CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM

As of November 30, 2016

Section 1 – Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the board. Describe the professions that are licensed by the board (Practice Acts vs. Title Acts).

The occupational therapy profession was established in 1917, and is one of the oldest allied health professions in the United States. Chapter 697/00 (SB 1046) created the California Board of Occupational Therapy, effective January 1, 2001. The Board is responsible for the licensure and regulation of Occupational Therapists (OTs) and Occupational Therapy Assistants (OTAs) in California. The Board's mission is to regulate occupational therapy by serving and protecting California's consumers and licensees.

California passed a title control /trademark law for occupational therapy in 1977 Business and Professions Code (BPC), Section 2570, Ch. 836), prohibiting individuals from using the professional titles recognized for Occupational Therapist (OT, OTR) and Occupational Therapy Assistants (OTA, COTA) without appropriate professional training/education. The law was updated in 1993 (BPC, Ch. 361) to further clarify the minimum education and examination requirements for practicing occupational therapists and occupational therapy assistants. The law had no registration process with the state or enforcement structure, nor did it prevent an unqualified individual from practicing occupational therapy as long as the individual did not refer to himself as an Occupational Therapist or Occupational Therapy Assistant.

Occupational therapy practitioners are represented by the Occupational Therapy Association of California, Inc. (OTAC). OTAC represents the professional interest of the licensees in California, provides information about the practice of occupational therapy, advocates on behalf of the profession and provides other resources to support the profession. The American Occupational Therapy Association, Inc. (AOTA), established in 1917, represents the profession on a national level and provides resources to support the profession, the educational community, and consumers.

Occupational therapy licensees provide important health and rehabilitation services to people of all ages, who, because of illness, injury, or developmental or psychological impairment, need specialized interventions to regain, develop, or build the skills necessary for independent functioning.

~~The focus of occupational therapy is on an individual's ability to effectively engage in performance areas that are purposeful and meaningful, such as activities of daily living (ADLs), and instrumental ADLs, including, among other things, work, play, leisure, social participation, and other productive activities.~~

The use of 'occupations' (the foundation of occupational therapy) are activities in which clients/patients engage and occur throughout the life span, including many elements that enhance ones quality of life, including:

- **Activities of daily living or 'self-care' activities;**
- **Instrumental activities of daily living or activities to support independent living or daily life within the home and community**
- **Work or activities for engaging in employment or serving as a volunteer;**
- **Play or activities pursued for enjoyment or diversion;**
- **Leisure or discretionary rewarding activities; and**
- **Social participation or the ability to exhibit behaviors and characteristics expected during interaction with others within a social system.**

Within their domain of practice (or focus of occupational therapy), occupational therapists and occupational therapy assistants consider the repertoire of occupations in which the client engages, the performance skills and patterns the client uses, client's body functions and structures. Occupational therapists and occupational therapy assistants use their knowledge and skills to help clients conduct or resume daily life activities that support function and health throughout the lifespan. Participation in activities and occupations that are meaningful to the client involves emotional, psychosocial, cognitive, and physical aspects of performance. Participation in meaningful activities and occupations enhances health, well-being, and life satisfaction.

Thus, occupational therapists and occupational therapy assistants treat a variety of:

- Body functions (such as neuromusculoskeletal, sensory-perceptual, visual, mental, cognitive, and pain factors) and body structures (such as cardiovascular, digestive, nervous, integumentary, genitourinary systems, and structures related to movement), values, beliefs, and spirituality.
- Activities of daily living, habits, routines, roles, rituals, and behavior patterns.
- Physical and social environments, cultural, personal, temporal, and virtual contexts and activity demands that affect performance; and
- Performance skills, including motor and praxis, sensory-perceptual, emotional regulation, cognitive, communication and social skills.

Over the years, there have been amendments to the licensing laws and regulations promulgated that have enhanced the Board's ability to protect the consumer, such as

development of the Disciplinary Guidelines and Cite and Fine Authority. To further bolster the regulation of the profession, the Board established supervision requirements, advance practice requirements, minimum standards for infection control, and continuing education/competency requirements.

Business and Professions Code (BPC) Section 2570.25 mandates that "protection of the public shall be the highest priority for the California Board of Occupational Therapy in exercising its licensing, regulatory, and disciplinary functions."

In order to accomplish its mission, the Board: Ensures only eligible and qualified individuals are issued a license; investigates complaints and criminal convictions; and responds to emerging changes and trends in the profession through legislative or regulatory amendments. The Board's statutes require individuals, with a few exceptions, engaging in the practice of occupational therapy possess a license.

1. **Describe the make-up and functions of each of the board's committees** (cf., Section 12, Attachment B).

The Board has no committee(s) specified in statute. However, the Board established four standing committees which serve as an essential component to help the Board address specific policy and/or administrative issues. The issues could be referred by the Board to a committee to delve into a policy issue/concern, to address issues referred by the public or licensees to the Board, or on recommendation by Board staff.

The Board's *Administrative Manual* identifies the number of members on each committee, requires the committee chairperson be a board member, and provides the committees' purposes. The committees' roles and responsibilities are attached under Section 12, Attachment XX -XX.

The committees, whose meetings are subject to the Open Meetings Act, include the following:

- Administrative Committee
- Education and Outreach Committee
- Legislative and Regulatory Affairs Committee
- Practice Committee

Internal organization of each committee is at its discretion, except as specified in the Board's Administrative Manual, and must be approved by the Board. The Committee chairperson, the assigned Board member, will oversee the meetings and work with the Executive Officer to develop an agenda and the meeting materials. The Board member will be responsible for providing the Committee report at the Board meeting.

Committee member terms are two years with a maximum service of two full, consecutive terms. Meetings will be held two or three times per year or as needed to conduct business, and be consistent with the Bagley-Keene Open Meeting Act. Non-Board Member committee members shall be entitled to reimbursement of travel expenses but shall not receive any compensation for their time.

Administrative Committee – Comprised of the Board President, Vice President, and the Executive Officer; meetings are held as needed to provide guidance to staff for the budgeting and organizational components of the Board (i.e., budget change proposals, out-of-state trip requests, contracts, meeting agendas and preparation, respond to audits, and other duties as required.

The Education and Outreach Committee, consisting of four members, at least one of whom will be a Board member, will develop consumer and licensee outreach projects, including the Board's newsletter, website, e-government initiatives, and outside organization presentations. Committee members may be asked to represent the Board at meetings, conferences, health, career or job fairs, or at the invitation of outside organizations and programs.

The Legislative/Regulatory Affairs Committee, consisting of four members, at least one of whom is a Board member, will provide information and/or make recommendations to the Board and other Committees on matters relating to legislation and regulations affecting the regulation of occupational therapists, occupational therapy assistants, and other items in the public interest or affecting Board operations.

The Legislative/Regulatory Affairs Committee will: Monitor current legislation on behalf of the Board and make position recommendations to the Board at each Board meeting; serve as a resource to other Board committees on legislative and regulatory matters; and serve as a resource for the Board to implement proposed revisions to the Act and Board regulations.

The Practice Committee, consisting of no less than four members, at least one of whom is a Board member, will include a diverse representation for a variety of work settings.

The Practice Committee's purpose will be to review and provide recommended responses to the Board on various practice issues/questions submitted by licensees and consumers; provide guidance to staff on continuing competency audits; review and provide recommendations to the Board on practice-related proposed regulatory amendments; and review and provide recommendations to Board staff on revisions to various applications and forms used by the Board.

Due to on-going travel restrictions and the need to minimize all expenditures, including costs related to travel reimbursement, committee meetings have been conducted via teleconference and the committee's recommendations are brought to the Board at the next scheduled meeting.

