



BOARD MEETING MINUTES

February 8-9, 2024

**Pima Medical Institute – San Marcos
111 Campus Way, Room 223
San Marcos, CA 92078**

Board Members Present

Richard Bookwalter – Board President
Beata Morcos – Board Vice President
Lynna Do – Board Secretary
Hector Cabrera
Denise Miller
Sharon Pavlovich
Christine Wietlisbach

Board Staff Present

Heather Martin – Executive Officer
Rachael Hutchison - Analyst

**Thursday, February 8, 2024
12:00 pm - Board Meeting**

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

The meeting was called to order at 12:03 p.m. Secretary Lynna Do called roll and a quorum was established.

2. President’s Remarks – Informational only; no Board Action to be taken.

Board President Richard Bookwalter announced that the Disaster Preparedness and Response Committee met right before the Board meeting and Ms. Mary Evert had been sworn in as a member.

3. Board Member Remarks – Informational only; no Board Action to be taken.

There were no Board member remarks.

4. Public Comment for Items Not on the Agenda.

Public Comment

Kersten Laughlin, faculty member at St. Augustine and Occupational Therapy Association of California (OTAC) Region One Director-Elect, chose to introduce herself.

Sabrina Tabaracci, Level II Fieldwork student at the University of St. Augustine, chose to introduce herself.

Michelle Rigsby, Level II Fieldwork student at the University of St. Augustine, chose to introduce herself.

Joyce Fries, Academic Fieldwork Coordinator at Grossmont College, chose to introduce herself.

Steven Berrera, prospective occupational therapy student, chose to introduce himself.

There were no additional Board member remarks.

There were no additional public comments.

5. Review and vote on approval of the November 2-3, 2023, Board meeting minutes.

- Beata Morcos moved to approve the November 2-3, 2023, Board meeting minutes and directed staff to make non-substantive changes.
- Hector Cabrera seconded the motion.

There were no additional Board member remarks.

There were no public comments.

Board Member Vote

Hector Cabrera	Yes
Denise Miller	Yes
Sharon Pavlovich	Yes
Christine Wietlisbach	Yes
Lynna Do	Abstain
Beata Morcos	Yes
Richard Bookwalter	Yes

The motion carried.

6. Review and vote on approval of the December 13, 2023, Teleconference Board meeting minutes.

- Denise Miller moved to approve the December 13, 2023, Teleconference Board meeting minutes.
- Christine Wietlisbach seconded the motion.

Board Member Vote

Hector Cabrera	Yes
Denise Miler	Yes
Sharon Pavlovich	Yes
Christine Wietlisbach	Yes
Lynna Do	Yes
Beata Morcos	Yes
Richard Bookwalter	Yes

The motion carried.

7. Discussion and possible action on referring the issues of pelvic health and dry needling to the Practice Committee for consideration.

President Bookwalter explained that the pelvic health therapy and dry needling discussions originated from public comments received by the Board. He asked if the Board thought it was best to send the discussion about dry needling back to the Practice Committee?

Member Christine Wietlisbach stated that the Practice Committee's role was to collect information and discuss the standards of practice. The information gathered is used by Board staff to field questions from members of the public. Once the committee has reported back to the Board, it is up to the Board to decide if they want to make decisions regarding policy.

Member Denise Miller suggested that the dry needling discussion go back to the Practice Committee. Member Sharon Pavlovich agreed with Member Miller.

Ms. Wietlisbach acknowledged that the occupational therapy (OT) profession is very broad, and she believed that the language to support the use of dry needling in California was there.

Vice President Beata Morcos noted that she believed that the public wanted dry needling referenced specifically in the Board's laws and regulations.

Ms. Miller noted that a statutory change would have to be driven by the associations.

Public Comment

Kersten Laughlin, faculty member at St. Augustine and Region One Director-Elect of OTAC, asked how the public would know when the Board is seeking information from them?

Mr. Bookwalter responded that Board and Committee meetings are noticed ten days in advance. He added that the next Practice Committee meeting is on March 1, 2024, and encouraged Ms. Laughlin to attend with her colleagues.

Mr. Bookwalter moved the discussion to pelvic health therapy and Ms. Wietlisbach and Ms. Miller agreed that discussing the topic again wasn't necessary.

Secretary Lynna Do wanted it noted in the meeting minutes that if the public had more comments concerning pelvic health therapy, that the Board would welcome them.

- Denise Miller moved to bring the discussion regarding dry needling to the Practice Committee
- Sharon Pavlovich seconded the motion.

There were no additional Board Member remarks.

There were no additional public comments.

Board Member Vote

Hector Cabrera Yes

Denise Miler	Yes
Sharon Pavlovich	Yes
Christine Wietlisbach	Yes
Lynna Do	Yes
Beata Morcos	Yes
Richard Bookwalter	Yes

The motion carried.

8. Board President to make Committee appointments.

President Bookwalter announced that the Board meeting materials included a list of 2024 committee appointments, most of which had been made by former Board President Denise Miller.

Mr. Bookwalter announced that the Education Outreach Committee needed members and that the Practice Committee was full after the appointment of Mary K. Gallagher.

The volunteer for the Ad Hoc Committee for Supervision Standards needed to have their oaths scheduled.

Board Member Christine Wietlisbach resigned from the Education Outreach Committee and was appointed to the Legislative and Regulatory Affairs Committee.

