

AGENDA ITEM 13

CONSIDERATION OF REQUIRING PROBATIONERS TO PAY PROBATION MONITORING COSTS AND PROPOSED REGULATORY LANGUAGE TO ADD TITLE 16, CCR SECTION 4147.2, PROBATION MONITORING COSTS.

BPC 2570.27.

- (a) The board may discipline a licensee by any or a combination of the following methods:
- (1) **Placing the license on probation with terms and conditions.**
 - (2) Suspending the license and the right to practice occupational therapy for a period not to exceed one year.
 - (3) Revoking the license.
 - (4) Suspending or staying the disciplinary order, or portions of it, with or without conditions.
 - (5) Taking other action as the board, in its discretion, deems proper.
- (b) The board may issue an initial license on probation, with specific terms and conditions, to any applicant who has violated any provision of this chapter or the regulations adopted pursuant to it, but who has met all other requirements for licensure.

Article 5.5. Standards Related to Denial, Discipline, and Reinstatement of Licenses

§ 4147. Disciplinary Guidelines.

- (a) In reaching a decision on a disciplinary action under the administrative adjudication provisions of the Administrative Procedure Act (Government Code 11400 et seq.), the Board shall consider and apply the Disciplinary Guidelines [October 2013] which are hereby incorporated by reference. The Disciplinary Guidelines shall apply to all disciplinary matters. Deviation from these disciplinary guidelines and orders, including the standard terms of probation, is appropriate where the Board in its sole discretion determines that the facts of the particular case warrant such deviation, e.g., the presence of aggravating or mitigating factors; age of the case; or evidentiary issues.
- (b) All probationers shall submit and cause each health care employer to submit quarterly reports to the Board. The reports, "Quarterly Written Report (4/2011)" and "Work Performance Evaluation (02/2011)" shall be obtained from the Board and are hereby incorporated by reference.

Note: Authority cited: Section 2570.20, Business and Professions Code. Reference: Sections 125.6, 475, 480, 481, 482, 490, 496, 2570.27, 2570.28, 2570.29, 2570.30, 2570.31 and 2570.32, Business and Professions Code; and Section 11425.50(e), Government Code.

Proposed new language:

§ 4147.2. Probation monitoring costs

- (a) When the board disciplines a licensee by placing him or her on probation, the Board may, in addition to the terms and conditions described in the board's Disciplinary Guidelines, require the licensee to pay the monetary costs associated with monitoring the licensee's probation.
- (b) The Board shall not renew the license of a licensee who fails to pay all of the costs he or she is ordered to pay pursuant to this section once the licensee has served his or her term of probation.
- (c) The Board shall not reinstate a license if the petitioner has failed to pay any costs he or she was ordered to pay pursuant to this section.

(based on DBC – BPC 1672)

Add? Failure to pay such costs by the deadline(s) as directed shall be considered a violation of probation.

AGENDA ITEM 15

SELECTION OF 2017 BOARD MEETING DATES.

2017

AOTA 3/30-4/2
OTAC
NBCOT 7 OCT

January							February							March							April						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
1	H	3	4	5	6	7				1	2	3	4				1	2	3	4							1
8		9	10	11	12	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11	2	3	4	5	6	7	8
15	H	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18	9	10	11	12	13	14	15
22		23	24	25	26	27	19	H	21	22	23	24	25	19	20	21	22	23	24	25	16	17	18	19	20	21	22
29		30	31				26	27	28					26	27	28	29	30	H		23	24	25	26	27	28	29
																					30						

May							June							July							August						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
	1	2	3	4	5	6					1	2	3							1				1	2	3	4
7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	H	5	6	7	8	6	7	8	9	10	11	12
14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19
21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26
28	H	30	31				25	26	27	28	29	30	23	24	25	26	27	28	29	27	28	29	30	31			
													30	31													

September							October							November							December						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
					1	2	1	2	3	4	5	6	7				1	2	3	4						1	2
3	H	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9
10		11	12	13	14	15	15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
17		18	19	20	21	22	22	23	24	25	26	27	28	19	20	21	22	H	H	25	17	18	19	20	21	22	23
24		25	26	27	28	29	29	30	31				26	27	28	29	30			24	H	26	27	28	29	30	
																			31								