

AGENDA ITEM 21a



Memorandum

Date: August 12, 2022
To: CBOT Members

From: Heather Martin, Executive Officer
Subject: Executive Officer Report

a) Operational report.

The Board's Enforcement Program manager retired February 1, 2022. A candidate was selected, and an eligibility determination was requested on July 28th; we're still awaiting a response.

A recruitment package to establish and fill an additional retired annuitant (RA) position to assist with preparing recruitment/refill packages was approved by DCA. A candidate began August 15th. The original RA hired to prepare recruitment packages was unable to work due to other commitments was separated. The RA recruitment is still open from the April advertisement and another candidate (former HR manager) has been selected. Next week we plan to submit the request to DCA fill the vacant RA to assist with the numerous recruitment packages needed to fill vacancies.

The RA hired to assist with Enforcement plans to separate September 9th, but plans to return January 2023.

Additional recruitment packages are in progress, including:

- A package to fill an office assistant position.
- A package to fill an analyst position and establish and fill a manager position over the Licensing and Administration.
- A package to fill the Board's cashier position.

The submission dates of the package identified above, and several others that need to be prepared, is subject to the hiring of the additional RA and availability of the current RA.

Filling the Board's vacancies is a high priority, and the Board looks forward to filling positions on a staggered basis with several positions filled in October - November.

DCA is conducting a department-wide Asset Management Process (AMP) Audit; including all Boards and Bureaus. DCA is reviewing and updating all applicable departmental policies,

procedures, and assessing the effectiveness of asset tracking tools. A workgroup has been established and work on updating all the departmental asset management policies and procedures. Once they are updated and disseminated departmentwide, Board staff will review the findings and develop a corrective action plan. The audit finding and corrective action plan will be provided at the November meeting.

Per the Board's request at the May Board meeting, the top five expenditures for the current year and past three fiscal years follow this report.

On July 19th an invitation for bid package was submitted. After further discussion with DCA Contracts' staff, we will be expanding the scope of work to ensure sufficient data is collected to avoid having to do this again in a couple years.

Board staff are working on finding an occupational therapy education program willing to host the November Board meeting. We believe we will be successful; however, we will look to large employers after that. The last resort will be to contract with a hotel for a meeting room.

b) Fiscal Month (FM) 12 Revenue and Expenditure reports.

Revenue and Expenditure information for fiscal month (FM) FM 11 is included. FM 12 information was provided today and is shown below the FM 11 info.

:

- Current year revenue earned through FM 11: \$2,782,853
 - **FM 12** **\$2,853,313**
- Current year expenditures through FM 11: \$2,590,586
 - **FM 12** **\$2,778,338**

Following FM 11 revenue and expenditure information is a Fund Condition that displays FM 11 actual revenue and expenditures with FM 12 projected revenue and expenditures for FY 2021-22. Starting with FY 2022-23 and on-going, the revenue and expenditure information is based on Governor's Budget.

Snapshot of past:

FY 2020-21: Revenue collected \$2.490m; expenditures \$2.640m

FY 2019-20: Revenue collected \$2.294m; expenditures \$2.365m

c) Licensing data.

Included is the standard report for April 1 – June 30, 2022

d) Enforcement data.

Included are standard reports for April 1 – June 30, 2022, including:

- Cases/Complaint data.
- Citations issued to OTs.
- Citations issued to OTAs.
- Details on cases pending at the AGO and Final Decisions.
- Listing of current probationers.

e) Future agenda items

Listing of past agenda items approved by the Board to be discussed at a future meeting.

f) Other Informational Items.

Included are the following:

- Email to licensees re Department of Health Care Access and Information and collection of demographic information.
- DCA Suggested Responses to Public Comment
- Complaint Prioritization Guidelines Citations issued to OTs.
- AOTA State Affairs Spring 2022 Newsletter

Five highest expenditures by category - Fiscal Years 2018-19 thru 2021-22

FY	#1		#2		#3		#4		#5	
	Expenditure Category	Amount	Expenditure Category	Amount	Expenditure Category	Amount	Expenditure Category	Amount	Expenditure Category	Amount
2021-22	DCA Prorata	\$932,478	Staff Salaries	\$827,464	Staff Benefits	\$470,491	Facilities	\$149,215	Services	\$141,836
									-AGO -OAH -Health & Medical	\$111,409 \$30,311 \$116
2020-21	Staff Salaries	\$831,191	DCA Prorata	\$786,351	Staff Benefits	\$514,742	Services	\$192,144	Facilities	\$142,044
							-AGO -OAH -Health & Medical	\$157,446 \$34,607 \$91		
2019-20	Staff Salaries	\$769,587	DCA Prorata	\$565,119	Staff Benefits	\$473,434	Services	\$194,695	Facilities	\$114,001
							-AGO -OAH -Health & Medical	\$155,852 \$38,775 \$68		
2018-19	Staff Salaries	\$748,864	DCA Prorata	\$539,520	Staff Benefits	\$450,411	Services	\$213,605	Facilities	\$89,432
							-AGO -OAH -Health & Medical	\$179,061 \$34,480 \$64		

AGENDA ITEM 21b

Executive Officer's Report.

- a) Operational report.**
- b) Fiscal Year 2021-22, Month 12 Revenue and Expenditure reports.**
- c) Licensing data for 4/1/2022 – 6/30/2022.**
- d) Enforcement data for 4/1/2022 – 6/30/2022.**
- e) Future Agenda Items.**
- f) Other informational items (no Board action can be taken)**

CBOT Revenue Report

Fiscal Year: 2021-2022

FM: 11

	Current Month	YTD
Delinquent Fees	\$3,165	\$38,585
Delinquent Renewal OT	\$2,430	\$31,835
Delinquent Renewal OTA	\$735	\$6,750
Other Regulatory Fees	\$9,110	\$41,776
Cite & Fine	\$7,735	\$36,350
Duplicate License OT	\$150	\$2,175
Duplicate License OTA	\$50	\$775
Franchise Tax Board - Cite Fine Collection	\$1,175	\$2,476
Other Regulatory License and Permits	\$38,896	\$402,254
Initial License OT	\$23,471	\$246,132
Initial License OTA	\$5,954	\$54,732
Limited Permit OT	\$900	\$5,400
Limited Permit OTA	\$0	\$1,500
Retired Status OT	\$400	\$3,175
Retired Status OTA	\$100	\$775
Application Fee OT	\$7,050	\$68,450
Application Fee OTA	\$1,500	\$21,100
Refunded Reimbursements	-\$735	-\$1,029
Suspended Revenue	\$305	\$3,015
Prior Year Revenue Adjustment	-\$49	-\$996
Other Revenue	\$2,625	\$29,835
Misc Service To Public General	\$2,625	\$25,550
Investment Income - Surplus Money Investments	\$0	\$3,708
Canceled Warrants Revenue	\$0	\$577
Renewal Fees	\$109,917	\$2,270,403
Renewal OT	\$87,817	\$1,855,763
Renewal OTA	\$17,310	\$344,730
Restore License To Active OT	\$0	\$2,750
Restore License To Active OTA	\$210	\$840
Inactive Renewal OT	\$3,950	\$54,590
Inactive Renewal OTA	\$630	\$11,730
TOTAL Revenue	\$260,910	\$2,395,895
Scheduled Reimbursements	\$2,891	\$28,420
Fingerprint Reports	\$2,891	\$28,420
Unscheduled Reimbursements	\$941	\$12,478
US Cost Recovery	\$941	\$12,478
TOTAL Reimbursements	\$3,832	\$40,898