Table 1a. Attendance (7/1/2012 – 6/30/2016)			
Eric Alegria			
Date Appointed:	06/13/2011		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	07/31/2012	Teleconference	Y
Enforcement Committee	09/11/2012	Teleconference	N
Board Meeting	10/11-12/2012	Teleconference	N
Board Meeting	10/26/2012	Teleconference	Y
Richard Bookwalter			
Date Appointed:	03/05/2014		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	05/15/2014	Teleconference	Y
Board Meeting	06/24/2014	Teleconference	Y
Board Meeting	11/13/2014	San Diego	Y
Ad Hoc Committee Meeting	03/03/2015	Teleconference	Y
Board Meeting	03/06/2015	Riverside	Y
Ad Hoc Committee Meeting	04/22/2015	Teleconference	Y
Ad Hoc Committee Meeting	05/12/2015	Teleconference	Y
Board Meeting	06/3-4/2015	Sacramento	Y
Board Meeting – Strategic Planning	06/25-26/2015	Sacramento	Y
Board Meeting	09/17-18/2015	Union City	Y
Board Meeting	10/24/2015	Sacramento	Y
Board Meeting	11/19-20/2015	Los Angeles	Y
Ad Hoc Committee Meeting	12/16/2015	Teleconference	Y
Board Meeting	01/05/2016	Teleconference	Y
Ad Hoc Committee Meeting	01/27/2016	Teleconference	Y
Board Meeting	02/18-19/2016	San Marcos	Y
Board Meeting	05/19-20/2016	Loma Linda	Y
Board Meeting	06/23/2016	Teleconference	Y
Teresa Davies			
Date Appointed:	01/13/2016		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	02/18-19/2016	San Marcos	Y
Board Meeting	05/19-20/2016	Loma Linda	Y
Board Meeting	06/23/2016	Teleconference	Y
Mary Evert			
Date Appointed:	03/16/2005; Reappointed 12/22/2008; Served 1 yr. grace		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	07/31/2012	Teleconference	Y
Disaster Preparedness/ Response Comm.	09/20/2012	Teleconference	Y
Board Meeting	10/11-12/2012	Teleconference	Y
Disaster Preparedness/ Response Comm.	10/24/2012	Teleconference	Y

Table 1a. Attendance (7/1/2012 – 6/30/2016)			
Board Meeting	10/26/2012	Teleconference	Y
Jeffrey Ferro			
Date Appointed:	01/13/2014		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	02/06/2014	Sacramento	N
Board Meeting	05/15/2014	Teleconference	Y
Board Meeting	06/24/2014	Teleconference	Y
Board Meeting	11/13/2014	San Diego	Y
Board Meeting	03/06/2015	Riverside	N
Board Meeting	06/3-4/2015	Sacramento	Y
Board Meeting – Strategic Planning	06/25-26/2015	Sacramento	Y
Board Meeting	09/17-18/2015	Union City	N
Board Meeting	10/24/2015	Sacramento	Y
Ad Hoc Committee Meeting	10/24/2015	Sacramento	Y
Board Meeting	11/19-20/2015	Los Angeles	Y (11/20 only)
Board Meeting	01/05/2016	Teleconference	N
Board Meeting	02/18-19/2016	San Marcos	Y (2/19 only)
Board Meeting	05/19-20/2016	Loma Linda	Y
Board Meeting	06/23/2016	Teleconference	Y
Linda Florey			
Date Appointed:	07/14/2010; Reappointed 12/13/2010, served grace period		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Practice Committee	07/17/2012	Teleconference	Y
Board Meeting	07/31/2012	Teleconference	Y
Board Meeting	10/11-12/2012	Teleconference	Y
Board Meeting	10/26/2012	Teleconference	Y
Board Meeting	02/27/2013	Sacramento	Y
Board Meeting	04/25/2013	Teleconference	Y
Board Meeting	05/8-9/2013	Sacramento	Y
Board Meeting	06/21/2013	Teleconference	Y
Board Meeting	09/16/2013	Teleconference	Y
Board Meeting	11/07/2013	Los Angeles	Y
Board Meeting	12/03/2013	Teleconference	Y
Board Meeting	02/06/2014	Sacramento	Y
Board Meeting	05/15/2014	Teleconference	Y
Board Meeting	06/24/2014	Teleconference	Y
Board Meeting	11/13/2014	San Diego	Y
Board Meeting	03/06/2015	Riverside	Y

Luella Grangaard			
Date Appointed:	12/13/2010		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	07/31/2012	Teleconference	Y
Board Meeting	10/11-12/2012	Teleconference	Y
Board Meeting	10/26/2012	Teleconference	Y
Board Meeting	02/27/2013	Sacramento	Y
Legislative/Regulatory Affairs Committee	04/03/2013	Teleconference	Y
Board Meeting	04/25/2013	Teleconference	Y
Board Meeting	05/8-9/2013	Sacramento	Y
Laura Hayth			
Date Appointed:	05/05/2015		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	06/3-4/2015	Sacramento	Y
Board Meeting – Strategic Planning	06/25-26/2015	Sacramento	Y
Board Meeting	09/17-18/2015	Union City	Y
Board Meeting	10/24/2015	Sacramento	Y
Ad Hoc Committee Meeting	10/06/2015	Teleconference	Y
Ad Hoc Committee Meeting	10/24/2015	Sacramento	Y
Board Meeting	11/19-20/2015	Los Angeles	Y
Board Meeting	01/05/2016	Teleconference	Y
Board Meeting	02/18-19/2016	San Marcos	Y
Board Meeting	05/19-20/2016	Loma Linda	Y
Board Meeting	06/23/2016	Teleconference	Y
Kathleen Lovell			
Date Appointed:	12/13/2010		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	07/31/2012	Teleconference	N
Disaster Preparedness/ Response Comm.	09/20/2012	Teleconference	Y
Board Meeting	10/11-12/2012	Teleconference	Y
Disaster Preparedness/ Response Committee.	10/24/2012	Teleconference	N
Board Meeting	10/26/2012	Teleconference	N
Board Meeting	02/27/2013	Sacramento	Y
Board Meeting	04/25/2013	Teleconference	Y
Board Meeting	05/8-9/2013	Sacramento	Y
Board Meeting	06/21/2013	Teleconference	Y
Board Meeting	09/16/2013	Teleconference	Y
Board Meeting	11/07/2013	Los Angeles	Y
Board Meeting	12/3/2013	Teleconference	Y
Board Meeting	02/06/2014	Sacramento	N
Board Meeting	05/15/2014	Teleconference	Y

Board Meeting	06/24/2014	Teleconference	Y
Board Meeting	11/13/2014	San Diego	Y
Nancy Michel			
Date Appointed:	02/04/2009; Reappointed 1/2013		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	07/31/2012	Teleconference	Y
Enforcement Committee	09/11/2012	Teleconference	Y
Board Meeting	10/11-12/2012	Teleconference	Y
Board Meeting	10/26/2012	Teleconference	Y
Board Meeting	02/27/2013	Sacramento	Y
Board Meeting	04/25/2013	Teleconference	Y
Board Meeting	05/8-9/2013	Sacramento	Y
Board Meeting	06/21/2013	Teleconference	Y
Board Meeting	09/16/2013	Teleconference	Y
Board Meeting	11/07/2013	Los Angeles	Y
Board Meeting	12/03/2013	Teleconference	Y
Board Meeting	02/06/2014	Sacramento	Y
Board Meeting	05/15/2014	Teleconference	Y
Board Meeting	06/24/2014	Teleconference	N
Board Meeting	11/13/2014	San Diego	Y
Board Meeting	03/06/2015	Riverside	Y
Board Meeting	11/19-20/2015	Los Angeles	N
Board Meeting	06/3-4/2015	Sacramento	Y
Board Meeting – Strategic Planning	06/25-26/2015	Sacramento	N
Board Meeting	09/17-18/2015	Union City	Y
Board Meeting	10/24/2015	Sacramento	N
Board Meeting	11/19-20/2015	Los Angeles	N
Board Meeting	01/05/2016	Teleconference	Y
Denise Miller			
Date Appointed:	05/15/2013; Reappointed 01/05/2016		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	06/21/2013	Teleconference	Y
Board Meeting	09/16/2013	Teleconference	Y
Board Meeting	11/07/2013	Los Angeles	Y
Board Meeting	12/03/2013	Teleconference	Y
Board Meeting	02/06/2014	Sacramento	Y
Board Meeting	05/15/2014	Teleconference	Y
Board Meeting	06/24/2014	Teleconference	Y
Board Meeting	11/13/2014	San Diego	Y
Board Meeting	03/06/2015	Riverside	Y
Board Meeting	06/3-4/2015	Sacramento	Y
Board Meeting – Strategic Planning	06/25-26/2015	Sacramento	Y

Board Meeting	09/17-18/2015	Union City	Y
Board Meeting	10/24/2015	Sacramento	Y
Board Meeting	11/19-20/2015	Los Angeles	Y
Board Meeting	01/05/2016	Teleconference	Y
Board Meeting	02/18-19/2016	San Marcos	Y
Board Meeting	05/19-20/2016	Loma Linda	Y
Board Meeting	06/23/2016	Teleconference	Y
Beata Morcos			
Date Appointed:	05/19/2015		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	06/3-4/2015	Sacramento	Y
Board Meeting – Strategic Planning	06/25-26/2015	Sacramento	Y
Board Meeting	09/17-18/2015	Union City	Y
Board Meeting	10/24/2015	Sacramento	Y
Board Meeting	11/19-20/2015	Los Angeles	Y
Board Meeting	01/05/2016	Teleconference	Y
Board Meeting	02/18-19/2016	San Marcos	Y
Board Meeting	05/19-20/2016	Loma Linda	Y
Board Meeting	06/23/2016	Teleconference	Y
Sharon Pavlovich			
Date Appointed:	08/16/2013; Reappointed 01/05/2016		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	09/16/2013	Teleconference	N
Board Meeting	11/07/2013	Los Angeles	Y
Board Meeting	12/03/2013	Teleconference	Y
Board Meeting	02/06/2014	Sacramento	Y
Board Meeting	05/15/2014	Teleconference	Y
Board Meeting	06/24/2014	Teleconference	Y
Board Meeting	11/13/2014	San Diego	Y
Ad Hoc Committee Meeting	03/03/2015	Teleconference	Y
Board Meeting	03/06/2015	Riverside	Y
Ad Hoc Committee Meeting	04/22/2015	Teleconference	Y
Ad Hoc Committee Meeting	05/12/2015	Teleconference	Y
Board Meeting	06/3-4/2015	Sacramento	Y
Board Meeting – Strategic Planning	06/25-26/2015	Sacramento	Y
Board Meeting	09/17-18/2015	Union City	N
Board Meeting	10/24/2015	Sacramento	N
Board Meeting	11/19-20/2015	Los Angeles	Y
Board Meeting	01/05/2016	Teleconference	Y
Board Meeting	02/18-19/2016	San Marcos	Y
Board Meeting	05/19-20/2016	Loma Linda	Y
Board Meeting	06/23/2016	Teleconference	Y

