

AGENDA ITEM 25

EXECUTIVE OFFICER'S REPORT.

Included are the following:

- a) Operational report.
- b) Fiscal Month (FM) 12 revenue and expenditure reports.
- c) Fund condition statement based on FM 12p.
- d) Licensing data for 4/1/2023 – 6/30/2023.
- e) Enforcement data for 4/1/2023 – 6/30/2023.
- f) Future Agenda Items.



Memorandum

Date: August 23, 2023
To: CBOT Members

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

a) Operational report.

Operations

Thanks to the staff with extra special thanks and tremendous gratitude to Jody for keeping the Board running during my lengthy absence. I appreciate everyone's support.

I enrolled in a Lean Six Sigma Green Belt certification (process improvement) course. The first three days were last week. The next 3.5 days sessions will be in September and November with the final presentation scheduled January 12, 2024.

The Department of Consumer Affairs' Organizational Improvement Office will begin a review of Board operations to map and document several Board processes with the goal of providing us recommendations to improve productivity, efficiency, and quality.

Staffing

After a lengthy vacancy and several advertisements, I'm pleased to announce that the Board's Enforcement Manager position was filled by Rebecca Harris effective July 5, 2023.

After Jody Quesada Novey was promoted to the Licensing and Administration Unit manager position effective February 1st, her vacant position was advertised. We were fortunate to be able to promote current Board employee Rachael Hutchison to this position effective June 1st.

Rachael's vacant Enforcement Analyst position was advertised, and we were fortunate to be able to promote another current Board employee, Marco Molina, to fill this position effective September 1st. Marco is one of two licensing technicians and with his promotion, we have a vacancy and recruitment efforts have begun. Subject to the candidate pool, we hope to fill this vacancy by November/December.

The Board's Probation Monitor vacancy was recently readvertised with an August 31, 2023, final filing date. We are hopeful to fill that position by November/December; until

that time, Rebecca and another staff member are sharing those duties.

We've had considerable challenges hiring an Enforcement Technician to assist with opening complaints. Positions must be posted a minimum of 10 days. The position was originally advertised December 14, 2022, followed by January 3, 2023, and February 15th. The workload is considerable as all applicants must be screened and their application and other documents scored prior to scheduling interviews.

A candidate was selected and sent a Conditional Offer of Employment letter in late February but by the time the Confirmation of Employment letter was sent, the candidate had already accepted another position. The position was advertised again March 21st and June 14th.

Further interviews resulted in the selection of two candidates, however, one did not pass the background check and the other candidate was not reachable on the examination list. Thus, the position was readvertised again with a final filing date of August 4th.

Raymond Garcia, who joined the Board in August 2016, will be retiring in December. Due to the recent readvertisement of the Enforcement Technician position, we leveraged that opportunity by placing Ray in the blanket so his position would be vacant now (rather than December) which allows us to use the candidate pool to select *two* individuals for the Enforcement Technician positions.

Pending Regulations

Due to the number of proposed regulatory amendments, starting in November, the Pending Regulations report will become a standing item, included in this report. This will keep everyone apprised of where the rulemaking packages are in the review process and help with anticipating the effective date. This will provide transparency and will staff plan for outreach.

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

Revenue and Expenditure information for fiscal year 2022-23, FM 12 is included.

- Current year to date revenue earned: \$3,029,395
- Current year expenditures plus encumbrances: \$2,819,949

Note: Although the annual revenue collected exceeded the expenditures, this cannot be expected to continue. The difference is due to *unspent funds* due to vacancies (aka salary savings).

c) Fund Condition

The Fund Condition shows that, if revenue is earned as projected and expenditures occur as projected, the Board will end next fiscal year (FY 2024-25) with only one of month in reserve (or one month of estimated operating cost) and projected to go negative in FY 2025-26. This further demonstrates the necessity of increasing fees to ensure the Board's future fiscal solvency.

d) Licensing data.

Included is the standard report for activity October 1 – December 31, 2022.

e) Enforcement data.

Included are standard reports for October 1 – December 31, 2022, including:

- Cases/Complaint data
- Citations issued to OTs
- Citations issued to OTAs
- Pending case at the Office of the Attorney General and Final Decision(s)
- Listing of current probationers

f) Future Agenda Items.

Included is the list of future agenda items, including those prioritized for the August meeting and those that need to be prioritized.

g) Data/Information requested at prior meeting.

Nothing to report.

h) Other informational items.

Nothing provided.