CBOT Expenditure Report

Fiscal Year: 2021 - 2022

FM: 11

PERSONAL SERVICES					
	Budget	Current Month	YTD	Encumb	YTD + Encumb
5100 PERMANENT POSITIONS	\$1,127,000	\$70,113	\$757,363	\$0	\$757,363
Earnings - Permanent Civil Service Employee	\$1,045,000	\$61,395	\$661,497	\$0	\$661,497
Earnings - Exempt/Statutory Employee	\$82,000	\$8,718	\$95,867	\$0	\$95,867
5100 TEMPORARY POSITIONS	\$4,000	\$3,217	\$24,676	\$0	\$24,676
Temp Help	\$4,000	\$3,217	\$24,676	\$0	\$24,676
5105-5108 PER DIEM, OVERTIME, & LUMP SUM	\$20,000	\$0	\$67,571	\$0	\$67,571
Board Members	\$20,000	\$0	\$4,500	\$0	\$4,500
OT Earnings Other than Temp Help	\$0	\$0	\$3,508	\$0	\$3,508
Lump Sum Payout	\$0	\$0	\$59,562	\$0	\$59,562
5150 STAFF BENEFITS	\$706,000	\$37,649	\$438,677	\$0	\$438,677
Dental Insurance	\$2,000	\$481	\$5,158	\$0	\$5,158
Disability Leave - Nonindustrial	\$2,000	\$0	\$0	\$0	\$0
Employee Assistance PGM Fee	\$0	\$18	\$181	\$0	\$181
Health Insurance	\$247,000	\$8,344	\$87,650	\$0	\$87,650
Life Insurance	\$0	\$10	\$143	\$0	\$143
Medicare Taxation	\$6,000	\$992	\$11,529	\$0	\$11,529
OASDI	\$80,000	\$4,041	\$47,768	\$0	\$47,768
Retirement - General	\$317,000	\$19,492	\$213,660	\$0	\$213,660
Unemployment Insurance	\$3,000	\$0	\$151	\$0	\$151
Vision Care	\$1,000	\$99	\$984	\$0	\$984
Workers' Compensation	\$28,000	\$49	\$49	\$0	\$49
SCIF Allocation Cost	\$0	\$0	\$22,200	\$0	\$22,200
Other Post-Employment Benefits	\$20,000	\$2,242	\$24,210	\$0	\$24,210
Staff Benefits - Other	\$0	\$1,880	\$24,992	\$0	\$24,992
PERSONAL SERVICES	\$1,857,000	\$110,979	\$1,288,286	\$0	\$1,288,286

OPERATING EXPENSES & EQUIPMENT					
	Budget	Current Month	YTD	Encumb	YTD + Encumb
5301 GENERAL EXPENSE	\$59,000	\$3,185	\$23,436	\$297	\$23,733
Administration/Other State Agencies	\$0	\$0	\$275	\$0	\$275
Fingerprint Reports	\$22,000	\$3,185	\$18,081	\$0	\$18,081
Freight and Drayage	\$0	\$0	\$1,531	\$297	\$1,828
Goods - Other	\$37,000	\$0	\$17	\$0	\$17
Office Supplies - Miscallenous	\$0	\$0	\$2,243	\$0	\$2,243
Services & Rentals - Other	\$0	\$0	\$300	\$0	\$300
Subscriptions	\$0	\$0	\$989	\$0	\$989
5302 PRINTING	\$19,000	\$837	\$8,910	\$6,795	\$15,705
Office Copiers - Maintenance	\$0	\$0	\$498	\$1,526	\$2,024
Pamphlets, Leaflets, Brochures	\$0	\$837	\$8,412	\$5,269	\$13,681
Printing - Other	\$19,000	\$0	\$0	\$0	\$0
5304 COMMUNICATIONS	\$14,000	\$1,554	\$2,433	\$0	\$2,433
Central Communication - CALNET	\$0	\$0	\$165	\$0	\$165
Telephone Services	\$0	\$1,554	\$2,268	\$0	\$2,268
Communications - Other	\$14,000	\$0	\$0	\$0	\$0
5306 POSTAGE	\$18,000	\$0	\$3,628	\$0	\$3,628
Postage - General	\$0	\$0	\$18	\$0	\$18
DCA Postage Allocation	\$0	\$0	\$3,609	\$0	\$3,609
Postage - Other	\$18,000	\$0	\$0	\$0	\$0
5308 INSURANCE	\$0	\$31	\$31	\$0	\$31
Insurance - Other	\$0	\$31	\$31	\$0	\$31
53202-204 IN STATE TRAVEL	\$25,000	\$0	\$0	\$0	\$0
Travel - In State - Other	\$25,000	\$0	\$0	\$0	\$0
5322 TRAINING	\$9,000	\$0	\$0	\$0	\$0
Training - Tuition & Registration	\$9,000	\$0	\$0	\$0	\$0

	Budget	Current Month	YTD	Encumb	YTD + Encumb
5324 FACILITIES	\$147,000	\$11,304	\$133,669	\$11,091	\$144,759
Facilities Operations	\$18,000	\$0	\$0	\$0	\$0
Facilities Planning - General Services	\$0	\$213	\$3,311	\$0	\$3,311
Rents and Leases	\$129,000	\$0	\$0	\$0	\$0
Rent - Buildings & Grounds (Non State)	\$0	\$11,091	\$130,357	\$11,091	\$141,448
53402-53403 C/P SERVICES (INTERNAL)	\$243,000	\$10,111	\$114,881	\$0	\$114,881
Health and Medical	\$0	\$116	\$116	\$0	\$116
Legal - Attorney General	\$197,000	\$9,996	\$84,704	\$0	\$84,704
Office of Adminis Hearings	\$46,000	\$0	\$30,061	\$0	\$30,061
53404-53405 C/P SERVICES (EXTERNAL)	\$46,000	\$3,605	\$38,940	\$9,907	\$48,847
Administrative	\$0	\$420	\$3,302	\$1,698	\$5,000
Expert Examiners- Exam Process	\$0	\$0	\$750	\$0	\$750
Subject Matter Experts	\$0	\$0	\$2,288	\$0	\$2,288
Credit Card Service Fee	\$0	\$3,185	\$31,791	\$8,209	\$40,000
Legal - Witness Fees	\$7,000	\$0	\$0	\$0	\$0
Consultation & Professional Services External - Other	\$0	\$0	\$484	\$0	\$484
Court Reporter Services	\$39,000	\$0	\$325	\$0	\$325
5342 DEPARTMENT PRORATA	\$944,000	\$0	\$944,000	\$0	\$944,000
Division of Investigation DOI	\$290,000	\$0	\$292,000	\$0	\$292,000
Consumer Client Services Division CCSD	\$654,000	\$0	\$652,000	\$0	\$652,000
5342 DEPARTMENTAL SERVICES	\$0	\$139	\$618	\$0	\$618
Departmental Services - Other	\$0	\$139	\$618	\$0	\$618
5344 CONSOLIDATED DATA CENTERS	\$14,000	\$1,650	\$16,925	\$0	\$16,925
Consolidated Data Centers	\$14,000	\$1,650	\$16,925	\$0	\$16,925
5346 INFORMATION TECHNOLOGY	\$4,000	\$0	\$76	\$1,260	\$1,335
IT Services - Hardware Maintenance	\$0	\$0	\$0	\$263	\$263
IT Services - Software Maintenance	\$0	\$0	\$76	\$981	\$1,056
E-Waste Recycle & Disposal Fees	\$0	\$0	\$0	\$16	\$16
Information Technology - Other	\$4,000	\$0	\$0	\$0	\$0