Bobbi Jean Tanberg			
Date Appointed:	01/24/2007; Reappointed 12/22/2008		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attend?**
Board Meeting	07/31/2012	Teleconference	Y
Board Meeting	10/11-12/2012	Teleconference	N
Board Meeting	10/26/2012	Teleconference	Y

Table 1b. Board Member Roster 7/1/ 2012-6/30/2016

Member Name (Include Vacancies)	Date First Appointed	Date Re-appointed	Date Term Expires	Appointing Authority	Type (public or professional)
Alegria, Eric	06/13/2011		12/31/2012	Assembly Speaker	Public
Bookwalter, Richard	03/05/2014		12/31/2016	Governor	Prof
Davies, Teresa	01/13/2016		12/31/2016	Senate Rules	Public
Evert, Mary	03/16/2005	12/22/2008	12/31/2011 (served 1 year grace period)	Governor	Prof
Ferro, Jeffrey	01/13/2014		12/31/2016	Assembly Speaker	Public
Florey, Linda	07/14/2010	12/14/2010	12/31/2014 (served grace period)	Governor	Prof.
Grangaard, Luella	12/13/2010		12/31/2012 (served partial grace period 5/2013)	Governor	Prof.
Hayth, Laura	05/05/2015		12/31/2018	Governor	Prof
Lovell, Kathleen	12/13/2010		12/31/2014	Governor	Public
Meyer, Jaynee	05/15/2013		12/31/2019 (resigned 7/11/2013	Governor	Prof
Michel, Nancy	02/04/2009	1/2013	12/31/2016 (replaced 1/13/2016)	Senate Rules	Public
Miller, Denise	05/15/2013	01/05/2016	12/31/2019	Governor	Prof.
Morcos, Beata	05/19/2015		12/31/2018	Governor	Public
Pavlovich, Sharon	08/16/2013	01/05/2016	12/31/2019	Governor	Prof
Tanberg, Bobbi Jean	01/24/2007	12/22/2008	12/31/2011 (served 1 year grace period)	Governor	Prof

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

A lack of quorum has not occurred so there has been no adverse impact to Board operations related to appointments.

3. **Describe any major changes to the board since the last Sunset Review, including, but not limited to:**

- Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)

In February 2013, the Board moved to its current location at 2005 Evergreen Street, Suite 2250, Sacramento, California 95815. The Board's prior address was in the same building, but in a smaller suite.

During 2015, the Board developed and adopted a new 2016-2019 Strategic Plan. As part of that process, an environmental scan and analysis of the environment in which the Board operates was conducted. The environmental scan sought stakeholder input on the Board's performance in the areas of Enforcement, Applicant Qualifications, Laws and Regulations, Outreach and Communication, and Organizational Effectiveness. This process included sending a survey to more than 900 stakeholders, including people on the Board's interested parties list, other state licensing boards, associations, and program directors of all California occupational therapy education programs.

After the culmination of two+ years of mapping the Board's business processes, and designing, developing, and testing of the new BreEZe system, the Board successfully transitioned to a new computer system (BreEZe) in January 2016. The new system provides increased automation to end-users and a significant improvement in data capturing and sorting capabilities. BreEZe allows consumers to verify licenses and submit consumer complaints on-line, allows licensees and applicants to submit various applications/transactions to the Board electronically and provides increased automation and reporting capabilities for Board staff. The new online system allows licensees and applicants to submit applications for licensure and renewals, and submit requests for a variety of services, such as a change in address, name change, verification of license, etc.

Also, as part of the Budget Change Proposal process, the Board's staff was augmented with 7.5 PYs (personnel years or positions, as more commonly known) to assist in the Enforcement and Licensing areas, effective July 1, 2016.

- All legislation sponsored by the board and affecting the board since the last sunset review.

New legislation

The Board sponsored no new legislation.

Legislation affecting the Board

2012

AB 1588 (Atkins, Chapter 742, Statutes of 2012) authorizes a waiver from license renewal fees and continuing education requirements for any licensee of a program under the jurisdiction of the Department of Consumer Affairs who is called to active duty by the United States Armed Forces or the California National Guard.

AB 1733 (Logue, Chapter 782, Statutes of 2012) replaces the term 'telemedicine' with 'telehealth' in various code sections; clarifies that health care practitioners shall only practice telehealth within the parameters of their scope of practice; and, clarifies the ability for all healing arts boards to regulate telehealth.

AB 1896 (Chesbro, Chapter 119, Statutes of 2012) exempts health care practitioners employed by a Tribal Health Program from California licensure, as long as the practitioner is licensed in another state.

AB 1904 (Block, Chapter 399, Statutes of 2012) requires the Department of Consumer Affairs' boards and bureaus to expedite the licensure process for the spouse or domestic partner of a member of the military on active duty who is assigned to a duty station in California.

AB 2570 (Hill, Chapter 561, Statutes of 2012) prohibits a licensee of any program under the Department of Consumer Affairs from using or allowing the use of confidentiality agreements ("gag clauses") in settlement agreements.

SB 1099 (Wright, Chapter 295, Statutes of 2012) provides that a regulation or order of repeal is effective on one of four dates: January 1, April 1, July 1, or October 1, except as specified. This bill also requires the Office of Administrative Law to list on its website and link to the full text of each regulation filed with the Secretary of State.

SB 1575 (Committee on Business, Professions, and Economic Development, Chapter 799, Statutes of 2012) removes an inconsistency in the Occupational Therapy Practice Act by allowing an occupational therapist assistant to supervise aides.

2013

AB 258 (Chavez, Chapter 227, Statutes of 2013) requires, on or after July 1, 2014, every state agency that requests on any written form, publication, or through its website, whether a person is a veteran, to request that information only in the following format: "Have you ever served in the United States military?"

AB 393 (Cooley, Chapter 124, Statutes of 2013) requires the Director of the Governor's Office of Business and Economic Development to ensure the Office's website contains information on the fee requirements and fee schedules of state agencies. This bill also requires state agencies that have licensing, permitting, or registration authority to provide accurate updated fee schedule information to the Office.

AB 1057 (Medina, Chapter 693, Statutes of 2013) requires, after January 1, 2015, all licensing programs within the Department of Consumer Affairs to ask on all initial applications for licensure whether the applicant is serving, or has previously served, in the military.

SB 305 (Lieu, Chapter 516, Statutes of 2013), among other things, extends the authorization of the Occupational Therapy Board to January 1, 2018. This bill also clarifies the Board's authority to obtain local and state records of arrests and convictions and related materials in connection with applicant or licensee investigations.

SB 666 (Steinberg, Chapter 577, Statutes of 2013) provides that a licensee of an entity under the Department of Consumer Affairs may be subject to disciplinary action, upon a finding by the Secretary of the Labor and Workforce Development Agency, that a licensee has threatened to retaliate or retaliated against an employee or an employee's family based on citizenship or immigration status.

2014

AB 809 (Logue, Chapter 404, Statutes of 2014) revises the patient consent provisions related to the use of telehealth services by health care providers. The bill allows written consent in addition to verbal consent and specifies that the consent is valid for a designated course of health care and treatment.

AB 1702 (Maienschein, Chapter 410, Statutes of 2014) prohibits licensing boards and bureaus within the Department of Consumer Affairs from denying a license or delaying the processing of applications based solely on some or all of the licensure requirements having been completed while the applicant was incarcerated.

AB 1711 (Cooley, Chapter 779, Statutes of 2014) requires state agencies to include an economic impact assessment of any proposed regulation in its published initial statement of reasons. The bill also requires the Department of Finance to include and update instructions on how to prepare the economic impact assessment in the State Administrative Manual.