CBOT Revenue Report

Fiscal Year: 2022-2023

FM 12

| | Current Month | YTD |
|---|-----------------|--------------------|
| Delinquent Fees | \$2,280 | \$40,845 |
| Delinquent Renewal OT | \$1,755 | \$32,130 |
| Delinquent Renewal OTA | \$525 | \$8,715 |
| Other Regulatory Fees | \$4,004 | \$58,239 |
| Cite & Fine | \$2,370 | \$43,660 |
| Duplicate License OT | \$975 | \$7,175 |
| Duplicate License OTA | \$150 | \$1,675 |
| Franchise Tax Board - Cite Fine Collection | \$509 | \$5,729 |
| Other Regulatory License and Permits | \$33,431 | \$458,065 |
| Initial License OT | \$19,854 | \$276,559 |
| Initial License OTA | \$4,797 | \$70,755 |
| Limited Permit OT | \$500 | \$6,000 |
| Limited Permit OTA | \$200 | \$1,700 |
| Retired Status OT | \$425 | \$3,525 |
| Retired Status OTA | \$75 | \$700 |
| Application Fee OT | \$6,500 | \$74,250 |
| Application Fee OTA | \$1,650 | \$24,450 |
| Refunded Reimbursements | -\$147 | -\$637 |
| Over/Short Fees | \$0 | \$1 |
| Suspended Revenue | -\$423 | \$2,302 |
| Prior Year Revenue Adjustment | \$0 | -\$1,540 |
| Other Revenue | \$2,497 | \$57,677 |
| Misc Service To Public General | \$2,275 | \$29,610 |
| Investment Income-Surplus Money Investment | \$0 | \$27,597 |
| Canceled Warrants Revenue | \$222 | \$469 |
| Misc Revenue | \$0 | \$1 |
| Renewal Fees | \$26,250 | \$2,414,669 |
| Renewal OT | \$19,440 | \$1,970,165 |
| Renewal OTA | \$5,040 | \$372,090 |
| Restore License To Active OT | \$270 | \$2,700 |
| Restore License To Active OTA | \$0 | \$210 |
| Inactive Renewal OT | \$1,080 | \$57,380 |
| Inactive Renewal OTA | \$420 | \$12,120 |
| Over/Short Fees Renewals | \$0 | \$4 |
| TOTAL Revenue | \$68,462 | \$3,029,495 |
| Scheduled Reimbursements | \$2,891 | \$33,761 |
| Fingerprint Reports | \$2,891 | \$33,761 |
| Unscheduled Reimbursements | \$708 | \$20,435 |
| US Cost Recovery | \$708 | \$20,435 |
| TOTAL Reimbursements | \$3,599 | \$54,196 |

CBOT Expenditure Report

Fiscal Year: 2022 - 2023

FM: 12

| PERSONAL SERVICES | | | | | |
|---|--------------------|------------------|--------------------|------------|--------------------|
| | Budget | Current Month | YTD | Encumb | YTD + Encumb |
| 5100 PERMANENT POSITIONS | \$1,151,000 | \$96,511 | \$904,198 | \$0 | \$904,198 |
| Earnings - Permanent Civil Service Employee | \$1,069,000 | \$87,583 | \$797,342 | \$0 | \$797,342 |
| Earnings - Exempt/Statutory Employee | \$82,000 | \$8,928 | \$106,855 | \$0 | \$106,855 |
| 5100 TEMPORARY POSITIONS | \$4,000 | \$9,345 | \$62,680 | \$0 | \$62,680 |
| Temp Help | \$4,000 | \$9,345 | \$62,680 | \$0 | \$62,680 |
| 5105-5108 PER DIEM, OVERTIME, LUMP SUM | \$20,000 | \$0 | \$12,796 | \$0 | \$12,796 |
| Board Members | \$20,000 | \$0 | \$5,300 | \$0 | \$5,300 |
| OT Earnings Other than Temp Help | \$0 | \$0 | \$7,496 | \$0 | \$7,496 |
| 5150 STAFF BENEFITS | \$753,000 | \$50,377 | \$523,252 | \$0 | \$523,252 |
| Dental Insurance | \$2,000 | \$399 | \$5,624 | \$0 | \$5,624 |
| Disability Leave - Nonindustrial | \$2,000 | \$0 | \$0 | \$0 | \$0 |
| Employee Assistance PGM Fee | \$0 | \$22 | \$223 | \$0 | \$223 |
| Health Insurance | \$256,000 | \$5,957 | \$86,598 | \$0 | \$86,598 |
| Life Insurance | \$0 | \$15 | \$143 | \$0 | \$143 |
| Medicare Taxation | \$6,000 | \$1,464 | \$13,426 | \$0 | \$13,426 |
| OASDI | \$81,000 | \$5,682 | \$53,522 | \$0 | \$53,522 |
| Retirement - General | \$354,000 | \$28,996 | \$279,171 | \$0 | \$279,171 |
| Unemployment Insurance | \$3,000 | \$0 | \$0 | \$0 | \$0 |
| Vision Care | \$1,000 | \$124 | \$1,224 | \$0 | \$1,224 |
| Workers' Compensation | \$28,000 | \$0 | \$61 | \$0 | \$61 |
| SCIF Allocation Cost | \$0 | \$0 | \$16,720 | \$0 | \$16,720 |
| Other Post-Employment Benefits | \$20,000 | \$3,076 | \$29,317 | \$0 | \$29,317 |
| Staff Benefits - Other | \$0 | \$4,641 | \$37,224 | \$0 | \$37,224 |
| PERSONAL SERVICES | \$1,928,000 | \$156,232 | \$1,502,926 | \$0 | \$1,502,926 |