	Budget	Current Month	YTD	Encumb	YTD + Encumb
5362-5368 EQUIPMENT	\$15,000	\$890	\$13,250	\$8,526	\$21,775
Communications Equipment	\$0	\$0	\$3,241	\$0	\$3,241
Computers & Computer Equipment	\$0	\$0	\$3,675	\$8,167	\$11,842
Office Equipment	\$15,000	\$0	\$5,036	\$0	\$5,036
Software	\$0	\$890	\$1,297	\$359	\$1,656
54 SPECIAL ITEMS OF EXPENSE	\$0	\$0	\$1,504	\$0	\$1,504
Other Special Items of Expense	\$0	\$0	\$1,504	\$0	\$1,504
OPERATING EXPENSES & EQUIPMENT	\$1,557,000	\$33,306	\$1,302,299	\$37,875	\$1,340,174
OVERALL TOTALS	\$3,414,000	\$144,285	\$2,590,586	\$37,875	\$2,628,461

**3017 - Board of Occupational Therapy Fund Analysis of Fund Condition
(Dollars in Thousands)**

2022-23 Governor's Budget with 2021-22 FM 11 Projections

	PY	CY	BY	BY +1	BY +2	BY +3
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
BEGINNING BALANCE	\$ 1,850	\$ 1,533	\$ 1,419	\$ 904	\$ 289	\$ -391
Prior Year Adjustment	\$ -47	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Adjusted Beginning Balance	\$ 1,803	\$ 1,533	\$ 1,419	\$ 904	\$ 289	\$ -391
 REVENUES, TRANSFERS AND OTHER ADJUSTMENTS						
Revenues						
4121200 - Delinquent fees	\$ 41	\$ 41	\$ 47	\$ 47	\$ 47	\$ 47
4127400 - Renewal fees	\$ 2,003	\$ 2,311	\$ 2,522	\$ 2,522	\$ 2,522	\$ 2,522
4129200 - Other regulatory fees	\$ 24	\$ 44	\$ 41	\$ 41	\$ 41	\$ 41
4129400 - Other regulatory licenses and permits	\$ 379	\$ 432	\$ 427	\$ 427	\$ 427	\$ 427
4143500 - Miscellaneous Services to the Public	\$ 30	\$ 28	\$ 30	\$ 30	\$ 30	\$ 30
4163000 - Income from surplus money investments	\$ 10	\$ 4	\$ 5	\$ 4	\$ 0	\$ 0
4171400 - Escheat of unclaimed checks and warrants	\$ 2	\$ 0	\$ 2	\$ 2	\$ 2	\$ 2
4172500 - Miscellaneous revenues	\$ 0	\$ 1	\$ 5	\$ 5	\$ 5	\$ 5
4173500 - Settlements and Judgements - Other	\$ 1	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Totals, Revenues	\$ 2,490	\$ 2,861	\$ 3,079	\$ 3,078	\$ 3,074	\$ 3,074
 TOTALS, REVENUES, TRANSFERS AND OTHER	\$ 2,490	\$ 2,861	\$ 3,079	\$ 3,078	\$ 3,074	\$ 3,074
 ADJUSTMENTS TOTAL RESOURCES	\$ 4,293	\$ 4,394	\$ 4,498	\$ 3,982	\$ 3,363	\$ 2,683

Expenditures:

1111 Department of Consumer Affairs Regulatory Boards, Bureaus,
Divisions (State Operations)

\$ 2,599 \$ 2,778 \$ 3,312 \$ 3,411 \$ 3,514 \$ 3,514

9892 Supplemental Pension Payments (State Operations)

\$ 42 \$ 42 \$ 42 \$ 42 \$ 0 \$ 0

9900 Statewide General Administrative Expenditures (Pro Rata) (State
Operations)

\$ 119 \$ 155 \$ 240 \$ 240 \$ 240 \$ 240

TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS

\$ 2,760 \$ 2,975 \$ 3,594 \$ 3,693 \$ 3,754 \$ 3,754

FUND BALANCE

Reserve for economic uncertainties

\$ 1,533 \$ 1,419 \$ 904 \$ 289 \$ -391 \$ -1,071

Months in Reserve

6.2 4.7 2.9 0.9 -1.3 -3.4

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.

Expenditure growth projected at 3% beginning BY +1.

Expenditures General Salary 4.55% increase.

AGENDA ITEM 21c

**CA Board of Occupational Therapy
Applications Data: Apr 1, 2022 – June 30, 2022**

Transaction Type	Apr		May		June		Total Received 4Q	Total Approved 4Q	Average Received per Month	Average Approved per Month
	Received	Approved	Received	Approved	Received	Approved	Received	Approved	Received	Approved
OT License Apps	101	117	134	107	138	98	373	322	124	107
OT License Issued	112	112	107	106	99	98	318	316	106	105
OT Limited Permit Apps	5	0	11	11	8	7	24	18	8	6
OT Limited Permit Issued	0	0	8	6	4	5	12	11	4	4
OTA License Apps	30	19	42	31	36	41	108	91	36	30
OTA License Issued	19	19	31	31	37	37	87	87	29	29
OTA Limited Permit Apps	0	2	0	0	3	1	3	3	1	1
OTA Limited Permit Issued	1	1	0	0	0	0	1	1	0	0
A/P – Hand Therapy	2	3	2	4	2	2	6	9	2	3
A/P – PAMs	7	3	11	3	2	1	20	7	7	2
A/P - Swallowing	3	0	0	0	1	0	4	0	1	0
Duplicate License	10	10	12	12	21	17	43	39	14	13
Set Inactive to Active	2	3	2	2	3	3	7	8	2	3
Name Changes	20	26	29	26	32	34	81	86	27	29
Address Changes	243	243	239	239	309	309	791	791	264	264
Verifications	74	69	80	73	84	62	238	204	79	68
Set to Retired	16	15	13	15	16	12	45	42	15	14
Set Retired to Active	2	2	0	1	1	1	3	4	1	1
	647	644	721	667	796	728	2,164	2,039	721	680
Transaction Type		Apr		May		June		Total Approved 4Q		Average Approved per Month
OT Renewals		563		634		667		1864		621
OTA Renewals		144		136		129		409		136
		707		770		796		2273		758

AGENDA ITEM 21d

CBOT CASES/COMPLAINTS DATA

April 1, 2022 – June 30, 2022

CATEGORY	QUANTITY
<i>Total Complaints Opened/Received:</i>	192
Conviction/Arrest Investigations:	41
Complaints Opened/Received:	151
Applications Denied per BPC 480:	0
Complaints Closed	192
<i>Total Complaints/Cases Pending:</i>	343
DOI Investigations Initiated:	0
DOI Investigation Reports Received:	0
<i>DOI Investigations Pending:</i>	5
Accusations Filed:	2
Statement of Issues Filed:	0
PC 23 Issued:	0
ISO Issued:	0
Petition to Revoke Probation (PTR) Filed:	2
Accusation and PTR Filed:	0
Case(s) Withdrawn:	0
Case(s) Dismissed	0
<i>Total Cases Pending at Office of the Attorney General</i>	9
Cease Practice Order(s) Issued:	0
Cease Practice Order(s) Lifted:	0
Final Decisions Effective:	1