AB 2396 (Bonta, Chapter 737, Statutes of 2014 prohibits a licensing authority under the Department of Consumer Affairs from denying a license based solely on a prior conviction if the conviction has been dismissed pursuant to Penal Code expungement procedures.

AB 2720 (Ting, Chapter 510, Statutes of 2014) amends the Bagley-Keene Open Meeting Act to require all state bodies, such as the licensing programs within the Department of Consumer Affairs, to keep a record of, and publicly report, every vote and abstention of each voting member on every action taken by a board, committee, or commission.

SB 1159 (Lara, Chapter 752, Statutes of 2014) requires all programs within the Department of Consumer Affairs (Department), as well as the State Bar, to accept an individual taxpayer identification number from applicants in lieu of a social security number and explicitly directs the Department's licensing programs to issue licenses to individuals qualified for licensure, but not legally present in the United States.

SB 1226 (Correa, Chapter 657, Statutes of 2014) authorizes programs under the Department of Consumer Affairs to expedite and assist the licensure process for individuals honorably discharged from the United States Armed Forces who return to California and seek professional and occupational licensure.

SB 1243 (Lieu, Chapter 395, Statutes of 2014) extends telephone disconnect authority to all Department of Consumer Affairs (Department) programs and requires the Department to: 1) conduct a one-time study on the efficiency of the Department's

pro rata distribution, 2) provide an annual report on the Department's actual pro rata accounting to the Legislature beginning July 1, 2015, 3) report enforcement data for all programs on January 1 of each year, and 4) offer stakeholders a choice to receive program meeting notifications by mail, email, or both.

SB 1256 (Mitchell, Chapter 256, Statutes of 2014) requires all healing arts licensees to present patients with a specified notice and treatment plan that includes estimated costs and items to be pre-paid prior to facilitating a third-party line of credit for payment of medical expenses. The bill also forbids the arrangement of such a credit plan with a patient that is under the influence of anesthesia.

SB 1466 (Committee on Business, Professions, and Economic Development, Chapter 316, Statutes of 2014) makes several non-controversial, non-substantive, or technical changes to various provisions pertaining to health-related programs of the Department of Consumer Affairs.

2015

AB 179 (Bonilla, Chapter 510, Statutes of 2015) provides that sexual abuse and misconduct statute does not apply to consensual relationships between healing arts licensees and their spouses or domestic partners.

AB 333 (Melendez, Chapter 360, Statutes of 2015) authorizes healing arts programs at the Department of Consumer Affairs to apply one unit of continuing education credit to licensees who become an instructor in cardiopulmonary resuscitation (CPR) or automated external defibrillator (AED) training courses. This bill also authorizes healing arts programs to apply two units of continuing education credits to licensees who conduct CPR or AED training for school districts and community colleges.

SB 467 (Hill, Chapter 656, Statutes of 2015) requires the Attorney General to submit an annual report to the Department of Consumer Affairs (Department), Governor, and Legislature, disclosing specified case aging data for Department referrals to the Attorney General. In addition, this bill requires the Department's Division of Investigation to work with the Department's programs, with the exception of the Medical Board, to implement the complaint prioritization guidelines described in the Department's Consumer Protection Enforcement Initiative.

SB 560 (Monning, Chapter 389, Statutes of 2015) allows boards and bureaus within the Department of Consumer Affairs (Department) to report specified licensee information to the Employment Development Department. In addition, this bill prohibits the Department and its programs from processing initial license applications that do not contain a Social Security Number, Individual Taxpayer Identification Number, or Employer Identification Number.

All regulation changes approved by the board since the last sunset review. Include the status of each regulatory change approved by the board.

Section(s)	Rulemaking File Subject	Status	Publication Date	Close of public comment period	Effective date of language
4100, 4101, 4146, 4148, 4149, 4149.1	Definitions, Delegations of certain functions, and Fitness for licensure, Unprofessional conduct, and Sexual contact (CPEI regulations)	Adopted September 2011	07/22/2011	09/05/2011	09/28/2012
4116, 4117, 4118, 4119	Free sponsored healthcare events	Adopted September 2011	07/22/2011	09/05/2011	09/10/2012
4155	Application for Advanced Practice Approval	Adopted September 2011	07/22/2011	09/05/2011	04/18/2012
4180, 4184, 4187	Definitions and supervision plan	Adopted July 2010	10/14/2011	11/28/2011	04/01/2013
4128, 4130	Retired status and fees	Modified text adopted May 2013	08/24/2012	10/08/2012	04/01/2014
4154	Post-professional education and training	Adopted October 2012	08/24/2012	10/08/2012	10/01/2013
4170	Ethical standards	Second modified text adopted June 2013. Final package submitted too late to meet OAL deadline.	08/24/2012	10/08/2012	n/a
4172	Standards of practice for telehealth	Second modified text adopted June 2013	08/24/2012	10/08/2012	04/01/2014
4101, 4146.5 4147, 4147.5	Delegation of certain functions, Effective date, and Disciplinary Guidelines and Uniform Standards	Adopted May 2013	03/22/2013	05/06/2013	10/01/2014
4102, 4114, 4122, 4141, 416341 81	Remove 'certified' and 'certification' throughout Title 16	Sec 100 change - submitted to OAL May 15, 2013; approved June 25, 2013	09/20/2013		10/01/2013
4110, 4112, 4120, 4121, 4123, 4127*	Application, review of application, license renewal, limited permit *renumbered from 4122	Adopted February 2013	05/31/2013	07/29/2013	01/01/2015
4151, 4152	Accept CHT for hands/PAMS approval	Adopted September 2013	12/20/2013	02/03/2014	01/01/2016
4161	Continuing Competency	Adopted by February 2014	12/20/2013	02/03/2014	07/01/2015
4170	Ethical Standards of Practice	Adopted October 2012.	12/20/2013	02/03/2014	N/A
4151, 4152	Accept CHT for Hands/PAMs approval	Adopted June 2015	04/03/2015	05/19/2015	1/1/2016

4170	Ethical Standards of Practice	Modified text adopted January 2016	04/10/2015	05/26/2015	7/1/2016
4110	Application	Modified text adopted January 2016	07/31/2015	09/15/2015	10/1/2016
4172	Standards of Practice for Telehealth	Modified text adopted January 2016	09/25/2015	11/09/2015	
4130	Fees	Adopted August 2016	03/25/2016	05/09/2016 07/22/2016 08/18/2016	
4161, 4162, 4163	Continuing Competence	Adopted August 2016	06/24/2016	08/08/2016	
4176	Notice to Consumer	Adopted October 2016	07/01/2016	08/15/2016	
4149.5	Criteria to consider when refusing to consider a petition	To be considered in December 2016	08/26/2016	10/10/2016	

4. **Describe any major studies conducted by the board (cf. Section 12, Attachment C).**

   None to report.

5. **List the status of all national associations to which the board belongs.**

   - **Does the board's membership include voting privileges?**
   - **List committees, workshops, working groups, task forces, etc., on which board participates.**
   - **How many meetings did board representative(s) attend? When and where?**

     Not applicable.

   - **If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?**

     The Board uses the same national examination (and vendor) used by all other State occupational therapy licensing boards. The Board is not involved in the development, scoring, analysis, and administration of the examination; however, a pool of more than 50 licensed professionals and faculty members from across the nation serve as subject matter experts (SMEs). The SMEs, including representatives from California, are responsible for exam question development, analysis, and validation. The National Board for Certification in Occupational Therapy (NBCOT) is the vendor that administers and scores the examinations; NBCOT also reports the scores to the candidates, state regulatory agencies, and prospective employers, if a so candidate chooses.

6. **Provide each quarterly and annual performance measure report for the board as published on the DCA website.**

   Attachments to be provided in Section 12.

7. **Provide results for each question in the board's customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.**

   The Board provides the Customer Satisfaction Survey on our website under the "Quick Hits" for easy access in locating the Board's survey. The results received decreased each fiscal year, which could be as a result of the new BreEZe system or more experienced staff.

   To increase the number of survey responses, the Board is implementing a new procedure whereby a self-addressed stamped Consumer Satisfaction Survey postcard will be enclosed with all enforcement closure letters. In addition, the Board is going to have a QR code included on the closure letter that can be used with an iOS or Android phone; a link to the survey will also be included on any enforcement email replies. Lastly, in the closure letter, the complainant will be provided with a link to the survey in case he/she prefers to take the survey on-line. The Board will continue to provide a survey on our website that will rate other functions of the staff's processes.

   In further attempts to increase survey responses, Board staff will send out an email reminder and provide a link to the surveys on a quarterly basis.

   The results from the survey responses, including a four-year total of only 51 responses, are as follows:

FY 2012–2013

During FY 2012-13, there were 27 responses. Fifteen comments accompanied the surveys and are displayed verbatim, below the respective question.