| OPERATING EXPENSES & EQUIPMENT | | | | | |
|---|-----------------|----------------|-----------------|----------------|-----------------|
| | Budget | Current Month | YTD | Encumb | YTD + Encumb |
| 5301 GENERAL EXPENSE | \$59,000 | \$2,582 | \$30,250 | \$930 | \$31,180 |
| Admin OH-Other State Agencies | \$0 | \$34 | \$34 | \$0 | \$34 |
| Fingerprint Reports | \$22,000 | \$2,548 | \$22,099 | \$0 | \$22,099 |
| Conferences | \$0 | \$0 | \$53 | \$0 | \$53 |
| Freight and Drayage | \$0 | \$0 | \$1,570 | \$930 | \$2,500 |
| Goods - Other | \$37,000 | \$0 | \$0 | \$0 | \$0 |
| Office Supplies | \$0 | \$0 | \$6,431 | \$0 | \$6,431 |
| Subscriptions | \$0 | \$0 | \$63 | \$0 | \$63 |
| 5302 PRINTING | \$19,000 | \$0 | \$11,435 | \$8,990 | \$20,425 |
| Office Copiers - Maintenance | \$0 | \$0 | \$501 | \$709 | \$1,210 |
| Pamphlets, Leaflets, Brochures | \$0 | \$0 | \$10,934 | \$6,345 | \$17,279 |
| Printing - Other | \$19,000 | \$0 | \$0 | \$1,936 | \$1,936 |
| 5304 COMMUNICATIONS | \$14,000 | \$0 | \$2,695 | \$0 | \$2,695 |
| Central Communication - ATSS | \$0 | \$0 | \$294 | \$0 | \$294 |
| Central Communication - CALNET | \$0 | \$0 | \$55 | \$0 | \$55 |
| Telephone Services | \$0 | \$0 | \$2,345 | \$0 | \$2,345 |
| Communications - Other | \$14,000 | \$0 | \$0 | \$0 | \$0 |
| 5306 POSTAGE | \$18,000 | \$0 | \$5,681 | \$0 | \$5,681 |
| DCA Postage Allocation | \$0 | \$0 | \$5,681 | \$0 | \$5,681 |
| Postage - Other | \$18,000 | \$0 | \$0 | \$0 | \$0 |
| 5308 INSURANCE | \$0 | \$0 | \$24 | \$0 | \$24 |
| Insurance - Other | \$0 | \$0 | \$24 | \$0 | \$24 |
| 53202-204 IN STATE TRAVEL | \$25,000 | \$2,213 | \$9,970 | \$0 | \$9,970 |
| Travel-In State-Per Diem Lodgi | \$0 | \$901 | \$3,779 | \$0 | \$3,779 |
| Travel-In State-Per Diem Meals | \$0 | \$89 | \$1,307 | \$0 | \$1,307 |
| Travel-In State-Per Diem Other | \$0 | \$0 | \$147 | \$0 | \$147 |
| Travel-In St-Trav Agcy Mgt Fee | \$0 | \$14 | \$91 | \$0 | \$91 |
| Travel-In State-Commercial Air | \$0 | \$1,048 | \$2,703 | \$0 | \$2,703 |
| Uber-Transportation Network Co | \$0 | \$0 | \$162 | \$0 | \$162 |
| Travel - In State -Private Car | \$0 | \$161 | \$1,113 | \$0 | \$1,113 |
| Travel - In State - Rental Car | \$0 | \$0 | \$668 | \$0 | \$668 |
| Travel - In State - Other | \$25,000 | \$0 | \$0 | \$0 | \$0 |

