\$0	\$300	12/08/23	0					12/29/2023	1	\$300	\$0
1			1				\$375	\$0	\$375	12/08/23	0							\$0	\$375
1					1		\$85	\$0	\$85	12/11/23	0							\$0	\$85
1					1		\$85	\$0	\$85	12/11/23	0					12/22/2023	1	\$85	\$0
1					1		\$85	\$0	\$85	12/18/23	0					12/31/2023	1	\$85	\$0
1					1		\$85	\$0	\$85	12/18/23	0							\$0	\$85
1					1		\$85	\$0	\$85	12/27/23	0							\$0	\$85
1						1	\$375	\$0	\$375	12/29/23	0							\$0	\$375
1	1						\$600	\$0	\$600	12/29/23	1							\$0	\$600
1			1				\$375	\$0	\$375	12/29/23	0					1/3/2024	1	\$375	\$0
1			1				\$375	\$0	\$375	12/29/23	0					1/2/2024	1	\$375	\$0

**OT CITATIONS**  
**October 1, 2023 - December 31, 2023**

#	VIOLATION						FINE	FINE REDUCE	TOTAL FINE DUE	DATE ISSUED	ABATE	APPEAL RECEIVED				PAYMENT			
	FTC	UPC	ULP	PDU	ADC	OTHER						ICRC	ADMIN	DISMISSED	WITHDRAWN	Payment Date	Paid in Full	Payment Amount	Balance (OT)
1			1				\$375	\$0	\$375	12/29/23	0						\$0	\$375	
1						1	\$375	\$0	\$375	12/29/23	0				1/2/2024	1	\$375	\$0	
1					1		\$85	\$0	\$85	12/29/23	0						\$0	\$85	
<b>25</b>	<b>3</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>6</b>	<b>3</b>	<b>\$8,010</b>	<b>\$0</b>	<b>\$8,010</b>		<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>14</b>	<b>\$4,520</b>	<b>\$3,490</b>

**Violation Key:**

FTC - Failure to Cooperate  
UPC - Unprofessional Conduct  
ULP - Unlicensed Practice

PDU - Continuing Education  
ADC - Failure to Notify of Address Change  
OTHER (Negligence, etc.)

**OTA CITATIONS**  
**October 1, 2023 - December 31, 2023**

#	VIOLATION						FINE	FINE REDUCED	TOTAL FINE DUE	DATE ISSUED	ABATE	APPEAL RECEIVED				PAYMENT			
	FTC	UPC	ULP	PDU	ADC	OTHER						ICRC	ADMIN	DISMISSED	WITHDRAWN	Payment Date	Paid in Full	Payment Amount	Balance (OTA)
1	1					1	\$600	\$0	\$600	11/16/23	1						\$0	\$600	
1			1				\$1,400	\$0	\$1,400	11/22/23	0				12/02/23	1	\$1,400	\$0	
1	1		1				\$600	\$0	\$600	12/8/23	1						\$0	\$600	
1			1				\$150	\$0	\$150	12/8/23	0						\$0	\$150	
1	1						\$600	\$0	\$600	12/8/23	1						\$0	\$600	
1					1		\$85	\$0	\$85	12/15/23	0				12/20/23	1	\$85	\$0	
1					1		\$85	\$0	\$85	12/18/23	1				12/28/23	1	\$85	\$0	
1					1		\$85	\$0	\$85	12/29/23	1						\$0	\$85	
1	1						\$600	\$0	\$600	12/29/23	1						\$0	\$600	
<b>9</b>	<b>4</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>\$4,205</b>	<b>\$0</b>	<b>\$4,205</b>		<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>3</b>	<b>\$1,570</b>	<b>\$2,635</b>

**Violation Key:**

FTC - Failure to Cooperate  
UPC - Unprofessional Conduct  
ULP - Unlicensed Practice

PDU - Continuing Education  
ADC - Failure to Notify of Address Change  
OTHER (Advanced Practice, Supervision, Negligence, etc.)

