



TELECONFERENCE LEGISLATIVE AND REGULATORY AFFAIRS COMMITTEE MEETING MINUTES

Tuesday, August 16, 2011

1. Call to order, roll call, establishment of a quorum

Luella Grangaard, Committee Chair, called the meeting to order at 3:05.

2. Introductions

The Committee members, Luella Grangaard, Board Member/Chair, Diane Josephs, Lin Reed, and Gigi Smith, all introduced themselves.

3. Review/update of Committee Member Roster/Information.

Ms. Grangaard asked the members to review their information on the roster and provide any changes to the Board's Executive Officer, Heather Martin.

4. Review and discussion of the Committee's Roles and Responsibilities and consideration of recommending changes to the Board.

After reviewing the draft Roles and Responsibilities document, the Committee discussed amending it to include "recommending legislative amendments" to the Board.

- ❖ Diane Josephs moved to recommend the Board accept the Committee's revised Roles and Responsibilities.
- ❖ Lynn Reed seconded the motion.

Roll call vote

Luella Grangaard:	Aye
Diane Josephs:	Aye
Lin Reed:	Aye
Gigi Smith:	Aye

- ❖ Motion passed unanimously.

5. Discussion and consideration of recommending a position to the Board on the following bills:

- a) Assembly Bill (AB) 171(Beall), Autism spectrum disorder.**

Prior to discussion about the bill, Ms. Grangaard reminded the Committee members of the positions they would be recommending to the Board, including, support, support if amended, oppose, oppose unless amended and neutral or watch.

One member asked if the bills should be reviewed with an understanding of the limitations of the current fiscal climate. It was agreed that while was one issue to consider, however, the primary purpose was to review each bill in terms of how it supports consumer protection.

AB 171 would require health care service plan contracts and health insurance policies to provide coverage for the screening, diagnosis, and treatment of autism spectrum disorders.

Ms. Grangaard asked Jennifer Snyder, lobbyist with Capitol Advocacy, appearing on behalf of the Occupational Therapy Association of California (OTAC), if she knew what OTAC's position was on the bill. Ms. Snyder replied that OTAC was simply watching the bill and had not developed a position yet.

Lin Reed noted that the increased access and coverage would be beneficial and positive to both consumers and licensees.

- ❖ Gigi Smith moved to recommend the Board provide a Support position on AB 171..
- ❖ Diane Joseph seconded the motion.

Roll call vote

Luella Grangaard:	Aye
Diane Josephs:	Aye
Lin Reed:	Aye
Gigi Smith:	Aye

- ❖ Motion passed unanimously.

b) AB 374 (Hayashi), Athletic Trainers

Ms. Martin explained that this was a newer version of the bill than the Board previously viewed, which contained several provisions of concern. Also, the licensure provisions were amended out and the current verbiage simply makes it unlawful for any person to hold himself or herself out as a certified athletic trainer unless certain requirements had been met.

- ❖ Diane Josephs moved that the Committee recommend the Board not take any position on AB 372 and direct staff to continue to watch the bill.
- ❖ Gigi Smith seconded the motion.

Roll call vote

Luella Grangaard:	Aye
Diane Josephs:	Aye
Lin Reed:	Aye
Gigi Smith:	Aye

- ❖ Motion passed unanimously.

c) AB 518 (Wagner), Elder and dependent adult abuse: mandated reporters.

The Committee discussed the provisions of the bill including the deletion of the January 1, 2013, repeal date and other clarifying amendments.

- ❖ Lin Reed moved to recommend the Board provide a Support position on AB 518.
- ❖ Gigi Smith seconded the motion.

Roll call vote

Luella Grangaard:	Aye
Diane Josephs:	Aye
Lin Reed:	Aye
Gigi Smith:	Aye

- ❖ Motion passed unanimously.

d) AB 783 (Hayashi), Professional Corporations.

The Committee discussed the provisions of the bill including the absence of occupational therapy (OT) corporations in the Corporations Code.

- ❖ Lin Reed moved to recommend the Board support AB 783 bill if amended to include OT corporations.
- ❖ Diane Josephs seconded the motion.

Roll call vote

Luella Grangaard:	Aye
Diane Josephs:	Aye
Lin Reed:	Aye
Gigi Smith:	Aye

- ❖ Motion passed unanimously.

The Committee discussed which types of licensees should be included as employees of OT corporations, and added to the Corporations Code.

- ❖ Gigi Smith moved that if OT corporations were added to the Corporations Code, the Board should support AB 783 if it is amended to allow occupational therapy corporations to employ any of the following licensee types: doctors of podiatric medicine, psychologists, registered nurses, optometrists, marriage and family therapists, clinical social workers, physician assistants, chiropractors, acupuncturists, naturopathic doctors, physical therapists, speech-language pathologists, audiologists, and hearing aid dispensers.
- ❖ Diane Josephs seconded the motion.

Roll call vote

Luella Grangaard: Aye
Diane Josephs: Aye
Lin Reed: Aye
Gigi Smith: Aye

- ❖ Motion passed unanimously.