OT CITATIONS
April 1, 2022 - June 30, 2022

#	VIOLATION						FINE	FINE REDUCE	TOTAL FINE DUE	DATE ISSUED	APPEAL RECEIVED					PAYMENT			
	FTC	UPC	ULP	PDU	ADC	OTHER					ABATE	ICRC	ADMIN	DISMISSED	WITHDRAWN	Payment Date	Paid in Full	Payment Amount	Balance (OT)
1				1			\$600	\$0	\$600	03/01/22	1						\$0	\$600	
1						1	\$400	\$0	\$400	03/01/22	1					03/12/22	1	\$400	\$0
1	1				1		\$685	\$0	\$685	03/01/22		1				06/23/22	1	\$685	\$0
1	1				1		\$750	\$0	\$750	03/09/22	1							\$0	\$750
1	1						\$600	\$0	\$600	03/09/22	1							\$0	\$600
1			1				\$375	\$0	\$375	03/09/22		1				03/25/22	1	\$375	\$0
1				1			\$600	\$0	\$600	03/09/22	1					04/04/22	1	\$600	\$0
1				1			\$600	\$0	\$600	03/10/22	1					07/01/22	1	\$600	\$0
1				1			\$125	\$0	\$125	03/25/22	1					03/31/22	1	\$125	\$0
1				1			\$600	\$0	\$600	03/25/22						04/04/22	1	\$600	\$0
1						1	\$300	\$0	\$300	03/25/22						04/25/22	1	\$300	\$0
1				1			\$100	\$0	\$100	03/28/22						04/24/22	1	\$100	\$0
1				1			\$150	\$0	\$150	03/28/22						04/08/22	1	\$150	\$0
1				1			\$700	\$0	\$700	03/28/22						04/14/22	1	\$700	\$0
1				1			\$350	\$0	\$350	03/28/22						04/10/22	1	\$350	\$0
1	1						\$1,200	\$0	\$1,200	03/28/22	1							\$0	\$1,200
1			1				\$425	\$0	\$425	3/29/2022								\$0	\$425
1						1	\$400	\$0	\$400	3/29/2022								\$0	\$400
1			1				\$375	\$0	\$375	03/29/22						04/10/22	1	\$375	\$0
1				1			\$100	\$0	\$100	04/01/22						04/22/22	1	\$100	\$0
1				1			\$75	\$0	\$75	04/05/22						04/30/22	1	\$75	\$0
1	1				1		\$685	\$450	\$235	04/06/22	1	1						\$0	\$235
1					1		\$600	\$0	\$600	04/06/22						04/13/22	1	\$600	\$0
1		1					\$200	\$0	\$200	04/06/22						04/27/22	1	\$200	\$0

OT CITATIONS
April 1, 2022 - June 30, 2022

#	VIOLATION						FINE	FINE REDUCE	TOTAL FINE DUE	DATE ISSUED	APPEAL RECEIVED					PAYMENT			
	FTC	UPC	ULP	PDU	ADC	OTHER					ABATE	ICRC	ADMIN	DISMISSED	WITHDRAWN	Payment Date	Paid in Full	Payment Amount	Balance (OT)
1			1				\$1,000	\$0	\$1,000	04/08/22							\$0	\$1,000	
1			1				\$1,100	\$0	\$1,100	04/08/22						04/24/22	1	\$1,100	\$0
1			1				\$600	\$0	\$600	04/08/22						05/02/22	1	\$600	\$0
1			1				\$1,900	\$0	\$1,900	04/08/22						04/19/22	1	\$1,900	\$0
1			1				\$300	\$0	\$300	04/08/22						05/09/22	1	\$300	\$0
1				1			\$50	\$0	\$50	04/11/22						04/24/22	1	\$50	\$0
1			1				\$225	\$0	\$225	04/12/22						05/04/22	1	\$225	\$0
1			1				\$500	\$0	\$500	04/12/22						05/09/22	1	\$500	\$0
1				1			\$600	\$0	\$600	04/12/22								\$0	\$600
1			1				\$150	\$0	\$150	04/12/22						04/15/22	1	\$150	\$0
1			1				\$150	\$0	\$150	04/13/22						04/20/22	1	\$150	\$0
1				1			\$600	\$0	\$600	04/13/22	1							\$0	\$600
1			1				\$150	\$0	\$150	04/13/22	1					04/30/22	1	\$150	\$0
1	1						\$600	\$600	\$0	04/13/22								\$0	\$0
1			1				\$150	\$0	\$150	04/13/22						04/27/22	1	\$150	\$0
1				1			\$450	\$0	\$450	04/13/22	1							\$0	\$450
1				1			\$100	\$0	\$100	04/13/22	1					04/22/22	1	\$100	\$0
1	1		1				\$600	\$0	\$600	04/14/22								\$0	\$600
1				1			\$450	\$0	\$450	04/15/22	1					07/18/22	1	\$450	\$0
1				1			\$600	\$0	\$600	04/18/22	1							\$0	\$600
1				1			\$225	\$0	\$225	04/21/22						05/23/22	1	\$225	\$0
1				1			\$525	\$0	\$525	04/22/22						05/20/22	1	\$525	\$0
1				1			\$250	\$0	\$250	04/22/22								\$0	\$250
1				1			\$150	\$0	\$150	04/26/22								\$0	\$150

OT CITATIONS
April 1, 2022 - June 30, 2022

#	VIOLATION						FINE	FINE REDUCE	TOTAL FINE DUE	DATE ISSUED	APPEAL RECEIVED					PAYMENT			
	FTC	UPC	ULP	PDU	ADC	OTHER					ABATE	ICRC	ADMIN	DISMISSED	WITHDRAWN	Payment Date	Paid in Full	Payment Amount	Balance (OT)
1				1			\$600	\$0	\$600	04/26/22						05/17/22	1	\$600	\$0
1				1			\$600	\$0	\$600	05/02/22	1							\$0	\$600
1				1			\$600	\$0	\$600	05/10/22	1							\$0	\$600
1	1						\$600	\$0	\$600	05/10/22	1							\$0	\$600
1				1			\$100	\$0	\$100	05/10/22	1					06/06/22	1	\$100	\$0
1				1			\$150	\$0	\$150	05/10/22	1					05/17/22	1	\$150	\$0
1				1			\$100	\$0	\$100	05/10/22	1							\$0	\$100
1	1						\$600	\$0	\$600	05/10/22	1							\$0	\$600
1				1			\$150	\$0	\$150	05/10/22	1					06/12/22	1	\$150	\$0
1				1			\$600	\$300	\$300	05/11/22	1	1				07/25/22	1	\$300	\$0
1			1				\$150	\$0	\$150	05/17/22						05/22/22	1	\$150	\$0
1				1			\$100	\$0	\$100	05/17/22	1							\$0	\$100
1			1				\$150	\$0	\$150	05/17/22						05/23/22	1	\$150	\$0
1					1		\$85	\$0	\$85	05/17/22	1							\$0	\$85
1	1						\$600	\$0	\$600	05/17/22	1							\$0	\$600
1	1						\$600	\$0	\$600	05/18/22	1							\$0	\$600
1			1				\$375	\$0	\$375	05/18/22								\$0	\$375
1			1				\$600	\$0	\$600	05/18/22						05/22/22	1	\$600	\$0
1			1				\$1,500	\$0	\$1,500	05/18/22						07/11/22	1	\$1,500	\$0
1				1			\$75	\$0	\$75	05/19/22	1					07/11/22	1	\$75	\$0
1			1				\$500.00	\$0	\$500	05/19/22								\$0	\$500
1			1				\$225	\$0	\$225	05/19/22						05/26/22	1	\$225	\$0
1			1				\$375	\$0	\$375	05/20/22						06/06/22	1	\$375	\$0
1			1				\$225	\$0	\$225	05/20/22						06/06/22	1	\$225	\$0