## CASES PENDING WITH THE OFFICE OF THE ATTORNEY GENERAL

Date Transmitted	Complaint Number	Case Type	Case Status
2/25/2022	2020-426	ACC	Hearing date set for 1/16/2024.
12/23/2022	2021-976	ACC	Accusation served on 5/11/2023; Notice of Defense received 5/19/2023; Hearing date pending.
3/6/2023	2021-632	ACC	Accusation served on 1/3/2024.
3/13/2023	2023-428	ACC	Accusation served 5/26/2023; Notice of Defense received 8/7/2023; Proposed settlement terms 8/30/2023.
5/15/2023	2023-024	820	Petition for an Order Compelling Mental or Physical Examination served on 11/28/2023.
7/26/2023	2022-371	ACC	Accusation served on 11/9/2023; Notice of Defense received 12/4/2023.
8/8/2023	2024-011	ACC	Accusation served on 11/8/2023; Notice of Defense received 11/16/2023.
8/14/2023	2023-502	ACC	Referred to AGO 8/14/2023.
8/14/2023	2024-022	ACC	Accusation served on 11/21/2023; Notice of Defense received 12/1/2023.
9/7/2023	2023-034	PET	Reinstatement application granted with prior conditions on 12/8/2023.
9/8/2023	2022-330	ACC	Accusation served on 12/6/2023; Notice of Defense received 12/20/2023.
9/11/2023	2024-046	ACC	Referred to AGO 9/11/2023. Accusation received on 12/13/23.
9/11/2023	2022-210	ACC	Accusation served on 11/8/2023; Notice of Defense received 11/21/2023.
9/20/2023	2021-150	PTR	Accepted by AGO on 9/27/2023; Received Petition to Revoke Probation from AGO on 12/19/2023.
10/11/2023	2024-121	ACC	Accusation received from AGO on 1/8/2024.

<b>Date Transmitted</b>	<b>Complaint Number</b>	<b>Case Type</b>	<b>Case Status</b>
11/3/2023	2024-197	ACC	Accusation received from AGO on 11/30/2023.
12/5/2023	2024-271	ACC	Accepted by AGO on 12/12/2023.
12/5/2023	2024-251	ACC	Accepted by AGO on 12/18/2023.
12/8/2023	2024-268	ACC	Accepted by AGO on 12/21/2023.
12/15/2023	2024-304	ACC	Accepted by AGO on 12/18/2023.
12/26/2023	2024-252	ACC	Accepted by AGO on 12/26/2023.
12/26/2023	2024-249	ACC	Accepted by AGO on 12/26/2023.
12/26/2023	2024-170	ACC	Accepted by AGO on 12/26/2023.
12/26/2023	2023-035	ACC	Accepted by AGO on 12/26/2023.
12/27/2023	2024-284	ACC	Accepted by AGO on 12/27/2023.
12/29/2023	2023-367	ACC	Accepted by AGO on 12/29/2023.
1/3/2024	2024-287	PET	Accepted by AGO on 1/10/2024; Stip forthcoming.

**FINAL DECISIONS**  
**October 1, 2023 – December 31, 2023**

<b>Effective</b>	<b>Name</b>	<b>Type</b>	<b>Violation</b>
10/27/2023	Sonnenschein, Iris	Surrender	Unprofessional Conduct
11/27/2023	Caro, Tabitha	Probation 3 years	Unprofessional Conduct
12/28/2023	Allred, Alyssa	Surrender	Unprofessional Conduct
1/28/2024	Clendenen, Danielle	Reinstated	Unprofessional Conduct