To summarize the data, the majority of the responses were received from current licensees with more than 50 percent indicating that they obtained the service/assistance they needed. Some of the comments below, particularly as they relate to an online payment system for applications and renewals has been addressed since the Board migrated to the BreEZe system in January 2016. Staffing issues will be reduced once six new positions that were approved through the budget change proposal process are filled.

Question: During the past 12 months, how often have you contacted the CBOT?		
	Response Count	Response %
0 times	5	18.52%
1-3 times	13	48.15%
3-6 times	4	14.81%
6-12 times	4	14.81%
13 or more times	1	3.70%
Skipped question	0	

Question: Which of the following best describes you:		
	Response Count	Response %
Current licensee	23	85.19%
Applicant for licensure	1	3.70%
Consumer of occupational therapy services	2	7.41%
Other	1	3.70%
Skipped question	0	

Question: Did you receive service/assistance you needed as result of your contact?		
	Response Count	Response %
Yes	12	52.17%
No	11	47.83%
Skipped question	4	

Question: Please rate the CBOT staff in the following:						
	Excellent	Good	Fair	Poor	Unacceptable	N/A
	Response/%	Response/%	Response/%	Response/%	Response/%	Response/%
Accessibility	6 – 24.00%	7 – 28.00%	4 – 16.00%	4 – 16.00%	2 – 8.00%	2 – 8.00%
Courtesy/ Helpfulness	6 – 24.00%	9 – 36.00%	4 – 16.00%	3 – 12.00%	2 – 8.00%	1 – 4.00%
Knowledge/ Expertise	6 – 24.00%	9 – 36.00%	4 – 16.00%	1 – 4.00%	3 – 12.00%	2 – 8.00%
Successful resolution of your issue	4 – 16.67%	8 – 33.33%	6 – 25.00%	1 – 4.17%	3 – 12.50%	2 – 8.33%
Overall satisfaction	5 – 20.83%	9 – 36.00%	4 – 16.67%	2 – 8.33%	3 – 12.50%	1 – 4.17%
Skipped question	2					

Question: Did you find the CBOT's website useful?		
	Response Count	Response %
Yes	20	83.33%
No	4	16.67%
Skipped question	3	

Comments:

- "There should be more than 1 person processing applications for CBOT.
- License lookup, documents
- Please communicate new laws and regulations of importance guiding how one practice, on the website or via e-mail.
- It would be great if licensure, payment and application progress could be handled on the website."

Question: How do you rate the CBOT's website:					
	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
	Response/%	Response/%	Response/%	Response/%	Response/%
Website is easy to navigate	6 – 26.09%	9 – 39.13%	6 – 20.09%	2 – 8.70%	0 – 0.00%
Information is easy to find	5 – 21.74%	9 – 39.13%	6 –20.09%	3 – 13.04%	0 – 0.00%
I regularly visit the Board's website	3 – 13.04%	13 – 56.52%	7 – 30.43%	0 – 0.00%	0 – 0.00%
Skipped question	3				

Comments:

- "Update FAQs to include info on PAMs and Hand Therapy (e.g. how Botox figures) as well as current info on swallowing.
- It is rather easy once you are familiar with the website.
- Allow online recertification and payment please"

Question: Have you interacted with any other state licensing/regulatory board or agency?		
	Response Count	Response %
Yes	5	19.23%
No	21	80.77%
Skipped question	1	
Question: If yes, which state?		
	Response Count	Response %
California	4	80.00%
Georgia	1	20.00%
Skipped question	22	

Question: If you answered YES to "Have you interacted with any other state licensing/regulatory board/agency" please rate our Board:		
	Response Count	Response %
Excellent	0	0.00%
Good	2	40.00%
Neutral	2	40.00%
Needs Improvement	0	0.00%
Poor/ Unsatisfactory	1	20.00%
Skipped question	22	

Question: Would you be willing to provide an email address to receive a newsletter?		
	Response Count	Response %
Yes	12	57.14%
No	9	42.86%
Skipped question	6	

Additional Comments or Suggestions:

- "I have not particularly had bad experience with contacting the office, but I have heard from several other people that it takes a long time to get a return call, to get answers, and to get solutions to issues. Whether this is true or not, this is the impression people seem to have when talking about the CBOT office.
- I have found the Board to be responsive to some inquires but I did not receive a response to one inquiry this year (regarding a specific question on Practice Act and regulations regarding supervision of OTAs).
- Would be helpful if the board had the ability for us to pay dues online- would be instant instead of the 6 weeks wait. Hand therapy certification commission does that. They have you pay online, and submit proof of education classes by faxing copies of these forms to them as and when you do them so that there is online tracking of education classes completed. If not this system entirely it would be helpful to at least be able to pay dues online or by phone to be consistent with what other regulatory bodies are doing. Thanks
- I find it odd that your staff does not provide accurate information when I called in. Also, it took over 3 months to receive my license but I received a violation for the failure to change my address and a response after I immediately paid a fine within 7 business days. Also, I once filed a complaint against 2 therapists 2 years ago. The therapists were spoken to but no fine. The same problem is occurring in that facility--failure to document in a timely manner. I do not work there but the same problem??????? I do not feel that your service is helpful to address real violations. Thus, I am not going to bother to report on [Name Removed], OTR/L who constantly violates your regulations on unprofessional behavior and falsifying documents. She will never be stopped even if a complaint were filed against her.
- Please update forms. Application for advanced practice is apparently out of date, but one does not learn this until the application is filed and Mr. Schenk informs the applicant. CBOT has been unresponsive to all issues regarding advanced practice. The process has taken over 15 months. Applicants for advanced practice are turned away from the inefficient process, resulting in less licensees with advanced practice titles, therefore limiting the practice of occupational therapy in California. Communication between the Board and licensees is inconsistent and inaccurate.
- The Calif governing board for OT for advanced practice approval is very poor in providing notification to a therapist if their packet has been received. I sent in my packet for advance practice in modalities on October 16, 2012 and have not heard any update as to even receiving the packet. I have called the office with no return calls regarding my concerns which are very important in my current job.
- Make license renewal available on-line. I can pay my phone bill on-line but not my OT license renewal??????!!!!!!
- Attempting to get approved for advanced certification. Poor information provided by regulatory board and resulted in many unnecessary steps. Very unsatisfied with the "politics" of receiving advanced certification."

FY 2013–2014

During FY 2013-14, there were only nine responses. Six comments accompanied the surveys and are displayed verbatim, below the respective question.

The Board received nine responses to the survey, which were from current or prospective licensees. Based on the outcome of the service/assistance that was provided, 75 percent were not satisfied. According to the comments received it was mainly due to advance practice application processing, which has been experiencing backlogs. Once the six new positions that were approved through the budget change proposal process are filled, the Board anticipates the backlog in advanced practice applications will be eliminated.

Question: During the past 12 months, how often have you contacted the CBOT?		
	Response Count	Response %
0 times	2	22.22%
1-3 times	3	33.33%
3-6 times	2	22.22%
6-12 times	2	22.22%
13 or more times	0	0.00%
Skipped question	0	

Question: Which of the following best describes you:		
	Response Count	Response %
Current licensee	5	55.56%
Applicant for licensure	4	44.44%
Consumer of occupational therapy services	0	0.00%
Other	0	0.00%
Skipped question	0	

Question: Did you receive service/assistance you needed as result of your contact?		
	Response Count	Response %
Yes	2	25.00%
No	6	75.00%
Skipped question	1	

Question: Please rate the CBOT staff in the following:						
	Excellent	Good	Fair	Poor	Unacceptable	N/A
	Response/ %	Response/ %	Response/ %	Response/ %	Response/ %	Response/ %
Accessibility	1 – 11.11%	0 – 0.00%	1 – 11.11%	1 – 11.11%	5 – 55.56%	1 – 11.11%
Courtesy/ Helpfulness	1 – 11.11%	1 – 11.11%	0 – 0.00%	1 – 11.11%	5 – 55.56%	1 – 11.11%
Knowledge/ Expertise	2 – 22.22%	0 – 0.00%	1 – 11.11%	1 – 11.11%	3 – 33.33%	2 – 22.22%
Successful resolution of your issue	1 – 11.11%	1 – 11.11%	0 – 0.00%	1 – 11.11%	5 – 55.56%	1 – 11.11%
Overall satisfaction	1 – 11.11%	1 – 11.11%	0 – 0.00%	0 – 0.00%	6 – 66.67%	1 – 11.11%
Skipped question	0					

Question: Did you find the CBOT's website useful?		
	Response Count	Response %
Yes	5	55.56%
No	4	44.44%
Skipped question	0	

Comments:

- "I submitted my application for advanced practice approximately 4 months ago and have called on numerous occasions to inquire about my application status to determine if there has been anything that needs to be resubmitted, modified, or adjusted. Instead of responding to my inquiry I have been redirected a number of times to contact the lead person who has not returned my calls or responded. I would sincerely appreciate a response in order for me to progress in my career endeavors.
- The website is too busy, too many links to pages, needs to better stream-lined
- Under frequently asked questions you might consider putting the correct mailing address to send your renewal to in case like me you lose the envelope. Does it get mailed to CBOT 2005 Evergreen St, Ste 2050, SACTO 95815 or State of CA Dept of Consumer Affairs PO BOX 942538 SACTO 94258-0538 ???
- Several of the OT staff I work with have had a horrendous time getting their advanced practice applications processed. An excessive amount of time passed, requiring repeated inquiries and resulting in high levels of frustration. I firmly believe the CBOT staff and Board do more harm than good in providing services designed to protect the consumer. As a tax payer I am appalled by the lack of efficiency demonstrated by this office. As an OT, I feel our practice has been severely and unnecessarily restricted."