| | Budget | Current Month | YTD | Encumb | YTD + Encumb |
|--|------------------|-------------------|------------------|-----------------|------------------|
| 5322 TRAINING | \$9,000 | \$0 | \$1,280 | \$0 | \$1,280 |
| Training - Tuition & Registration | \$9,000 | \$0 | \$1,280 | \$0 | \$1,280 |
| 5324 FACILITIES | \$147,000 | \$12,125 | \$141,394 | \$0 | \$141,394 |
| Facilities Operations | \$18,000 | \$0 | \$0 | \$0 | \$0 |
| Facilities Ops - Other (Svcs) | \$0 | \$0 | \$3,143 | \$0 | \$3,143 |
| Facilities Planning -Gen Svcs | \$0 | \$793 | \$4,682 | \$0 | \$4,682 |
| Rents and Leases | \$129,000 | \$0 | \$0 | \$0 | \$0 |
| Rent -Bldgs&Grounds(Non State) | \$0 | \$11,332 | \$133,569 | \$0 | \$133,569 |
| 53402-53403 C/P SERVICES (INTERNAL) | \$243,000 | \$21,975 | \$130,757 | \$0 | \$130,757 |
| Health and Medical | \$0 | \$117 | \$117 | \$0 | \$117 |
| Legal - Attorney General | \$197,000 | \$10,498 | \$93,366 | \$0 | \$93,366 |
| Office of Adminis Hearings | \$46,000 | \$11,360 | \$37,274 | \$0 | \$37,274 |
| 53404-53405 C/P SERVICES (EXTERNAL) | \$58,000 | \$3,803 | \$46,650 | \$17,184 | \$63,834 |
| Administrative | \$0 | \$0 | \$1,688 | \$4,000 | \$5,688 |
| Subject Matter Experts | \$0 | \$0 | \$3,031 | \$0 | \$3,031 |
| Credit Card Service Fee | \$0 | \$3,803 | \$40,129 | \$13,184 | \$53,312 |
| Legal - Witness Fees | \$7,000 | \$0 | \$0 | \$0 | \$0 |
| Consult & Prof Svcs Extern Oth | \$44,000 | \$0 | \$365 | \$0 | \$365 |
| Court Reporter Servs | \$7,000 | \$0 | \$1,438 | \$0 | \$1,438 |
| 5342 DEPARTMENT PRORATA | \$911,000 | (\$40,322) | \$870,678 | \$0 | \$870,678 |
| Division of Investigation DOI | \$287,000 | -\$23,204 | \$263,796 | \$0 | \$263,796 |
| Consumer Client Services Division CCSD | \$624,000 | -\$17,118 | \$606,882 | \$0 | \$606,882 |
| 5342 DEPARTMENTAL SERVICES | \$0 | \$157 | \$672 | \$0 | \$672 |
| Departmental Services - Other | \$0 | \$157 | \$672 | \$0 | \$672 |
| 5344 CONSOLIDATED DATA CENTERS | \$14,000 | \$1,210 | \$25,042 | \$0 | \$25,042 |
| Consolidated Data Centers | \$14,000 | \$1,210 | \$25,042 | \$0 | \$25,042 |

| | Budget | Current Month | YTD | Encumb | YTD + Encumb |
|---|--------------------|------------------|--------------------|-----------------|--------------------|
| 5346 INFORMATION TECHNOLOGY | \$4,000 | \$0 | \$2,285 | \$4,323 | \$6,608 |
| IT Services - Hardware Maint | \$0 | \$0 | \$2,261 | \$0 | \$2,261 |
| IT Services - Software Maint | \$0 | \$0 | \$14 | \$0 | \$14 |
| IT Supplies (Paper, Toner, etc | \$0 | \$0 | \$0 | \$4,323 | \$4,323 |
| E-Waste Recycl & Disposal Fees | \$0 | \$0 | \$10 | \$0 | \$10 |
| Information Technology - Other | \$4,000 | \$0 | \$0 | \$0 | \$0 |
| 5362-5368 EQUIPMENT | \$0 | \$0 | \$4,223 | \$2,240 | \$6,463 |
| Furniture | \$0 | \$0 | \$131 | \$0 | \$131 |
| Computers & Computer Equipment | \$0 | \$0 | \$2,764 | \$2,240 | \$5,004 |
| Office Equipment | \$0 | \$0 | \$0 | \$0 | \$0 |
| Software | \$0 | \$0 | \$1,328 | \$0 | \$1,328 |
| 54 SPECIAL ITEMS OF EXPENSE | \$0 | \$111 | \$321 | \$0 | \$321 |
| Other Special Items of Expense | \$0 | \$111 | \$321 | \$0 | \$321 |
| OPERATING EXPENSES & EQUIPMENT | \$1,521,000 | \$3,853 | \$1,283,357 | \$33,666 | \$1,317,023 |
| OVERALL TOTALS | \$3,449,000 | \$160,085 | \$2,786,283 | \$33,666 | \$2,819,949 |