OT CITATIONS
April 1, 2022 - June 30, 2022

#	VIOLATION						FINE	FINE REDUCE	TOTAL FINE DUE	DATE ISSUED	APPEAL RECEIVED					PAYMENT			
	FTC	UPC	ULP	PDU	ADC	OTHER					ABATE	ICRC	ADMIN	DISMISSED	WITHDRAWN	Payment Date	Paid in Full	Payment Amount	Balance (OT)
1			1				\$375	\$0	\$375	05/20/22						06/09/22	1	\$375	\$0
1			1				\$375	\$0	\$375	05/23/22								\$0	\$375
1			1				\$800	\$0	\$800	05/24/22						06/20/22	1	\$800	\$0
1	1						\$600	\$0	\$600	05/24/22	1							\$0	\$600
1			1				\$225	\$0	\$225	05/23/22						05/26/22	1	\$225	\$0
1			1				\$150	\$0	\$150	05/23/22						06/03/22	1	\$150	\$0
1			1				\$150	\$0	\$150	05/24/22						06/07/22	1	\$150	\$0
1			1				\$300	\$0	\$300	05/25/22						06/21/22	1	\$300	\$0
1	1						\$600	\$0	\$600	05/25/22	1					05/26/22	1	\$600	\$0
1			1				\$375	\$0	\$375	05/25/22						06/09/22	1	\$375	\$0
1			1				\$150	\$0	\$150	05/25/22						06/22/22	1	\$150	\$0
1			1				\$150	\$0	\$150	05/25/22						06/12/22	1	\$150	\$0
1			1				\$225	\$0	\$225	05/25/22						05/30/22	1	\$225	\$0
1			1				\$375	\$0	\$375	05/26/22						06/29/22	1	\$375	\$0
1	1						\$600	\$0	\$600	05/26/22	1							\$0	\$600
1			1				\$300	\$0	\$300	05/26/22						06/24/22	1	\$300	\$0
1			1				\$300	\$200	\$100	05/26/22		1	1			07/21/22	1	\$100	\$0
1			1				\$150	\$0	\$150	06/02/22								\$0	\$0
1			1				\$150	\$0	\$150	06/02/22						06/24/22		\$150	\$150
1			1				\$150	\$0	\$150	06/02/22						06/07/22	1	\$150	\$0
1	1						\$85	\$0	\$85	06/02/22						06/10/22	1	\$85	\$0
1			1				\$300	\$0	\$300	06/02/22						06/10/22	1	\$300	\$0
1			1				\$225	\$0	\$225	06/03/22						06/07/22	1	\$225	\$0
1			1				\$375	\$0	\$375	06/03/22						06/12/22	1	\$375	\$0

OT CITATIONS
April 1, 2022 - June 30, 2022

#	VIOLATION						FINE	FINE REDUCE	TOTAL FINE DUE	DATE ISSUED	APPEAL RECEIVED					PAYMENT			
	FTC	UPC	ULP	PDU	ADC	OTHER					ABATE	ICRC	ADMIN	DISMISSED	WITHDRAWN	Payment Date	Paid in Full	Payment Amount	Balance (OT)
1			1				\$1,300	\$0	\$1,300	06/03/22								\$0	\$1,300
1			1				\$500	\$0	\$500	06/03/22								\$0	\$500
1			1				\$225	\$0	\$225	06/06/22						06/12/22	1	\$225	\$0
1			1				\$225	\$0	\$225	06/07/22						06/23/22	1	\$225	\$0
1			1				\$300	\$0	\$300	06/07/22						06/09/22	1	\$300	\$0
1			1				\$300	\$0	\$300	06/07/22								\$0	\$300
1			1				\$600	\$0	\$600	06/09/22	1							\$0	\$600
1			1				\$150	\$0	\$150	06/13/22						06/28/22	1	\$150	\$0
1			1				\$375	\$0	\$375	06/13/22						06/29/22	1	\$375	\$0
1				1			\$200	\$0	\$200	06/14/22	1							\$0	\$200
1				1			\$75	\$0	\$75	06/14/22						06/28/22	1	\$75	\$0
1			1				\$800	\$0	\$800	06/15/22						06/16/22	1	\$800	\$0
1			1				\$150	\$0	\$150	06/15/22						06/21/22	1	\$150	\$0
1	1						\$600	\$0	\$600	06/15/22								\$0	\$0
110	16	1	55	34	5	3	\$45,365	\$1,550	\$43,815		34	5	1	1	0		72	\$25,370	\$17,845

Violation Key:

FTC - Failure to Cooperate

UPC - Unprofessional Conduct

ULP - Unlicensed Practice

PDU - Continuing Education

ADC - Failure to Notify of Address Change

OTHER (Negligence, etc.)

OTA CITATIONS
April 1, 2022 - June 30, 2022

#	VIOLATION						FINE	FINE REDUCED	TOTAL FINE DUE	DATE ISSUED	APPEAL REC'D					PAYMENT			
	FTC	UPC	ULP	PDU	ADC	OTHER					ABATE	ICRC	ADMIN	DISMISSED	WITHDRAWN	Payment Date	Paid in Full	Payment Amount	Balance (OTA)
1				1			\$400	\$0	\$400	03/10/22						05/02/22	1	\$400	\$0
1	1						\$600	\$0	\$600	03/11/22	1							\$0	\$600
1				1			\$200	\$0	\$200	03/15/22						05/13/22	1	\$200	\$0
1				1			\$600	\$0	\$600	03/25/22	1							\$0	\$600
1			1				\$1,600	\$0	\$1,600	03/28/22								\$0	\$1,600
1			1				\$300	\$0	\$300	03/28/22								\$0	\$300
1	1						\$600	\$0	\$600	03/29/22	1							\$0	\$600
1				1			\$300	\$0	\$300	03/30/22					04/03/22	1	\$300	\$0	
1					1		\$85	\$0	\$85	03/30/22								\$0	\$85
1			1				\$425	\$0	\$425	04/01/22								\$0	\$425
1				1			\$125	\$0	\$125	04/06/22								\$0	\$125
1				1			\$100	\$0	\$100	04/06/22	1				05/05/22	1	\$100	\$0	
1		1					\$300	\$0	\$300	04/12/22					04/21/22	1	\$300	\$0	
1				1	1		\$985	\$985	\$0	04/12/22	1			1				\$0	\$0
1				1			\$150	\$0	\$150	04/13/22								\$0	\$150
1	1						\$600	\$0	\$600	04/13/22		1						\$0	\$600
1			1				\$500	\$0	\$500	04/13/22		1		1				\$0	\$0
1			1				\$1,200	\$0	\$1,200	04/13/22					4/18/2022	1	\$1,200	\$0	
1				1			\$100	\$0	\$100	04/15/22					5/2/2022	1	\$100	\$0	
1	1			1			\$600	\$0	\$600	04/12/22								\$0	\$600
1				1	1		\$685	\$0	\$685	04/21/22	1	1			5/2/2022	1	\$300	\$385	
1	1						\$600	\$0	\$600	04/22/22	1				04/29/22	1	\$600	\$0	
1				1			\$450	\$0	\$450	04/26/22					5/10/2022	1	\$450	\$0	
1	1						\$600	\$0	\$600	05/12/22	1							\$0	\$600