## LICENSEES CURRENTLY ON PROBATION

**January 1, 2023 – December 31, 2023**

NAME	LICENSE #	LENGTH OF PROBATION	EFFECTIVE DATE	COMPLETION DATE
Bastianelli, Nachele	OT 11457	3 years	04/17/2022 *	
Dowd, Joshua	OT 18574	3 years	03/27/2018 *	
Edwards, Anna	OTA 2453	3 years	04/26/2019 *	
Ferrer, Oscar	OT 3726	3 years	07/19/2023	
Gonzalez, Susana	OTA 1298	3 years	07/23/2021	
Harding III, Jack	OT 11707	3 years	06/03/2021	
Heng, Sonny	OT 18476	3 years	11/03/2021 *	
Jaghlassian, Linda	OTA 3079	3 years	03/30/2023 *	
Jordan, Laura	OT 5826	3 years	08/29/2021 *	
McCoy-Guzman, Tracy	OTA 2109	3 years	03/17/2022	
Morrison, Crystal	OTA 1561	3 years	04/16/2021	
Pompanescu, Duane	OT 3017	3 years	06/03/2021	
Powell, Diana C.	OT 6367	3 years	06/03/2016 *	
Provost, Ericka	OT 16010	3 years	12/26/2021 *	
Ryskalczyk, Roxanne	OT 5654	3 years	08/29/2021	
Schmidt, Rebecca	OT 8291	3 years	11/27/2009 *	
Shin, Judy	OT 5682	4 years	12/02/2019	
Suggs, Monica	OTA 1101	2.5 years	03/30/2019 *	
Tolbert, Kristine	OT 4410	4 years	03/29/2019	
Torossian, Brittany	OT 16579	3 years	09/28/2023	
Wilson, Candice	OTA 1436	3 years	07/16/2020 *	
Caro, Tabitha	OTA 5002	3 years	11/27/2023*	

\* Probation "tolled" or extended beyond original expiration date.

Report updated 1/8/2024

**f) FUTURE AGENDA ITEMS.**

## **LISTING OF FUTURE AGENDA ITEMS APPROVED AT PREVIOUS MEETINGS**

### **Items prioritized for February 2024 meeting:**

1. Discuss resuming the Legislative and Regulatory Affairs Committee meetings.
2. Appointment(s) to the Ad Hoc Disaster Preparedness and Response committee and other committees, as needed.
3. Ad Hoc Budget Committee to meet and provide a recommendation fee language to the Board.
4. Practice Committee to make meet and make recommendations to the Board after December 8, 2023, meeting.
5. Ad Hoc Disaster Preparedness and Response committee to meet and report back to the Board.
6. Develop FAQs to explain revenue and expenditures to licensees in a narrative format (include data relevant to public comments).
7. Develop outreach plan to educate licensees (why the fee increase is needed)

### **Items prioritized for May 2024 meeting:**

1. Sean Conway, NBCOT, to provide presentation on a variety of topics including changes to the OT and OTA examinations based on a 2022 practice analysis, updates to the Navigator and NBCOT Inspire tools, and their state regulatory research initiatives to gather evidenced-based data about regulatory and practice matters.
2. A representative from DCA's Board and Bureau Relations to provide an update on various issues.
3. A representative from DCA's Office of Human Resources to provide overview of the Executive Officer recruitment process.
4. Report from Ad Hoc Committee on Non-licensees to serve on Board Committees.
5. Report from Ad Hoc Committee on Supervision Standards to and provide proposed amendments to CCR Section 4180 and 4181.
6. Report from Practice Committee and possible recommendations to the Board after March 1, 2024, meeting
7. Follow-up with OTAC on pelvic health.

### **Standing items:**

1. Occupational Therapy Licensure Compact
2. Necessity of fee increases and status update.
3. Make appointments to other committees as appropriate.
4. Legislation

**Items to be prioritized to be discussed at a future TBD meeting:**

1. Strategic Planning session.
2. Discussion on Corporation Name language for future agenda.
3. Whether California should require a Juris Prudence exam.
4. Whether wound care is within the occupational therapy scope of practice.
5. Consideration of eliminating the requirement to hold meetings in the Cities of Sacramento, Los Angeles, and San Francisco, as virtual meetings are readily available and opportunities for hybrid meetings may be increasing.
6. Schedule a townhall/meeting with the California OT and OTA programs to share the Occupational Therapy Assistant Workforce Needs Assessment and seek further feedback.
7. Presentation on the Board's manual and how Member's responsibilities support and protect the California consumers of occupational therapy services.
8. Discuss the potential to cost share with California occupational therapy programs to send a letter to large employers touting the benefits of accepting FW students.