Fund Condition Statement

(Dollars in Thousands)

| | PY | CY | BY | BY+1 | BY+2 |
|--|-----------------|-----------------|-----------------|-----------------|-----------------|
| 2023 Budget Act W_PY based on FM12 Projections | 2022-23 | 2023-24 | 2024-25 | 2025-26 | 2026-27 |
| BEGINNING BALANCE | \$ 1,438 | \$ 1,387 | \$ 899 | \$ 317 | \$ -329 |
| Prior Year Adjustment | \$ - | \$ - | \$ - | \$ - | \$ - |
| Adjusted Beginning Balance | \$ 1,438 | \$ 1,387 | \$ 899 | \$ 317 | \$ -329 |
| REVENUES, TRANSFERS AND OTHER ADJUSTMENTS | | | | | |
| Revenues | | | | | |
| 4121200 - Delinquent fees | \$ 41 | \$ 45 | \$ 45 | \$ 45 | \$ 45 |
| 4127400 - Renewal fees | \$ 2,415 | \$ 2,453 | \$ 2,453 | \$ 2,453 | \$ 2,453 |
| 4129200 - Other regulatory fees | \$ 58 | \$ 52 | \$ 52 | \$ 52 | \$ 52 |
| 4129400 - Other regulatory licenses and permits | \$ 458 | \$ 460 | \$ 460 | \$ 460 | \$ 460 |
| 4143500 - Miscellaneous Services to the Public | \$ 30 | \$ 29 | \$ 29 | \$ 29 | \$ 29 |
| 4163000 - Income from surplus money investments | \$ 28 | \$ 2 | \$ 5 | \$ - | \$ - |
| 4171400 - Escheat of unclaimed checks and warrants | \$ - | \$ 1 | \$ 1 | \$ 1 | \$ 1 |
| Total Revenue | \$ 3,030 | \$ 3,042 | \$ 3,045 | \$ 3,040 | \$ 3,040 |
| TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS | \$ 3,030 | \$ 3,042 | \$ 3,045 | \$ 3,040 | \$ 3,040 |
| TOTAL RESOURCES | \$ 4,468 | \$ 4,429 | \$ 3,944 | \$ 3,357 | \$ 2,711 |

| 2023 Budget Act W_PY based on FM12 Projections | PY 2022-23 | CY 2023-24 | BY 2024-25 | BY+1 2025-26 | BY+2 2026-27 |
|---|-----------------------|-----------------------|-----------------------|-------------------------|-------------------------|
| Expenditures: | | | | | |
| 1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations) | \$ 2,799 | \$ 3,248 | \$ 3,345 | \$ 3,446 | \$ 3,549 |
| 9892 Supplemental Pension Payments (State Operations) | \$ 42 | \$ 42 | \$ 42 | \$ - | \$ - |
| 9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations) | \$ 240 | \$ 240 | \$ 240 | \$ 240 | \$ 240 |
| TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS | \$ 3,081 | \$ 3,530 | \$ 3,627 | \$ 3,686 | \$ 3,789 |
| FUND BALANCE | | | | | |
| Reserve for economic uncertainties | \$ 1,387 | \$ 899 | \$ 317 | \$ -329 | \$ -1,078 |
| Months in Reserve | 4.7 | 3.0 | 1.0 | -1.0 | -3.4 |

NOTES:

Assumes workload and revenue projections are realized in BY and ongoing.
Expenditure growth projected at 3% beginning BY+1.