#	VIOLATION						FINE	FINE REDUCED	TOTAL FINE DUE	DATE ISSUED	APPEAL REC'D					PAYMENT			
	FTC	UPC	ULP	PDU	ADC	OTHER					ABATE	ICRC	ADMIN	DISMISSED	WITHDRAWN	Payment Date	Paid in Full	Payment Amount	Balance (OTA)
1	1						\$600	\$0	\$600	05/17/22	1						\$0	\$600	
1					1		\$85	\$0	\$85	05/17/22					7/5/2022	1	\$85	\$0	
1			1				\$600	\$0	\$600	05/19/22	1						\$0	\$600	
1				1			\$600	\$0	\$600	05/18/22	1						\$0	\$600	
1	1						\$600	\$0	\$600	05/23/22	1						\$0	\$600	
1	1						\$600	\$0	\$600	05/24/22	1						\$0	\$600	
1			1				\$300	\$0	\$300	05/24/22					6/6/2022	1	\$300	\$0	
1			1				\$300	\$0	\$300	05/26/22					7/18/2022	1	\$300	\$0	
1			1				\$150	\$0	\$150	06/02/22					6/7/2022	1	\$150	\$0	
1			1				\$225	\$0	\$225	06/02/22					7/1/2022	1	\$225	\$0	
1			1				\$300	\$0	\$300	06/03/22					07/03/22	1	\$300	\$0	
1			1				\$225	\$0	\$225	06/13/22					6/18/2022	1	\$225	\$0	
1					1		\$85	\$0	\$85	06/13/22					7/11/2022	1	\$85	\$0	
1	1						\$600	\$0	\$600	06/14/22	1				07/11/22	1	\$600	\$0	
38	10	1	12	13	5	0	\$17,375	\$985	\$16,390		14	3	0	2	0		19	\$6,220	\$9,670

Violation Key:

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

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

**CASES PENDING WITH THE OFFICE OF THE ATTORNEY GENERAL (AGO):
April 1, 2022 – June 30, 2022**

DATE TRANSMITTED	COMPLAINT NUMBER	CASE TYPE	CURRENT STATUS
7/26/2017	2016-002	ACC	Stipulated Surrender received 7/25/2022
4/15/2021	2021-263	ACC	Board vote mailed for Proposed Decision 8/05/2022
6/23/2021	2021-219	ACC	Pending amended Accusation 8/03/2022
12/31/2021	2019-231	ACC	Accusation filed 5/13/2022; Notice of Defense received 06/15/2022
1/20/2022	2021-284	ACC	Accusation to be drafted; with expert reviewer
2/14/2022	2022-153	ACC	Accusation filed 4/13/22; Surrender Effective 8/19/2022
2/25/2022	2020-426	ACC	Accusation received 7/18/2022
3/30/2022	2021-349	ACC	Assigned to Psychological Evaluator 8/03/2022
6/01/2022	2021-307	ACC	Hearing date set for 9/06/2022

FINAL DECISION

Effective	Name	Type	Violation
04/17/2022	Bastianelli, Nachele	Probation 3 years (Proposed Decision)	Failure to Cooperate

PRACTITIONERS CURRENTLY ON PROBATION

April 1, 2022 – June 30, 2022

NAME	LICENSE #	LENGTH OF PROBATION	EFFECTIVE DATE	COMPLETION DATE
Alvarado, Francisco	OT 4563	3 years	09/19/2019	
Bastianelli, Nachele	OT 11457	3 years	04/17/2022	
Campbell, Steven	OTA 183	3 years	07/26/2019 *	
De Jesus, Geraldine	OT 4769	3 years	10/22/2021 *	
Deras, Carlos	OTA 3975	3 years	12/17/2018 *	
Dowd, Joshua	OT 18574	3 years	03/27/2018 *	
Edwards, Anna	OTA 2453	3 years	04/26/2019 *	
Egler, Daniel	OT 6601	3 years	03/28/2019 *	06/30/2022
Gerking, Lisa	OT 8787	2 years	05/18/2020	05/17/2022
Gonzalez, Susana	OTA 1298	3 years	07/23/2021	
Harding III, Jack	OT 11707	3 years	06/03/2021	
Heng, Sonny	OT 18476	3 years	11/03/2021 *	
Jordan, Laura	OT 5826	3 years	08/29/2021 *	
Kelley, Anjuli	OT 11186	3 years	01/16/2014 *	
Lopez (Kozina), Lindsay	OTA 3469	3 years	11/27/2021 *	
McCoy-Guzman, Tracy	OTA 2109	3 years	03/17/2022 *	
Morrison, Crystal	OTA 1561	3 years	04/16/2021	
Pompanescu, Duane	OT 3017	3 years	06/03/2021	
Powell, Diana C.	OT 6367	3 years	06/03/2016 *	
Provost, Ericka	OT 16010	3 years	12/26/2021 *	
Ryskalczyk, Roxanne	OT 5654	3 years	08/29/2021 *	
Schmidt, Rebecca	OT 8291	3 years	11/27/2009 *	
Shin, Judy	OT 5682	4 years	12/02/2019	
Suggs, Monica	OTA 1101	2.5 years	03/30/2019 *	
Tolbert, Kristine	OT 4410	4 years	03/29/2019 *	
Wilson, Candice	OTA 1436	3 years	07/16/2020 *	

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

Report updated 08/04/2022

AGENDA ITEM 21e

Listing of future agenda items approved at previous meetings

Items prioritized for August meeting

1. ~~Top five Expenditures~~
2. ~~Public comment requesting the Board consider adding supervision of OTD capstone to PDU regulations.~~
3. ~~Executive Officer report on Council of State Governments meeting on licensure compacts.~~
4. ~~Proposed OT Professional Corps lang based on PT language. **Moved to July meeting.**~~
5. ~~Ask Attorney if current Corps have to change their names? **Moved to July meeting.**~~
6. ~~Discuss possible Expert Reviewer wage increase.~~
7. ~~Complaint Prioritization Guidelines.~~
8. Discuss Mail Vote policy on disciplinary matters as not being optimal as it pertains to the “discharge of Board duties.”
9. Discuss the potential to cost share with OT programs for the ‘employer’ letter.