**h) OTHER INFORMATIONAL ITEMS. (NO BOARD ACTION CAN BE TAKEN.)**

# BUDGET LETTER

	<b>NUMBER:</b> BL 23-27
<b>SUBJECT:</b> CURRENT YEAR EXPENDITURE FREEZE	<b>DATE ISSUED:</b> December 12, 2023
<b>REFERENCES:</b> N/A	<b>SUPERSEDES:</b> N/A

TO: Agency Secretaries  
Department Directors  
Department Budget and Accounting Officers  
Departmental Human Resources and Labor Relations Officers  
Departmental Business Services Officers  
Department of Finance Budget and Accounting Staff

FROM: DEPARTMENT OF FINANCE

**Budget Officers are requested to forward a copy of this budget letter (BL) to departmental Human Resources, Labor Relations, and Business Services Officers.**

The State of California anticipates significant General Fund budget deficits in fiscal years 2023-24 and 2024-25. Accordingly, this BL directs all entities under the Governor's direct executive authority to take immediate action to reduce current-year General Fund expenditures. Departments shall also take measures to ensure more prudent spending from other state funds given the fiscal outlook. Statewide Constitutional Officers are strongly encouraged to comply with the provisions of this BL.

It is vitally important that state government is efficient, effective, and only expends funds that are necessary to the critical operation and security of the state. As such, all state entities must take immediate action to reduce expenditures and identify all operational savings achieved. These immediate actions consist of, but are not necessarily limited to, the following:

- **New Goods and Services Contracts**—Departments shall not enter into any new contracts or agreements to lease or purchase equipment, issue purchase orders for goods or services, or make changes to existing contracts if the change would increase costs, except to meet a time-sensitive or critical need.
- **IT Equipment**—All discretionary and non-essential IT purchases, unless specifically related to a critical IT security need or a mission-critical need, shall be halted. This includes all planned IT equipment refreshes, copier or printer replacements, or any new equipment purchases (e.g., cell phone refreshes).
- **Fleet Vehicles**—Only mission-critical or emergency-related vehicles shall be purchased. All other planned vehicle replacements should be halted.

- **Office Supplies**—Minimal office supplies shall be ordered and kept in stock. Each department's purchasing managers should heavily scrutinize all office supply orders to ensure the need. Departments shall, to the extent possible, use all existing supplies before additional supplies are ordered.
- **Other**—All areas of department operations shall be evaluated and scrutinized to decrease costs including, but not limited to, subscription renewals, training costs, or furniture purchases.
- **Travel**—State entities shall cancel all plans for non-essential travel, such as participation in seminars, conferences, and training both in-state and out-of-state. Only travel that is **required** for the conduct of official state business is allowed.
- **Leave Buy-Back**—The annual leave buy-back of accrued vacation or annual leave in 2023-24, including for excluded employees is cancelled. An exception is noted for Bargaining Unit 6.
- **Architectural Revolving Fund (ARF)**—State entities shall delay or defer any requests to transfer funds to the ARF unless for a demonstrated critical need due to an ongoing project.

**Additionally, entities shall re-evaluate expenses related to current IT projects:**

- Review existing IT maintenance and operations contracts to validate services, subscriptions, equipment, and /or software licenses are still in use and necessary. Any items not meeting that criteria shall be terminated.
- Review pending procurement/solicitations to determine if the effort can be paused or delayed.
- Reevaluate any IT projects in the Project Approval Lifecycle process to determine if the project can be paused or delayed.
- If necessary to continue efforts, consider whether costs can be spread over several years or if financing is a viable option.

**Agency Secretaries and Cabinet-level Directors are authorized to make exemptions from these prohibitions only in the following limited instances:**

- Addressing a declared emergency.
- Providing 24-hour medical care.
- Avoiding a significant revenue loss.
- Achieving significant net cost savings.

**Lastly, Agency Secretaries and Cabinet-level Directors will be required to report monthly to Finance and the Governor's Office on all approved exemptions as well as achieved savings. Reporting instructions will be sent via a subsequent BL.**

If you have any questions regarding this BL, please contact your assigned Program Budget Manager.

/s/ Joe Stephenshaw

JOE STEPHENSHAW

Director





# MEMORANDUM

<b>DATE</b>	January 10, 2024
<b>TO</b>	All Board Executive Officers/Executive Directors, Bureau/Division/Program Chiefs, Deputy Directors, Registrars, and Senior Executive Management
<b>FROM</b>	Kimberly Kirchmeyer, Director
<b>SUBJECT</b>	<b>Budget Letter 23-27 – Current Year Expenditure Freeze Exemption Process</b>

Pursuant to the [Budget Letter 23-27](#) issued by the Department of Finance (DOF), all agencies and departments under the direct authority of the Governor must take immediate action to reduce current year expenditures. Understanding that boards/bureaus/divisions will need to continue to maintain mission critical functions, the Department is providing the attached exemption request form and process to secure approval for mission critical-related purchases, contracts, travel, and other expenditure requests.