**CA Board of Occupational Therapy
Applications Data: April 1, 2023 – June 30, 2023**

| Transaction Type | April | | 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 | 102 | 145 | 103 | 105 | 143 | 102 | 348 | 352 | 116 | 117 |
| OT License Issued | 140 | 140 | 107 | 105 | 99 | 97 | 346 | 342 | 115 | 114 |
| OT LP Apps | 5 | 1 | 11 | 10 | 7 | 8 | 23 | 19 | 8 | 6 |
| OT LP Issued | 1 | 1 | 9 | 8 | 5 | 6 | 15 | 15 | 5 | 5 |
| OTA License Apps | 51 | 31 | 34 | 46 | 33 | 29 | 118 | 106 | 39 | 35 |
| OTA License Issued | 29 | 28 | 46 | 47 | 28 | 28 | 103 | 103 | 34 | 34 |
| OTA LP Apps | 2 | 2 | 3 | 2 | 2 | 1 | 7 | 5 | 2 | 2 |
| OTA LP Issued | 1 | 1 | 1 | 1 | 2 | 2 | 4 | 4 | 1 | 1 |
| A/P – Hand Therapy | 7 | 5 | 6 | 4 | 7 | 6 | 20 | 15 | 7 | 5 |
| A/P – PAMs | 12 | 16 | 15 | 1 | 9 | 18 | 36 | 35 | 12 | 12 |
| A/P - Swallowing | 2 | 4 | 8 | 0 | 3 | 3 | 13 | 7 | 4 | 2 |
| Duplicate License | 30 | 29 | 44 | 45 | 89 | 60 | 163 | 134 | 54 | 45 |
| Set Inactive to Active | 6 | 6 | 5 | 5 | 6 | 4 | 17 | 15 | 6 | 5 |
| Name Changes | 17 | 11 | 33 | 40 | 39 | 33 | 89 | 84 | 30 | 28 |
| Address Changes | 201 | 201 | 194 | 194 | 239 | 239 | 634 | 634 | 211 | 211 |
| Verifications | 85 | 92 | 72 | 76 | 79 | 65 | 236 | 233 | 79 | 78 |
| Set to Retired | 11 | 10 | 9 | 11 | 21 | 18 | 41 | 39 | 14 | 13 |
| Set Retired to Active | 0 | 0 | 2 | 2 | 1 | 1 | 3 | 3 | 1 | 1 |
| Totals | 702 | 723 | 702 | 702 | 812 | 720 | 2,216 | 2,145 | 739 | 715 |
| | | | | | | | | | | |
| Transaction Type | | April | | May | | June | | Total Approved 4Q | | Average Approved per Month |
| OT Renewals | | 561 | | 609 | | 635 | | 1,805 | | 602 |
| OTA Renewals | | 140 | | 161 | | 159 | | 460 | | 153 |
| Totals | | 701 | | 770 | | 794 | | 2,265 | | 755 |

CBOT CASES/COMPLAINTS DATA

April 1, 2023 – June 30, 2023

| CATEGORY | QUANTITY |
|---|------------|
| <i>Total Complaints Opened/Received:</i> | 196 |
| Conviction/Arrest Investigations: | 35 |
| Complaints Opened/Received: | 161 |
| Petition for Reinstatement Received | 0 |
| Applications Denied per BPC 480: | 0 |
| Complaints Closed | 148 |
| <i>Total Complaints/Cases Pending:</i> | 458 |
| DOI Investigations Initiated: | 4 |
| DOI Investigation Reports Received: | 1 |
| <i>DOI Investigations Pending:</i> | 6 |
| Cases Transmitted to AGO: | 2 |
| Statement of Issues Filed: | 0 |
| Accusations Filed: | 7 |
| BPC 820 Ordered: | 0 |
| PC 23 Issued: | 0 |
| ISO Issued: | 0 |
| Petition to Revoke Probation (PTR) Filed: | 0 |
| Accusation and PTR Filed: | 0 |
| Case(s) Withdrawn: | 0 |
| Case(s) Dismissed | 0 |
| <i>Total Cases Pending at Office of the Attorney General</i> | 14 |
| Cease Practice Order(s) Issued: | 0 |
| Cease Practice Order(s) Lifted: | 0 |
| Final Decisions Effective: | 2 |