Future agenda items not yet prioritized

1. Asset Management Process Audit report.
2. Keep Fee Study as a standing item for continued updates.
3. Discuss and/or establish board policy on the ‘vote by mail’ option being optimal in all aspects as it pertains to the discharge of Board duties.
4. Discuss the potential to cost sharing with California occupational therapy programs for the ‘employer’ letter.
5. Update on Physical Therapy and Registered Nursing Compact Updates.
6. Develop FAQs to explain revenue and expenditures to licensees in a narrative format to explain the data that pertains to the public comments.
7. Discuss and decide on methods of education and outreach for the fee increase.
8. Provide a report detailing:
 - Explain why fee increase needed
 - Identify expenditures by program area
 - Identify salary savings
 - Develop outreach plan to educate licensees (why fee increases needed)
9. Identify committee member appointment criteria for non-licensee/public member to serve on Board committees.
10. Consider appointing Disaster Preparedness/Disaster Response ad Hoc committee.
11. Make appointments to other committees, as appropriate.
12. Schedule a townhall/meeting with the California OT and OTA programs to share the Occupational Therapy Assistant Workforce Needs Assessment and seek further feedback.
13. Invite representative from the Accreditation Council for Occupational Therapy Education to discuss the 2018 Standards.
14. Invite Dan Logsdon, Council on State Governments, to provide update on OT Licensure Compact.

15. ~~Regarding AB 1662, Board staff to develop a visual outlining the impact to staff time and cost to the Board. AB 1662 is dead~~
16. ~~Regarding AB 2790, Board staff to bring back research regarding abuse as it pertains to mandatory reporting from Heather Javaharian and the author's office. AB 2790 is dead~~
17. ~~Regarding SB 1365, Board staff to bring back update from author's office. SB 1365 is dead~~
18. Practice Committee's consideration of the following:
 - Consider whether suture removal is within OT scope of practice.
 - Consider whether Advanced Practice approval in Hand Therapy is required to treat tunnel syndrome, repetitive motion injuries, or finger/hand pain, wrist pain, or elbow pain that is not due to trauma or surgery.
 - Review of ACOTE Guidelines and consider reducing advanced practice education and training requirements for students graduating after a certain date (date TBD).
 - Review of education and training requirements for licensees demonstrating competence in advanced practice areas and consideration of reducing education/training hours needed.
 - Recommendation on records retention requirement for an occupational therapy business that closes or is sold or if the practitioner is no longer in private practice.
 - Discussion on the public comment asking for Board position on whether Advanced Practice approval in Hand Therapy is required for non-complicated, non-surgical carpal tunnel syndrome.

Table for now

Update Board Member Disciplinary Resource Manual (once Disciplinary Guidelines and other enforcement-related regulations are updated).

AGENDA ITEM 21f

Martin, Heather@DCA

From: cbot, CBOT@DCA
Sent: Friday, May 27, 2022 4:02 PM
Subject: California Healthcare Workforce Research
Attachments: HCAI Licensure Data Collection FAQs 2022.pdf

Importance: High

Information from the Department of Health Care Access and Information for Occupational Therapists and Occupational Therapists

The Department of Health Care Access and Information (HCAI), formerly known as the Office of Statewide Health Planning and Development, is partnering with the Department of Consumer Affairs (DCA) and the California Board of Occupational Therapy (Board) to collect important healthcare workforce data. HCAI is the leader in collecting data and disseminating information about California's healthcare infrastructure. HCAI promotes an equitably distributed healthcare workforce and publishes valuable information about healthcare outcomes.

With the passage of Assembly Bill 133 (Chapter 143, Statutes of 2021), HCAI is launching the California Health Workforce Research Data Center (Center). The Center will serve as the state's central repository for healthcare workforce data, and will collect, analyze, and distribute information on educational and employment trends for healthcare occupations in the state. An annual report will be produced discussing:

- Supply and demand of the health workforce
- Geographical distribution of the health workforce
- Diversity of the health workforce, by specialty (including, but not limited to, data on race, ethnicity, and languages spoken)
- Current and forecasted demand for healthcare workers, by specialty
- Educational capacity to produce trained, certified, and licensed healthcare workers, by specialty and by geographical distribution

HCAI, in partnership with the Board and DCA, **has developed a workforce survey for you to complete during your electronic licensure renewal process. We are asking for your help with this important data collection effort by completing this survey *when you renew your license on BreEZe*.** This data will help shape the future of health workforce policy in California. The workforce survey will be available beginning July 1, 2022. HCAI plans to present data and findings from the Center at future meetings, via social media posts and other outlets.

We thank you for your time and consideration on this important effort.

Please see attached FAQs and feel free to contact HCAI at workforcedata@hcai.ca.gov



2020 West El Camino Avenue, Suite 800
Sacramento, CA 95833
hcai.ca.gov



LICENSURE DATA COLLECTION FAQ'S

What types of health workforce licensure data will be collected?

At time of online licensure renewal, licensees will be asked questions about the following:

- Anticipated year of retirement
- Area of practice or specialty
- Location of practice
- Educational background
- Gender or gender identity
- Hours spent in direct patient care
- Languages spoken
- National Provider Identifier
- Ethnicity and/or race
- Practice setting
- Sexual orientation
- Work hours
- Disability status

Why are these data being collected?

The Department of Health Care Access and Information (HCAI) is partnering with the Department of Consumer Affairs (DCA) to collect important workforce data. HCAI is a leader in collecting data and disseminating information about California's healthcare infrastructure. HCAI promotes an equitably distributed health workforce and publishes valuable information about healthcare outcomes.

HCAI is launching the California Health Workforce Research Data Center (Center). The Center will serve as the state's central repository for health workforce data, and will collect, analyze, and distribute information on educational and employment trends for healthcare occupations in the state. The Center will also produce an annual report discussing:

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- Current and forecasted demand for healthcare workers, by specialty
- Educational capacity to produce trained, certified, and licensed healthcare workers, by specialty and by geographical distribution

HCAI, in partnership with DCA, has developed a workforce survey for licensees to complete as part of the electronic online licensure renewal process. This workforce survey will be available for completion beginning July 1, 2022, to those renewing online and will be an important data source for the Center. The purpose of this survey is to collect critical workforce related data which will be used to inform stakeholders and be an input into important workforce policy development.

How will the security and privacy of data be ensured?

HCAI and DCA adhere to strict data security and confidentiality standards. Both organizations have strong protocols in place to ensure data is stored securely. DCA and HCAI have strong subject matter expertise on data security and have been successful in securing sensitive data for decades.

California and Federal law (including the Information Practices Act of 1977, Government Code Section 11015.5., and the federal Privacy Act of 1974) requires departments to maintain the confidentiality of this data and only allows release in aggregate form that cannot be used to identify an individual. HCAI, or DCA, will never share or publicly release data that can be used to identify an individual

(Business and Professions Code § 502). These data will not, and cannot, be used to impact your licensure status in any manner.

For more information about HCAI's Privacy Policy, please visit HCAI's website:

<https://hcai.ca.gov/home/privacy-policy/>

How can I be notified of products that will be released from the Center?

HCAI will work with DCA and licensing boards to communicate the release of products coming out of the Center. Respective websites and social media platforms will be utilized. In addition, HCAI will present at Board meetings on a consistent basis with updates on the Center.

Who may I contact with any questions about this data collection effort and the Center?

You may contact HCAI directly at: workforcedata@hcai.ca.gov

Responding to Public Comment

1. Response to Questions from Members of the Public

- Thank you for your question.
- This is a forum to receive public input on today's agenda items. Board members will not respond to individual questions.
- You may provide your contact information to the moderator and Board staff will reach out to assist with your question.
- Again, thank you for your question.