Question: How do you rate the CBOT's website:					
	Strongly agree	**Agree**	**Neutral**	**Disagree**	**Strongly disagree**
	Response/ %	**Response/ %**	**Response/ %**	**Response/ %**	**Response/ %**
Website is easy to navigate	0 – 0.00%	5 – 55.56%	1 – 11.11%	1 – 11.11%	2 – 22.22%
Information is easy to find	0 – 0.00%	6 – 66.67%	1 – 11.11%	1 – 11.11%	1 – 11.11%
I regularly visit the Board's website	1 – 11.11%	5 – 55.56%	3 – 33.33%	0 – 0.00%	0 – 0.00%
Skipped question	0				

Question: Have you interacted with any other state licensing/regulatory board or agency?		
	Response Count	**Response %**
Yes	3	33.33%
No	6	66.67%
Skipped question	0	
Question: If yes, which state?		
	Response Count	**Response %**
Florida	1	33.33%
Maryland	1	33.33%
Massachusetts	1	33.33%
Skipped question	6	

Question: If you answered YES to "Have you interacted with any other state licensing/regulatory board/agency" please rate our Board:		
	Response Count	**Response %**
Excellent	0	0.00%
Good	0	0.00%
Neutral	0	0.00%
Needs Improvement	2	66.67%
Poor/ Unsatisfactory	1	33.33%
Skipped question	6	

Question: Would you be willing to provide an email address to receive a newsletter?		
	Response Count	**Response %**
Yes	1	11.11%
No	8	88.89%
Skipped question	0	

Additional Comments or Suggestions:

- "It would be nice to have the ability to pay online fees on the website.
- I applied for my license three weeks ago. I called last week to ask how the application process was going and the man on the phone said that he had both my application and my exam results. He told me that early next week (meaning this week) I would receive an email saying that my application was approved and it would give me the amount to send for my license so I can start working. Since I did not receive that email I called again. The answering service told me that the office is closed this entire week for packing and relocating. I find it very unprofessional that the man on the phone lied to me. How could he not know about his own workplace being closed the following week? I have a job waiting for me and my supervisor keeps calling me and asking when I can start working. I find that this whole experience has been very unprofessional."

FY 2014-15

During FY 2014-15, there were 10 responses. Any comments received from survey participants are displayed verbatim, below the respective question.

Based on the responses received, the individuals completing the survey were varied. The results for the service/assistance satisfaction were split; however, more than half of the responses to the usefulness of the website were negative. Some of the comments received revolved around the advance practice issue and processing of applications. Some of these issues have been resolved with the implementation of the new BreEZe system. The system provides more licensees and applicants more access to the various processes and more immediacy for the issuance of licenses, etc.

Question: During the past 12 months, how often have you contacted the CBOT?		
	Response Count	**Response %**
0 times	4	40.00%
1-3 times	3	30.00%
3-6 times	1	10.00%
6-12 times	2	20.00%
13 or more times	0	0.00%
Skipped question	0	

Question: Which of the following best describes you:		
	Response Count	Response %
Current licensee	4	44.44%
Applicant for licensure	2	22.22%
Consumer of occupational therapy services	1	11.11%
Other	2	22.22%
Skipped question	1	

Question: Did you receive service/assistance you needed as result of your contact?		
	Response Count	Response %
Yes	4	44.44%
No	5	55.56%
Skipped question	1	

Question: Please rate the CBOT staff in the following:						
	Excellent	Good	Fair	Poor	Unacceptable	N/A
	Response/ %	Response/ %	Response/ %	Response/ %	Response/ %	Response/ %
Accessibility	2 – 22.22%	1 – 11.11%	1 – 11.11%	1 – 11.11%	3 – 33.33%	1 – 11.11%
Courtesy/ Helpfulness	2 – 22.22%	0 – 0.00%	4 – 44.44%	0 – 0.00%	2 – 22.22%	1 – 11.11%
Knowledge/ Expertise	2 – 22.22%	1 – 11.11%	1 – 11.11%	2 – 22.22%	2 – 22.22%	1 – 11.11%
Successful resolution of your issue	1 – 11.11%	0 – 0.00%	2 – 22.22%	2 – 22.22%	3– 33.33%	1 – 11.11%
Overall satisfaction	1 – 11.11%	1 – 11.11%	1 – 11.11%	1 – 11.11%	2 – 22.22%	1 – 11.11%
Skipped question	1					

Question: Did you find the CBOT's website useful?		
	Response Count	Response %
Yes	3	33.33%
No	6	66.67%
Skipped question	1	

Comments:

- "I've called multiple times regarding my application status for my advance practices of PAM and hand therapy- each time, I'm told I'm #8 in line to be reviewed and that it will be about two weeks before I should know if I'm approved or not. Last time I called, the person said the same thing above, and then eventually told me that my applications have been brought to the reviewer and that I would know the next day... It has been two weeks, and still, I have not heard anything. This is unacceptable and frustrating! Stop telling me one thing, and then doing (or not doing) another!
- There's very few Anatomy & Physiology classes to register here in San Diego. I'd like to apply for the Grossmont OTA program and I live near the San Diego City College. What's a person to do?

- Hi, It would be helpful to know what stage in the applications process an application is. For example, I know that my license typical is process within 30 days from the date it is received at CBOT, however, I do not know if it is in the pile of other applications, or maybe it's going through the livescan phase. It would be helping and collaborative for awaiting registered occupational therapist to know how their application is standing during each step of the way. Thank you for your time and consideration in advance. ps email correspondents were great in the area of customer service, this was not my experience when I called the CBOT.
- Clarify steps necessary upon paperwork submission (i.e. will receive an email) Clarify payments acceptable for initial licensing fee (i.e. only check or money order)"

Question: How do you rate the CBOT's website:					
	Strongly agree	**Agree**	**Neutral**	**Disagree**	**Strongly disagree**
	Response/ %	**Response/ %**	**Response/ %**	**Response/ %**	**Response/ %**
Website is easy to navigate	3 – 37.50%	4 – 50.00%	1 – 12.50%	0 – 0.00%	0 – 0.00%
Information is easy to find	1 – 12.50%	4 – 50.00%	2 – 25.00%	1 – 12.50%	0 – 0.00%
I regularly visit the Board's website	1 – 12.50%	4 – 50.00%	2 – 25.00%	0 – 0.00%	1 – 12.50%
Skipped question	2				

Question: Have you interacted with any other state licensing/regulatory board or agency?		
	Response Count	**Response %**
Yes	3	33.33%
No	6	66.67%
Skipped question	1	
Question: If yes, which state?		
	Response Count	**Response %**
California	1	33.33%
Idaho	1	33.33%
New Jersey	1	33.33%
Skipped question	7	

Question: If you answered YES to "Have you interacted with any other state licensing/regulatory board/agency" please rate our Board:		
	Response Count	**Response %**
Excellent	1	33.33%
Good	0	0.00%
Neutral	1	33.33%
Needs Improvement	0	0.00%
Poor/ Unsatisfactory	1	33.33%
Skipped question	7	

Question: Would you be willing to provide an email address to receive a newsletter?		
	Response Count	**Response %**
Yes	2	33.33%
No	4	66.67%
Skipped question	4	

Additional Comments or Suggestions:

- "I have submitted a course for approval MONTHS ago and have heard nothing. I emailed Jim Schenk numerous times with no response. Today, I phoned in, only to find out he is no longer working there. There was not bounce back on his email address.
- Nearly impossible to reach the ONE person that inputs information into the system and processes applications. Has yet to return multiple voice messages. Leaves the office earlier then when they close and is not there on Fridays. Being that she is the only one processing initial licensing applications for initial licensees it's essentially useless to contact the office on those days during the late hours."

FY 2015–2016

During FY 2015-16, there were five responses. Any comments received from survey participants are displayed verbatim, below the respective question.