OT CITATIONS

April 1, 2023 - June 30, 2023

| # | VIOLATION | | | | | | FINE | FINE REDUCE | TOTAL FINE DUE | DATE ISSUED | ABATE | APPEAL RECEIVED | | | | PAYMENT | | | |
|---|-----------|-----|-----|-----|-----|-------|---------|----------------|-------------------|----------------|-------|--------------------|-------|-----------|-----------|-----------------|--------------------|-------------------|-----------------|
| | FTC | UPC | ULP | PDU | ADC | OTHER | | | | | | ICRC | ADMIN | DISMISSED | WITHDRAWN | Payment Date | Paid in Full | Payment Amount | Balance (OT) |
| 1 | 1 | | | | | | \$600 | \$0 | \$600 | 04/03/23 | 1 | | | | | | \$0 | \$600 | |
| 1 | | | 1 | | | | \$375 | \$125 | \$250 | 04/03/23 | 0 | 1 | | | 05/25/23 | 1 | \$250 | \$0 | |
| 1 | | | 1 | | | | \$375 | \$0 | \$375 | 04/03/23 | 0 | | | | 04/07/23 | 1 | \$375 | \$0 | |
| 1 | | | | | 1 | | \$85 | \$0 | \$85 | 04/05/23 | 0 | | | | 04/08/23 | 1 | \$85 | \$0 | |
| 1 | | | 1 | | | | \$125 | \$0 | \$125 | 04/05/23 | 0 | | | | 04/11/23 | 1 | \$125 | \$0 | |
| 1 | | | 1 | | | | \$600 | \$0 | \$600 | 04/28/23 | 0 | | | | 05/01/23 | 1 | \$600 | \$0 | |
| 1 | 1 | | | | | | \$600 | \$0 | \$600 | 04/28/23 | 1 | | | | | | \$0 | \$600 | |
| 1 | | | 1 | | | | \$5,000 | \$0 | \$5,000 | 05/09/23 | 0 | | | | | | \$0 | \$5,000 | |
| 1 | | | 1 | | | | \$300 | \$0 | \$300 | 05/10/23 | 0 | | | | 06/08/23 | 1 | \$300 | \$0 | |
| 1 | | | 1 | | 1 | | \$585 | \$0 | \$585 | 5/10/2023 | 0 | 1 | | | | | \$0 | \$585 | |
| 1 | 1 | | | | | | \$685 | \$0 | \$685 | 5/10/2023 | 1 | | | | 06/09/23 | 1 | \$685 | \$0 | |
| 1 | | | | | 1 | | \$85 | \$85 | \$0 | 05/10/23 | 0 | 1 | | 1 | | | \$0 | \$0 | |
| 1 | 1 | | | | | | \$600 | \$0 | \$600 | 05/12/23 | 1 | | | | | | \$0 | \$600 | |
| 1 | | | 1 | | | | \$500 | \$0 | \$500 | 6/19/23 | 0 | | | | 06/29/23 | 1 | \$500 | \$0 | |
| 1 | | | | 1 | | | \$500 | \$500 | \$0 | 06/21/23 | 0 | | | 1 | | | \$0 | \$0 | |
| 1 | 1 | | | | 1 | | \$685 | \$0 | \$685 | 06/21/23 | 1 | | | | | | \$0 | \$685 | |
| 1 | | 1 | | | | | \$900 | \$0 | \$900 | 06/22/23 | 0 | | 1 | | | | \$0 | \$900 | |
| 1 | 1 | | | | | | \$600 | \$0 | \$600 | 06/23/23 | 1 | | | | | | \$0 | \$600 | |

OTA CITATIONS
April 1, 2023 - June 30, 2023

| # | VIOLATION | | | | | | FINE | FINE REDUCED | TOTAL FINE DUE | DATE ISSUED | ABATE | APPEAL RECEIVED | | | | PAYMENT | | | |
|----------|-----------|----------|----------|----------|----------|----------|----------------|--------------|----------------|-------------|----------|-----------------|----------|-----------|-----------|--------------|--------------|----------------|----------------|
| | FTC | UPC | ULP | PDU | ADC | OTHER | | | | | | ICRC | ADMIN | DISMISSED | WITHDRAWN | Payment Date | Paid in Full | Payment Amount | Balance (OTA) |
| 1 | 1 | | 1 | | | | \$600 | \$0 | \$600 | 4/5/23 | 1 | | | | | | \$0 | \$600 | |
| 1 | | | | | 1 | | \$85 | \$0 | \$85 | 4/5/23 | 0 | | | | | | \$0 | \$85 | |
| 1 | 1 | | | | | | \$600 | \$0 | \$600 | 4/28/23 | 1 | | | | | | \$0 | \$600 | |
| 1 | | | 1 | | | | \$225 | \$0 | \$225 | 4/28/23 | | | | | 05/06/23 | 1 | \$225 | \$0 | |
| 1 | | | 1 | | | | \$375 | \$0 | \$375 | 6/19/23 | | | | | 06/29/23 | 1 | \$375 | \$0 | |
| 1 | | | | 1 | | | \$300 | \$300 | \$0 | 6/21/23 | | | | 1 | 07/12/23 | 1 | \$0 | \$0 | |
| 1 | | | | 1 | | | \$100 | \$100 | \$0 | 6/23/23 | 1 | | | 1 | | | | \$0 | |
| 7 | 2 | 0 | 3 | 2 | 1 | 0 | \$2,285 | \$400 | \$1,885 | | 3 | 0 | 0 | 0 | 2 | | 3 | \$600 | \$1,285 |

Violation Key:

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

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

CASES PENDING WITH THE OFFICE OF THE ATTORNEY GENERAL

April 1, 2023 – June 30, 2023

| Date Transmitted | Complaint Number | Case Type | Case Status |
|------------------|------------------|-----------|--|
| 2/25/2022 | 2020-426 | ACC | Accusation re-served 4/5/2023; Notice of Defense received 4/12/2023. Hearing scheduled 1/16/2023. |
| 11/30/2022 | 2023-462 | ACC | Accusation served 2/28/2023; Amended Accusation served 5/25/2023; Hearing scheduled 10/12/2023. |
| 12/23/2022 | 2021-976 | ACC | Accusation served on 5/11/2023; Notice of Defense received 5/19/2023; Hearing date pending. |
| 12/30/2022 | 2023-263 | 820 | Order to undergo Physical or Psychological Exam served 1/18/2023 |
| 2/15/2023 | 2021-280 | ACC | Accusation served 4/28/2023; Notice of Defense received 5/16/2023; Hearing scheduled 7/20/2023. |
| 2/24/2023 | 2022-030 | ACC | Accusation received 6/14/2023. |
| 3/02/2023 | 2022-505 | ACC | Transmittal accepted on 3/8/2023. |
| 3/06/2023 | 2021-632 | ACC | Transmittal accepted on 3/8/2023: AGO requested for further investigation 5/16/2023. |
| 3/13/2023 | 2023-428 | ACC | Accusation served 5/26/2023. |
| 3/16/2023 | 2019-539 | ACC | Accusation served 4/27/2023; Notice of Defense received 5/7/2023; Amended Accusation filed 6/27/23 |
| 5/15/2023 | 2023-024 | 820 | Referred to AGO 5/24/2023. |
| 5/26/2023 | 2023-023 | ACC | Transmittal accepted on 6/6/2023. |

LICENSEES CURRENTLY ON PROBATION

January 1, 2023 – March 31, 2023

| NAME | LICENSE # | LENGTH OF PROBATION | EFFECTIVE DATE | COMPLETION DATE |
|----------------------|-----------|---------------------|----------------|-----------------------|
| 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 * | Surrendered 3/13/2023 |
| Deras, Carlos | OTA 3975 | 4 years | 12/17/2018 * | |
| Dowd, Joshua | OT 18574 | 3 years | 03/27/2018 * | |
| Edwards, Anna | OTA 2453 | 3 years | 04/26/2019 * | |
| Ferrer, Oscar | OTA 3726 | 3 years | 07/19/2023 | |
| 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 * | |
| Jaghlastian, Linda | OTA 3079 | 3 years | 03/30/2023 * | |
| Jordan, Laura | OT 5826 | 3 years | 08/29/2021 * | |
| Kelley, Anjuli | OT 11186 | 3 years | 01/16/2014 * | 3/11/2023 |
| 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 | OTA1436 | 3 years | 07/16/2020 * | |

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

FINAL DECISIONS
April 1, 2023 – July 31, 2023

| Effective | Name | Type | Violation |
|------------------|-----------------|---------------------|------------------------|
| 5/08/2023 | Lawrence Cabus | Revocation | Unprofessional Conduct |
| 6/04/2023 | Heather Parton | Revocation | Unprofessional Conduct |
| 7/19/2023 | Oscar Ferrer | Probation (3 years) | Unprofessional Conduct |
| 7/27/2023 | Patrick Hancock | Revocation | Unprofessional Conduct |

Listing of Future Agenda Items Approved at Previous Meetings

Items prioritized for August 2023 meeting:

1. Update on Committee Meetings.
2. Board policy regarding disciplinary cases sent for mail ballot vote.
3. Administrative Committee recommendation to the Board regarding the maximum number of students completing a clinical or non-clinical doctoral capstone experience, that can be supervised by an OT and OTA.
4. Recommendations on amendments to Section 4181, Supervision Parameters, to specify the maximum number of students completing a doctoral capstone that can be supervised by an OT/OTA.

Future Agenda Items

1. Fee Increase Education
 - Develop FAQs to explain revenue and expenditures to licensees in a narrative format to explain the data that pertains to the public comments.
 - Provide a report detailing why an increase in fees is needed.
 - Discuss and decide on methods of education and outreach about the fee increase.
2. Discuss possibility of cost-sharing with California occupational therapy education programs to send a letter to employers regarding the benefits of supervising students completing their fieldwork.
3. Schedule a townhall/meeting with the California OT and OTA programs to share the Occupational Therapy Assistant Workforce Needs Assessment and seek feedback.
4. Discuss language regarding occupational therapy corporation names.

Practice Committee Items (Committee to meet in late September)

1. Consider whether suture removal is within OT scope of practice.
2. Consider whether *advanced practice approval in hand therapy* is required to treat carpal tunnel syndrome, repetitive motion injuries, or finger/hand pain, wrist pain or elbow pain that is not due to trauma or surgery. (Request opinion from someone with expertise in orthotics.)
3. Review of ACOTE Guidelines and consider reducing advanced practice education and training requirements for students graduating after a certain date (date TBD).
4. Review of education and training requirements for licensees demonstrating competence in advanced practice areas and consideration of reducing education/training hours needed.
5. 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.

Tabled items:

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