2. Response to Comments on an Unrelated Item Not on the Agenda

- Thank you for your comments.
- It appears that your comments do not relate to an agenda item currently before the Board. Please note, board members are not allowed to act on any item not on today's agenda.
- You may provide your contact information to the moderator and Board staff will reach out to discuss your comments at the conclusion of the meeting.
- Again, thank you for your comments.

3. Response to Comments on an Application/Complaint/Enforcement Matter

- Thank you for your comments.
- The Board cannot discuss the details of an application or a pending licensing or enforcement matter.
- You may provide your contact information to the moderator and Board staff will reach out to discuss your specific application/complaint/enforcement matter.
- Again, thank you for your comments.



Complaint Prioritization Guidelines

As complaints are received, Enforcement staff will immediately review each complaint to determine the appropriate course of action based on the Board of Occupational Therapy’s *Complaint Prioritization Guidelines*.

The table below sets forth guidelines for prioritization of complaints. Complaints that pose an immediate threat to the health, safety, and welfare of consumers shall be assigned an “Urgent” priority, requiring immediate and expedited processing by Board Enforcement staff and/or a high level of monitoring (daily or weekly), with law enforcement, the Division of Investigation, or the Office of the Attorney General. Such cases shall be continuously assessed and considered for an Interim Suspension Order, Penal Code section 23 hearing, or other interim action.

Depending on the underlying facts, deviation from the guidelines may be warranted. For example, a complaint based on a report from a health care practitioner data bank (categorized as “routine” in the guidelines) may be re-prioritized to a higher level of response based on the nature of the underlying act(s).

PRIORITY LEVEL	COMPLAINT CATEGORY
URGENT	<p>Any act resulting in death or serious injury.</p> <p>Physical or mental abuse or sexual misconduct with a patient during the course of treatment or examination.</p> <p>Negligence or incompetence causing death or serious injury to a client or other in delivering professional services.</p> <p>Unlicensed activity alleged to have resulted in patient injuries.</p> <p>Obtain, possess, prescribe, furnish or administer to another, any controlled substance or dangerous drug or dangerous device. <i>(May be re-categorized to “High” or “Routine” based on the nature of the underlying acts and whether the practitioner has a pattern/history of similar conduct)</i></p> <p>Use of any drug or alcohol resulting in impaired practice, death, or serious bodily injury to another.</p> <p>Practicing while under the influence of alcoholic beverages or any illegal drug, or any use within the scope of employment.</p> <p>Aiding and abetting unlicensed practice alleged to have resulted in patient injuries.</p> <p>Arrests or convictions substantially related the practice. <i>(May be re-categorized to “High” or “Routine” based on the nature of the underlying acts and whether the practitioner has a pattern/history of similar conduct).</i></p>

URGENT	<p>Impairments (mental, physical or as a result of alcohol or drug abuse.)</p> <p>Theft of prescription drugs.</p> <p>Furnishing prescription drugs without a prescription.</p>
HIGH	<p>Negligent or incompetent professional services not causing serious injury to a client or other.</p> <p>Physical or mental abuse without apparent injury.</p> <p>Reports pursuant to Bus. & Prof. Code Section 800. <i>(May be re-categorized based on nature of underlying act)</i></p> <p>Complaints about licensees on probation.</p> <p>Providing advanced practice services without supervision or appropriate approval.</p> <p>Multiple complaints of similar nature.</p> <p>Practicing on an expired license; unlicensed activity with no apparent client harm.</p> <p>Aiding and abetting unlicensed activity with no apparent client harm.</p> <p>Other acts when evidence will likely be destroyed or become unavailable.</p>
MEDIUM	<p>Applicant misconduct (conviction history, failure to disclose conviction(s), arrest(s), exam subversion)</p> <p>False/misleading advertising or professional representations.</p> <p>Fee or billing disputes.</p> <p>Fraud and/or dishonest acts; falsify patient records or timecard/records.</p> <p>Failure to release medical records.</p> <p>Breach of confidentiality.</p> <p>Continuing competency audit violations.</p> <p>Failing to provide adequate and/or appropriate supervision to an occupational therapy assistant or aide with no apparent harm to the client.</p> <p>National practitioner data bank reports or other reports of out-of-state discipline. <i>(May be re-categorized based on the nature of the underlying facts and if the practitioner is practicing/residing in California).</i></p>
LOW	<p>Non-jurisdictional complaints.</p> <p>Address change violations.</p>

Compact Commission to Meet in August

The Occupational Therapy Compact Commission (OTCC), the administrative body that implements the compact, will have its first meeting (remotely) in August 2022.

The compact legislation creates the OTCC to implement the licensure compact after 10 states enact the legislation. Members of the OTCC are appointed by compact member states and may be state occupational therapy licensure board members or board or agency staff. To operationalize the compact, the OTCC will elect an Executive Committee, draft bylaws, and promulgate regulations to implement the compact. After the members of the OTCC agree upon rules and establish a method for compact member states to share information, states will be able to grant compact privileges, and individuals residing in those states will be able to take advantage of the benefits the compact offers.

In order to become a member of the OT compact, each state's legislature must enact the OT compact language into law. In 2022, 11 states enacted the compact legislation, joining the 9 states that enacted the compact in 2021. Legislation is pending in 5 other states at this time.

Visit the [Compact's website](#) for more information.



Shaun Conway, OTR, Senior Director, External & Regulatory Affairs at NBCOT, kicks off a presentation on the Compact at AOTA INSPIRE 2022 in San Antonio, Texas, with Chuck Willmarth, AOTA Vice President of State Affairs and Health Policy, and Dan Logsdon from the Council of State Governments.

Federal Public Health Emergency Continues

The public health emergency (PHE) currently extends through July 15, 2022, although the U.S. Department of Health and Human Services (HHS) has committed to giving states at least 60 days' notice before ending the PHE. This advance-notice window has passed, so it is highly likely that the PHE will be extended for an additional 90-day increment, through mid-October 2022.

State Regulatory Forum Held Virtually, Attendees Learn What's Up With Ethics

The State Regulatory Forum, held in person at past AOTA Annual Conferences, occurred virtually last month. The Chairperson of the AOTA Ethics Commission, Brenda Howard, DHSc, OTR, FAOTA; and Practice Associate and Governance, Ethics, and International Issues Manager Rebecca Argabrite Grove, MS, OTR/L, FAOTA, provided attendees with an overview of the updated AOTA Code of Ethics, the Ethics Commission's mandate, and how the Code of Ethics is recognized by many state licensing agencies. They also walked attendees through three case scenarios to illustrate the ethics decision-making process. Attendees received 1 contact hour for joining, and a [recording](#) of the Forum is available in the AOTA Store for those unable to attend.

As a result of the COVID-19 pandemic, and after receiving feedback from current occupational therapy licensing entity members and administrators, AOTA staff decided to offer the forum virtually to educate new licensing entity members, staff, and state leaders about the Ethics Commission.

Welcome Abby Green!

AOTA welcomes Abby Green, an occupational therapy student at Methodist University in North Carolina, who will be completing her Doctoral Capstone Experience with AOTA State Affairs Manager Meghan Pudeler. Abby's interests involve promoting occupational therapy practitioners' role in mental health, and ethical issues. We're glad to have you joining us Abby and welcome you to AOTA!

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