The outcome for this fiscal year resulted in the lowest number of responses, which might reflect more satisfaction from the licensees and others taking this survey. Of the 40 percent of licensees that completed the survey, the majority of comments dealt with the advanced practice question which the Board has been unable to focus given the amount of time staff has spent on BreEZe. Some of the comments regarding the computer system are most likely due to the conversion to the BreEZe system, which occurred in January 2016. Subsequent 'patches' released will correct some system deficiencies identified after the deployment of BreEZe. Also, now that BreEZe has gone live, resources will be redirected and staff will be able to focus on Advanced Practice applications in the February 2017.

Question: During the past 12 months, how often have you contacted the CBOT?		
	Response Count	**Response %**
0 times	0	0.00%
1-3 times	4	80.00%
3-6 times	0	0.00%
6-12 times	0	0.00%
13 or more times	1	20.00%
Skipped question	0	

Question: Which of the following best describes you:		
	Response Count	**Response %**
Current licensee	2	40.00%
Applicant for licensure	0	0.00%
Consumer of occupational therapy services	1	20.00%
Other	2	40.00%
Skipped question	0	

Question: Did you receive service/assistance you needed as result of your contact?		
	Response Count	**Response %**
Yes	2	40.00%
No	3	60.00%
Skipped question	0	

Question: Please rate the CBOT staff in the following:						
	Excellent	Good	Fair	Poor	Unacceptable	N/A
	Response/ %	Response/ %	Response/ %	Response/ %	Response/ %	Response/ %
Accessibility	1 – 24.00%	0 – 0.00%	1– 20.00%	0 – 0.00%	2 – 40.00%	1 – 20.00%
Courtesy/ Helpfulness	2 – 24.00%	0 – 0.00%	0 –0.00%	1 – 20.00%	1 – 20.00%	1 – 20.00%
Knowledge/ Expertise	2 – 24.00%	0 – 0.00%	0 – 0.00%	1 – 20.00%	1 – 20.00%	1 – 20.00%
Successful resolution of your issue	1 – 16.67%	0 – 0.00%	0 – 0.00%	0 – 0.00%	3– 60.00%	1 – 20.00%
Overall satisfaction	1 – 20.83%	0 – 0.00%	0 – 0.00%	1 – 20.00%	2 – 40.00%	1 – 20.00%
Skipped question	0					

Question: Did you find the CBOT's website useful?		
	Response Count	**Response %**
Yes	2	40.00%
No	3	60.00%
Skipped question	0	

Comments:

- "Website for searching licensees is down, slow and dysfunctional
- There is no list of acceptable courses for the advanced practice. If the course must be one that is specifically chosen, people need to have ready access to that information."

Question: How do you rate the CBOT's website:					
	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
	Response/ %	Response/ %	Response/ %	Response/ %	Response/ %
Website is easy to navigate	1 – 20.00%	1 – 20.00%	1 – 20.09%	2 – 40.00%	0 – 0.00%
Information is easy to find	1 – 20.00%	0 – 0.00%	2 –40.00%	1 – 20.00%	1 – 20.00%
I regularly visit the Board's website	1 – 20.00%	2 – 40.00%	1 – 20.00%	1 – 20.00%	0 – 0.00%
Skipped question	0				

Comment:

- "License search is important (but system often down)"

Question: Have you interacted with any other state licensing/regulatory board or agency?		
	Response Count	**Response %**
Yes	1	20.00%
No	4	80.00%
Skipped question	0	
Question: If yes, which state?		
	Response Count	**Response %**
California	1	100.00%
Skipped question	4	

Question: If you answered YES to "Have you interacted with any other state licensing/regulatory board/agency" please rate our Board:		
	Response Count	**Response %**
Excellent	0	0.00%
Good	0	0.00%
Neutral	0	0.00%
Needs Improvement	1	100.00%
Poor/ Unsatisfactory	0	0.00%
Skipped question	4	

Question: Would you be willing to provide an email address to receive a newsletter?		
	Response Count	**Response %**
Yes	2	40.00%
No	3	60.00%
Skipped question	0	

Additional Comments or Suggestions:

- "Basic functioning of website is important. The CBOT site does not function.
- Please email, mail, and/or call the individuals who are waiting to get the advanced practice certification. Not receiving any information gets very frustrating with the board for anybody.
- The person that was in charge of the area I needed was not in that day, however they found another person to help me with my questions and was able to help me with time and patience! Thank you!!!"

Fiscal Issues

8. Is the board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.

The Board's fund is appropriated, subject to approval by the Legislature. Business and Profession Code Section 2570.22 states:

> All fees collected by the board shall be paid into the State Treasury and shall be credited to the Occupational Therapy Fund which is hereby created. The money in the fund shall be available, upon appropriation by the Legislature, for expenditure by the board to defray its expenses and to otherwise administer this chapter.

9. Describe the board's current reserve level, spending, and if a statutory reserve level exists.

In the 2005 Sunset report, the Board's fund exceeded the 24 months reserve level specified in BPC Section 128.5. Consistent with the Sunset Committee's recommendation that the Board "reduce the excessive reserve level without putting the Board's fund in jeopardy and thereby necessitating a fee increase in the near future", the Board amended the regulations pertaining to the renewal fees.

The Board moved from an annual license renewal with a $150 fee to a biennial (every other year) license renewal, charging the same fee ($150). While changing the renewal frequency reduced the Board's annual revenue collection, it didn't have an immediate impact to the reserve level; the Board's fund reserve level was so high that the reduction in revenue was slow to reduce the fund condition. Thus, in fiscal year 2009/10, a $2 million loan was provided to the General Fund, which facilitated a reduction of the Board's fund reserve level.

For many fiscal years, the Board's spending has been slightly less than the annual budget. This intentional 'underspending' was a conscious decision to ensure funds were reverted to the Board's fund. This was necessary given the fact that each year, the revenue collected has been less than the Board's expenditures.

(Table 2 below shows budget authority, actual annual expenditures, and reserve levels.)

10. Describe if/when a deficit is projected to occur and if/when fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.

As reported in the 2012 Sunset Report, the Board's annual expenditures exceeded its revenue collected each year since fiscal year 2009/10.

As a result of the ongoing trend of the annual expenditures exceeding the revenue collected, the Board voted to establish two new fees via the regulatory process at its June 2012 meeting: a $25 Retired Status application fee and a $50 licensure application fee; both fees are set at the statutory maximum.

Recent fund condition projections indicate that the Board will have an insufficient fund level before the end of fiscal 2018/19. Thus the Board took immediate steps to raise several fees. In addition to raising the biennial renewal fees (the primary source of revenue), other fees will also need to be raised in order to increase annual revenue. Current pending fee increases are anticipated as follows:

- Increase the biennial renewal fee for occupational therapists from $150 to $220; after January 1, 2021, the biennial renewal fee will increase to $270.
- Increase the biennial renewal fee for occupational therapy assistants from $150 to $180; after January 1, 2021, the biennial renewal fee will increase to $210.
- Increase the delinquency fee from one-half of the renewal fee (currently $75) to $100.
- Increase the pro-rated initial licensing fee for occupational therapists and occupational therapy assistants to be consistent with the biennial renewal fee in effect at the time of license issuance.
- Increase the limited permit fee from $75 to $100.
- Increase the inactive license fee (currently $25) to be consistent with the biennial renewal fee for an active license.
- Increase the duplicate license fee from $15 to $25.

Table 2. Fund Condition

(Dollars in Thousands)	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17*	FY 2017/18
Beginning Balance **	$ 611	$ 1,157	$ 2,922	$ 2,982	$ 3,002	$ 2,066
Revenues and Transfers	1,784	3,202	1,259	1,305	1,383	1,383
Total Revenue	2,395	4,359	4,181	4,287	4,385	3,449
Budget Authority	1,350	1,498	1,337	1,415	2,319	2,364
Expenditures ***	1,241	1,435	1,198	1,285	2,319	2,364
Loans to General Fund	--	--	--	--	--	--
Accrued Interest, Loans to General Fund	89	82	--	--	--	--
Loans Repaid From General Fund	640	2,000	--	--	--	--
Fund Balance	$ 1,154	$ 2,924	$ 2,983	$ 3,002	$ 2,066	$ 1,085
Months in Reserve	9.7	29.3	27.9	15.5	10.5	5.4

* = Assumes 2% grown in expenditures. 0.3% growth in income from surplus money, and revenue projected based on FY 2016/17

** = Includes prior year adjustments

*** = Includes direct draws from SCO and Fi$cal

11. Describe the history of general fund loans. When were the loans made? When have payments been made to the board? Has interest been paid? What is the remaining balance?

In 2003/04 a loan was made to the general fund in the amount of $640,000. This amount was repaid in full in FY 2012/13. The Board was also paid $89,000 in interest in FY 2012/13 as a result of this loan. In 2009/10 a loan was made to the general fund in the amount of $2,000,000. This amount was repaid in FY 2013/14 in full. The Board was also paid $82,000 in interest in FY 2013/14 as a result of this loan. There are no outstanding loans to the general fund.