The Committee also discussed which other types of corporations should be able to employ occupational therapists and occupational therapy assistants.

- ❖ Diane Josephs moved to recommend the Board support the bill if it is amended to include occupational therapists and occupational therapy assistants as employees of naturopathic corporations.
- ❖ Gigi Smith seconded the motion.

Roll call vote

Luella Grangaard: Aye
Diane Josephs: Aye
Lin Reed: Aye
Gigi Smith: Aye

- ❖ Motion passed unanimously.

e) AB 800 (Huber), Boards and Commissions: Time Reporting.

The Committee discussed the quarterly Board Member reporting requirements of the bill

- ❖ Diane Josephs moved to recommend the Board remain neutral on this bill.
- ❖ Lin Reed seconded the motion.

Roll call vote

Luella Grangaard: Aye
Diane Josephs: Aye
Lin Reed: Aye
Gigi Smith: Aye

- ❖ Motion passed unanimously.

f) AB 958 (Berryhill) – Statute of limitations for disciplinary actions.

The Committee discussed the timeframe limitations for the boards to file disciplinary action accusations against licensees.

- ❖ Diane Josephs moved to recommend the Board oppose AB 958.
- ❖ Gigi Smith seconded the motion.

Roll call vote

Luella Grangaard: Aye
Diane Josephs: Aye
Lin Reed: Aye
Gigi Smith: Aye

- ❖ Motion passed unanimously.

g) AB 1003 (Smyth) Professional and vocational licenses.

The Committee discussed the bill's intent to require all professional and vocational licenses issued by DCA, the boards and the State Department of Public Health to be issued by from one central location while the enforcement authority would remain with the respective boards and department.

- ❖ Gigi smith moved to recommend the Board oppose AB 1003.
- ❖ Lin Reed seconded the motion.

Roll call vote

Luella Grangaard: Aye
Diane Josephs: Aye
Lin Reed: Aye
Gigi Smith: Aye

- ❖ Motion passed unanimously.

h) AB 386 (Galgiani), Prisons: telehealth systems.

The Committee discussed the provision of services in the prisons via telehealth and the limitation of doing so "only when it is in the best interest of the health and safety of the patient" and the exclusion of civil service physicians and dentists.

- ❖ Lin Reed moved to recommend the Board monitor AB 386.
- ❖ Diane Josephs seconded the motion.

Roll call vote

Luella Grangaard: Aye
Diane Josephs: Aye
Lin Reed: Aye
Gigi Smith: Aye

- ❖ Motion passed unanimously.

i) AB 415 (Logue), Telehealth.

The Committee discussed the fact that, as written, the bill would preserve the integrity of the therapy process and protect consumers without 'simply' cutting services. Further discussion ensued.

- ❖ Lin Reed moved to recommend the Board oppose AB 415 unless it is amended to include language that protects the consumers and still allows for face-to-face contact with the provider.
- ❖ Gigi Smith seconded the motion.

Roll call vote

Luella Grangaard:	Aye
Diane Josephs:	Aye
Lin Reed:	Aye
Gigi Smith:	Aye

- ❖ Motion passed.

j) AB 608 (Pan), Telemedicine.

The Committee discussed the bill, noting that it simply establishes the intent of the Legislature to enact legislation related to telemedicine, and that further amendments would be forthcoming. The Committee directed staff to watch the bill and report back at the next meeting.

k) Senate Bill (SB) 946 (Committee on Health), Telemedicine.

The Committee discussed the bill, noting that it replaces 'telemedicine' with 'telehealth,' established definitions relating to the provision of telehealth, and established a pilot program to provide services via telehealth. The Committee agreed that the bill was a step in the right direction.

- ❖ Gigi Smith moved to recommend the Board support SB 946.
- ❖ Diane Josephs seconded the motion.

Roll call vote

Luella Grangaard:	Aye
Diane Josephs:	Aye
Lin Reed:	Aye
Gigi Smith:	Aye

- ❖ Motion passed unanimously.

Due to time constraints, Agenda items 5(l), 5(m), 5(n), and 5(o) were tabled for a future meeting.

p) SB 924 (Walters), Direct patient access to physical therapy.

The Committee discussed the various provisions of the bill.

- ❖ Diane Josephs moved to recommend the Board oppose SB 924, unless provisions were included which better protects the consumers, and ensure the quality of care is appropriate, and referrals were made appropriately.
- ❖ Gigi Smith seconded the motion.

Roll call vote

Luella Grangaard:	Aye
Diane Josephs:	Aye
Lin Reed:	Aye
Gigi Smith:	Aye

- ❖ Motion passed unanimously.

Agenda items 5(q), 5(r), and 5(s) were tabled for a future meeting.

6. Selection of future meeting dates.

The Committee members agreed that the next meeting would be held October 18, 2011 at 5:30 pm.

7. Public comment on items not on agenda.

No public comments were provided.

8. Adjournment

The meeting adjourned at 5:05.