



BOARD MEETING NOTICE & AGENDA

Wednesday, May 8, 2013 and Thursday, May 9, 2013

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

(916) 263-2294 Directions only

WEDNESDAY

9:00 am - Board Meeting

The public may provide comment on any issue before the committee at the time the matter is discussed.

1. Call to order, roll call, establishment of a quorum.
2. President's remarks. *(L. Grangaard)*

Administrative Hearings

3. 9:00 SALCIDO, Kimberly - Petition for Reinstatement of Revoked License
4. 10:00 POSUNIAK, Kathleen - Petition for Modification
5. 11:00 GALAVIZ, Jaime - Petition for Early Termination of Probation

CLOSED SESSION, upon conclusion of administrative hearing

The Board will meet in closed session pursuant to Government Code Section 11126(c)(3) to discuss and vote on the above petitions and other disciplinary matters.

RESUME OPEN SESSION

6. Adjourn for the day

THURSDAY

9:00 am - Board Meeting

1. Call to order, roll call, establishment of a quorum.
2. President's remarks. *(L. Grangaard)*

3. Board member updates/activities. (All Board members)
4. Approval of the February 27, 2013, Board meeting minutes.
5. Review of Sunset Review Background Paper and Board response to Identified Issues, Background and Recommendations and Possible Board Action.
6. Consideration and adoption of proposed regulatory language amending Title 16, CCR Section 4101, Delegation of Certain Functions, adding Section 4146.5, Effective Date of Decisions, amending Section 4147, Uniform Standards Related to Substance Abuse and Disciplinary Guidelines, and adding Section 4147.5, Uniform Standards Related to Substance Abuse.
(*H. Martin*)
7. Consideration and adoption of proposed regulatory language amending Title 16, CCR Section 4127, Inactive Status, adding Section 4128, Retired Status, and amending Section 4130, Fees. (*H. Martin*)
8. Consideration and adoption of proposed regulatory language to amend Title 16, CCR Section 4170, Ethical Standards of Practice. (*H. Martin*)
9. Consideration and adoption of proposed regulatory language to add Title 16, CCR Section 4172, Standards of Practice for Telehealth. (*H. Martin*)
10. Report on Pending Regulations: Title 16, Division 39, CCR Section 4128, Retired Status; CCR Section 4130, Fees; Section 4154, Post Professional Education and Training; and Sections 4184, Delegation of Tasks to Aides; and, 4187, Occupational Therapy Assistants Serving in Administrative Positions. (*H. Martin*)
11. Legislative and Regulatory Affairs Committee Report and Possible Board Action.
(*L. Grangaard*)
 - A. Approval of the June 14, 2012, Committee meeting minutes.
 - B. Approval of the April 3, 2013, Committee meeting minutes.
 - C. Recommended position on pending legislation, including:
 - i. Assembly Bill (AB) 186 (Maienschein), Professions and vocations: military spouses: temporary licenses.
 - ii. AB 213 (Logue and Pan), Healing arts: licensure and certification requirements: military experience.
 - iii. AB 582 (Chesbro), Medi-Cal: custom rehabilitation technology services.
 - iv. AB 633 (Salas) Emergency medical services: civil liability.
 - v. AB 809 (Logue), Healing arts: telehealth.
 - vi. AB 864 (Skinner), Athletic trainers.
 - vii. AB 894 (Mansoor), Consumer affairs.

- viii. AB 1000 (Wieckowski), Physical therapists: direct access to services.
 - ix. AB 1003 (Maienschein), Professional corps: healing arts practitioners
 - x. AB 1013 (Gomez), Consumer affairs.
 - xi. AB 1017 (Gomez), Incoming telephone calls: messages.
 - xii. AB 1147(Gomez), Masage therapy.
 - xiii. AB 1231 (Perez) Regional centers: telehealth and teledentistry.
 - xiv. Senate Bill (SB) 138 (Hernandez), Confidentiality of medical information.
 - xv. SB 158 (Correa), Autism services: demonstration program
 - xvi. SB 305 (Price) Healing arts: boards.
 - xvii. SB 306 (Price), Healing arts: boards.
 - xviii. SB 381 (Yee), Healing arts: chiropractic practice.
 - xix. SB 555 (Correa), Developmental services: individual program plans and individual family service plans.
 - xx. SB 626 (Beall), Workers' compensation.
 - xxi. SB 809 (DeSaulnier and Steinberg), Controlled substances: reporting.
 - xxii. SB 816 (Committee on Health), Hospice facilities: developmental disabilities: intellectual disability.
12. Discussion and consideration of taking a position on pending legislation, including:
- A. AB 258 (Chavez), State agencies: veterans.
 - B. AB 291 (Nestande), California Sunset Review Commission.
 - C. AB 376 (Donnelly), regulations: notice.
 - D. AB 518 (Yamada and Blumenfield), Community-based adult services.
 - E. AB 772 (Jones), Department of Consumer Affairs: intervention in state agency or court proceedings.
 - F. AB 1310, (Brown), Medi-Cal: pediatric subacute care.
 - G. SB 176 (Galgiani), Administrative procedures.
 - H. SB 690 (Price), Licenses.
13. Discussion and consideration of Business and Professions Code Section 2570.185, requiring retention of records for a specified period, and how to implement the requirement if the business is closed or sold or if the practitioner is no longer in private practice. (*H. Martin*)
14. Discussion and consideration of revising the Board's Administrative Manual. (*H. Martin*)
15. Discussion and consideration of restructuring the Board's standing Committees, including Disaster Preparedness/Disaster Response Committee, Education and Outreach Committee, Enforcement Committee, Legislative and Regulatory Affairs Committee, and Practice Committee, and discussion of Committee's responsibilities. (*L. Grangaard*)
16. Executive Officer's Report and Possible Board Action. (*H. Martin*)

17. Enforcement data and reports for the period January 1 – March 31, 2013. (*J. Hanson*)
18. Public comment session for items not on the agenda.
Note: The Board may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125 and 1125.7(a)]
19. Proposed Agenda Items for Next Meeting:
 - Regulatory amendments
 - Petition for Reinstatement
 - Executive Officer evaluation
20. Meeting adjournment.

Public comments will be taken on agenda items at the time the item is heard. Action may be taken on any item listed on the agenda. Agenda items may be taken out of order for convenience, to accommodate speakers or to maintain a quorum. For further information on this meeting and agenda, contact Tabatha Montoya at (916) 263-2294 or submit a written request to her at 2005 Evergreen Street, Suite 2050, Sacramento, California, 95815.

The meeting is accessible to the physically disabled. A person who needs disability related Accommodations or modifications in order to participate in the meeting shall make a request to Tabatha Montoya at (916) 263-2294 or by mailing a written request to 2005 Evergreen Street, Suite 2050, Sacramento, California, 95815. Providing at least five working days notice before the meeting will help ensure the availability of accommodations or modifications. This agenda as well as Board meeting minutes can be found at the Board's website at www.bot.ca.gov.