12. Describe the amounts and percentages of expenditures by program component. Use *Table 3. Expenditures by Program Component* to provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

Table 3. Expenditures by Program Component (list dollars in thousands)

	FY 2012/13		FY 2013/14		FY 2014/15		FY 2015/16	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	$386,237	$383,299	$428,415	$532,301	$398,099	$297,298	$389,147	$481,934
Examination	$0	$0	$0	$0	$0	$0	$0	$0
Licensing	$123,887	$49,149	$126,004	$40,398	$117,088	$43,010	$114,455	$101,380
Administration *	$94,737	$37,585	$92,403	$29,625	$85,865	$31,541	$83,934	$74,346
DCA Pro Rata		$190,716		$206,657		$246,131		$69,860
Diversion	Not applicable							
TOTALS	$604,861	$660,749	$646,822	$808,981	$601,052	$617,980	$587,536	$727,520

*Administration includes costs for executive staff, board, administrative support, travel and fiscal services.

13. Describe the amount the board has contributed to the BreEZe program. What are the anticipated BreEZe costs the board has received from DCA?

The table below indicates what the Board has paid for BreEZe through June 30, 2016.

BreEZe Expenditures (list dollars in thousands)

FYs 2009-2011	FY 2012/13		FY 2013/14		FY 2014/15		FY 2015/16	
Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
$24	$33	$15	$33	$33	$66	$64	$138	$137

Future projections for BreEZe costs provided by DCA indicate budgets of the following:

Fiscal year	Budget
2016-17	$133,382
2017-18	132,000
2018-19	127,000

14. Describe license renewal cycles and history of fee changes in the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citation) for each fee charged by the board.

During the period January 1, 2003, through December 31, 2006, all licenses expired annually on the last day of the licensee's birth month. For licenses that expired after January 1, 2007, licenses expired at midnight on the last day of the licensee's birth month during an odd year if the licensee was born in an odd year or expired the last day of the licensee's birth month during an even year, if the licensee was born in an even year. This change takes the entire licensing population and spreads their renewals over a 24-month period.

There was an amendment to the fee charged for the limited permit. The $75 limited permit fee used to pay for a limited permit *and*, if the applicant passed the exam, the limited permit fee would also be used to apply toward the initial licensing fee. This provision was removed in 2006.

The Board adopted a regulation implementing a retired status, which went into effect July 1, 2013. The fee for an Application for Retired Status is twenty-five dollars ($25). T

The Board adopted a regulation establishing an application fee, which went into effect July 1, 2014. The fee for an Application is $50.

Additionally, the Board is currently engaged in amending California Code of Regulations, CCR Section 4130, to increase fees in order to provide for long term financial stability of the Board's fund. As a result of the proposed fee increases, the Board's Fund is not projected to slip into a future negative fund balance. Under this scenario it is projected the Board's Fund would remain solvent through FY 2025-26 (and possibly thereafter; subject to revenue and budget fluctuations).

The fees charged by the Board are set forth in California Code of Regulations (CCR), Title 16, Division 39, Section 4130, and ***currently*** include the following:

- CCR 4130(a) - The fee for processing an initial application for licensure shall be prorated $50.
  Statutory authority: BPC Section 2570.16.

- CCR 4130(b) - The initial license or certificate fee shall be prorated pursuant to Section 4120(a)(1) and based on a biennial fee of $150.
  (The initial licenses are issued based on an applicant's birth month and the month the license is issued, for a minimum period of seven months and a maximum of 30 months; thus, fees charged range from $43 - $188.) *Statutory authority: BPC Section 2570.16.*
- CCR 4130(c) - The fee for a limited permit is $75.
  Statutory authority: BPC Section 2570.16.
- CCR 4130(d) - The biennial renewal fee is $150.
  Statutory authority: BPC Section 2570.16.
- CCR 4130(e) - The delinquency fee is one-half of the renewal fee.
  Statutory authority: BPC Section 163.5.
- CCR 4130(f) - The renewal fee for an inactive license or certificate is $25.
  Statutory authority: BPC Section 462.
- CCR 4130(g) - The fee for a duplicate license is $15.
  Statutory authority: BPC Section 122.
- CCR 4130(h) - The fees for fingerprint services are those charged by the California Department of Justice (DOJ). (These fees are a 'pass-through' as no revenue is earned since the fee is paid to the DOJ.)
  Statutory authority: BPC Sections 2570.16 and 144

Table 4. Fee Schedule and Revenue							(list revenue dollars in thousands)
Fee	Current Fee Amount	Statutory Limit	FY 2012/13 Revenue	FY 2013/14 Revenue	FY 2014/15 Revenue	FY 2015/16 Revenue	% of Total Revenue
Fingerprint reimb							
OT Dup Lic	$15		2	2325	2220	2640	
OTA Dup Lic	$15		**	**	**	**	
Citation/Fine FTB	Var		**	**	**	**	
Citation/Fine Collected	Var		32	29	36	16	
OT Initial License	Var		100	101	109	117	
OTA Initial License	Var		27	32	34	43	
OT Limited Permit	$75		4	4	3	3	
OTA Limited Permit	$75		2	2	1	1	
OT retired	$25	$25	***	**	**	**	
OTA retired	$25	$25	***	**	**	**	
OT App fee	$50	$50	***	***	50	55	
OTA App fee	$50	$50	***	***	15	20	
OT Inactive Renewal	$25		10	10	10	9	
OTA Inactive Renewal	$25		2	2	2	1	
OT 1 year renewal	$75	n/a	**	X	X	X	
OTA 1 year renewal	$75	n/a	**	X	X	X	
Biennial Renewal OT	$150	*$150	717	758	783	794	
Biennial Renewal OTA	$150	*$150	126	136	153	163	
Delinq biennial OT	$75	$75	13	13	12	14	
Delinq biennial OTA	$75	$75	2	2	2	2	

15. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

Table 5. Budget Change Proposals (BCPs)								(list revenue dollars in thousands)
			Personnel Services				OE&E	
BCP ID #	FY	Description of Purpose of BCP	# Staff Requested (include classification)	# Staff Approved (include classification)	$ Requested	$ Approved	$ Requested	$ Approved
1111-020-BCP-BR-2016-GB	2016-17	Funding and Position Authority to Augment Enforcement Staff	3.0 AGPA 3.0 SSA	3.0 AGPA 3.0 SSA	$517	$517	$79 FY 16-17; $31 FY 17-18 and ongoing	$79 FY 16-17; $31 FY 17-18 and ongoing
1111-019-BCP-BR-2016-GB	2016-17	Funding and Position Authority to Augment Licensing Staff	1.5 OT (T)	1.5 OT (T)	$96	$96	$25 FY 16-17; $9 FY 17-18 and ongoing	$25 FY 16-17; $9 FY 17-18 and ongoing

Staffing Issues

16. **Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.**

The two-year process of transitioning to BreEZe required a substantial staff commitment, with up to 30 to 40 percent of Board staff working full-time on BreEZe design and development tasks, including system configuration and testing. Up until implementation of BreEZe in January 2016, Board staff continued to be heavily impacted by BreEZe activities; since implementation, staff has continued working BreEZe, including identifying system and data errors requiring developing and testing various 'updates' in continuous system releases. During this time, the Board lost two key staff members involved in the BreEZe tasks and one staff member due to retirement. The Board filled the vacancies with internal candidates and back-filled those vacancies with three new staff members.

As a result of the increase in complaints (and resulting workload) and the increase in applicants for licensure, two Budget Change Proposals were approved, augmenting staff with 7.5 PYs in FY 2016-17.

17. **Describe the board's staff development efforts and how much is spent annually on staff development (cf., Section 12, Attachment D).**

All staff is encouraged to take courses that relate to their job, broaden their knowledge base, enhance their skill set, or better them for advancement or upward mobility opportunities. Staff is provided opportunities to cross-train and/or complete special

projects that aren't within their normal assigned duties; this provides a low-cost way to further assist with staff development.

Staff is encouraged to take classes offered by the DCA's *Strategic, Organization, Leadership, and Individual Development* (SOLID) unit. The professionals employed by SOLID have extensive experience and training in a multitude of areas, gained from the State of California as well as the private sector. The training offered is no-cost to the Board (consistent with the Executive Order regarding travel) and focuses on building the skills desired for advancement. Requests to attend training offered by outside training vendors are also considered.

Due to the lack of training requests (outside of the no-cost training provided by SOLID) the Board spent $1,200.00 in fiscal year 2012-13. During fiscal years 2013/14, 2014/15 and 2015/16, due to staff being dedicated to the design and development of BreEZe and staff attending SOLID courses, there were no training-related expenditures .