Please be aware the purpose of the Budget Letter 23-27 is to ensure that all state entities take immediate action to reduce expenditures and identify all operational savings achieved. When determining whether to submit a request outlined below, it is important that executive leaders consider the intent of the Budget Letter, the specific mission of the board/bureau/division, and the necessity of the request versus the financial impact. Any non-essential request will not be approved.

Purchases, contracts, and travel that meet the following criteria will be considered exemptions to the Budget Letter and can be approved by the Agency Secretary.

- Addressing a declared emergency.
- Avoiding a significant revenue loss.
- Achieving significant net cost savings.

All other requests will require approval of the Department Director.

Requests that are subject to the Department of General Services' review and/or approval require a certification statement certifying compliance with the

[Budget Letter 23-27](#). These requests include contracts, interagency agreements, vehicle purchases, architectural revolving fund, etc.

Exemption requests require detailed information about the proposal including a justification explaining why the request is mission critical or essential to continue a business required function. All requests must include the consequence if the request is denied and provide details about the cost of the request, which budgetary line item(s) it impacts and the fund source.

The attached BL 23-27 Exemption Request form must be completed and submitted to [BL23-27EXC@dca.ca.gov](mailto:BL23-27EXC@dca.ca.gov) to request exemptions for the following items:

- **Goods and Equipment**

All requests for new supplies and equipment must be accompanied by an approved exemption request. This includes information technology and fleet requests. Provide information explaining why the purchase is essential and required to maintain business operations, and why the purchase cannot be deferred. Non-essential requests, including equipment refreshes, copier or printer replacements, or new equipment purchases (e.g., cell phones), will not be approved and should not be submitted.

- **Contracts**

All new contracts, or amendments to existing contracts if the changes would increase costs, or extensions of expiring contracts will require an exemption approval. Provide a detailed justification for why the contracted services are mandated, mission critical, and/or needed for the continuation of essential business functions. Requests without a detailed justification will be returned.

- **Travel**

All travel, both in- and out-of-state must be for the conduct of official state business directly tied to mandated requirements and mission critical. Boards/Bureaus/Divisions may continue with in-state travel for mandated activities such as inspections. Non-essential travel will not be approved; therefore, submissions should not be submitted to DCA for such travel, including participation in seminars, conferences, and training (both in-state and out-of-state) unless it meets the criteria in the [Budget Letter 23-27](#). Mission critical travel requests require an approved exemption

request. Provide justification explaining why the travel is mission critical and or essential to state business. Include additional information such as the agenda, whether the attendee is presenting information, who the audience is, why the state representation is critical, etc. Also, include why virtual participation is not an option, and whether the venue has been contacted to discuss/request virtual options.

In addition, all approved discretionary out-of-state travel blanket requests for trips with travel dates after the issuance of the [Budget Letter 23-27](#) have been rescinded. All out-of-state trips must now meet the requirements in the [Budget Letter 23-27](#) and must be requested through the BL 23-27 Exemption Request form as individual trip requests. Boards/Bureaus/Divisions may continue with trips that were previously approved under mission critical out-of-state blanket request.

- **Architectural Revolving Funds (ARF)**

ARF requests are limited to new or ongoing projects that are essential to meet a critical need. Provide justification explaining why the request cannot otherwise be deferred and state departments shall delay or defer any requests to transfer funds to an ARF unless for a demonstrated critical need to an ongoing project.

Note: The BL 23-27 Exemption Request form is required for all requests that were submitted but have not been approved prior to the release of the [Budget Letter 23-27](#).

All approved purchases, exemptions, as well as achieved savings from denied requests, will be reported to DOF and the Governor's Office. Additional reporting instructions will be provided in a forthcoming Budget Letter. If you have any questions, please contact your budget analyst.

Cc: DCA Executive Office  
DCA Chief Fiscal Officer  
DCA Budget Office  
DCA Office of Human Resources Chief  
DCA Business Services Officer  
DCA Chief Information Services Officer  
DCA Purchasing Liaisons

Attachment: BL23-27 Exemption Request form