Vice President Beata Morcos resigned from the Legislative and Regulatory Affairs Committee and was appointed to the Education Outreach Committee.

Mr. Bookwalter promised to reach out to Kersten Laughlin about participating on the Legislative and Regulatory Affairs Committee.

Public Comment

Joyce Fries, Fieldwork Coordinator at Grossmont College, asked what the role of the Education Outreach Committee was?

Executive Officer Heather Martin replied that she would respond to Ms. Fries via email about the Education Outreach Committee.

There were no additional Board Member remarks.
There were no additional public comments.

9. Update on Committees and upcoming Committee meetings.

The Practice Committee meeting will be held March 1, 2024.

The Legislative and Regulatory Affairs Committee meeting will be held March 13, 2024.

The Disaster Preparedness and Response Committee meeting was held earlier that morning prior to the Board meeting and would meet again on April 10, 2024.

The Ad Hoc Committee for Non-licensees to Participate on Board Committees and the Ad Hoc Committee on Supervision Standards will be scheduled when a majority of the are available to meet.

There were no additional Board Member remarks.
There were no public comments.

10. Ad hoc Disaster Preparedness/Response Committee report and possible recommendations to the Board.

President Bookwalter noted that the Disaster Preparedness and Response Committee met earlier that morning. The committee looked at the possible role(s) of occupational therapists in disaster and emergency management, which included before, during, and after the disaster.

There are programs for disaster management at both the federal and state levels. In the meeting materials there were several articles that deal with occupational therapists working with disabled people, refugees, and individuals with mental health issues during disasters.

After discussion, the committee recommended developing a survey so that OT practitioners to report their involvement/participation regarding disaster preparedness and response with their clients. The Survey Monkey could ask for example, “what do OT practitioners do related to disaster preparedness and response?” or “are OT therapists doing anything with discharge planning?” or “what aspects disaster preparedness and response covered with your clients?”

Mr. Bookwalter noted that there was an article in the meeting materials from the California Emergency Medical Services Authority (EMSA) which had a medical assistance team that includes physical therapists. Mr. Bookwalter suggested that the Executive Officer Heather Martin reach out to EMSA to find out how occupational therapists can be added to the medical assistance team.

The committee recommended that the Board create a separate webpage dedicated to emergency disaster management on their website. Each state agency has emergency disaster plans, and the Board can try to get occupational therapy incorporated into those plans and help facilitate treatment to individuals including those with disabilities.

The Accreditation Council for Occupational Therapy Education (ACOTE) does not address emergency response or management. The Board could collaborate with ACOTE and work on the development of education standards regarding emergency management.

It was suggested that the Board could consider adding a requirement for a Professional Development Unit (PDU) in disaster response or emergency management in the continuing education regulations.

Also, the Board could contemplate exposing the concerns and need for training and the national conversation about disaster planning.

There were no additional Board Member remarks.
There were no public comments.

11. Discussion and possible action on ad hoc Disaster Preparedness/Response Committee report and recommendation(s).

Ms. Miller suggested that the Disaster Preparedness and Response Committee consider getting occupational therapists to be considered first responders. It might benefit the profession as first responders get a lot of concessions that our practitioners should benefit from and in turn, that would increase workforce satisfaction.

Ms. Pavlovich added that nationally there are occupational therapy schools that went to Haiti after disasters or war that caused a disruption of occupations. Occupational therapists and physical therapists worked together to make prosthetics for individuals with the little materials that were available.

Mr. Bookwalter agreed that the Board should review that resource as well.

Public comment

Mary Evert stated that the conversation about the OT's role in emergency response started about twenty years ago and at that time, she did not think many therapists were exercising the concept training and evaluating their clients for readiness and for the rehabilitation following a disaster. The committee decided on developing a survey asking licensees if they work on emergency management with their clients and if they have interest in learning more about how to prepare their clients for disasters. The survey should also ask what area(s) of practice the licensee is in. The educators and their institutions should also be surveyed to find out their approach to emergency management. The committee will bring the results before the Board to decide if they should work on implementing education requirements and competency courses.

President Bookwalter added that there was a skill and an awareness aspect to emergency response and management. If the Board had a website that instructed licensees on how they could sign up to help in the event of a disaster or emergency, it would benefit the consumers. There are a lot of local resources such as the Governor's Office of Emergency Services and the Department of Social Services that could be referenced on the Board's website. He mentioned that DCA has a Disaster Help Center webpage that discusses architects, fire, and insurance, and other information, and thought Board could create something similar with health-related services information and education on their website.

Kersten Laughlin expressed her appreciation to the Board for acknowledging that OT practitioners are not often recognized as part of first responder teams.

Executive Officer Heather Martin agreed to reach out to EMSA to find out how OTs and occupational therapy assistants could get added to the disaster response programs and report back to the Board members at the next meeting.

The Board agreed to have the Disaster Preparedness and Response Committee continue their discussions regarding disaster and emergency response.

There were no additional Board member remarks.

There were no additional public comments.

12. Practice Committee report and possible recommendations to the Board.

Board Member/Committee Chair Christine Wietlisbach noted that the Practice Committee held a meeting on December 8, 2023, where they discussed whether suture removal was within the occupational therapist's scope of practice.

It was mentioned that the American Occupational Therapy Association (AOTA) has a position paper about the role of occupational therapy in wound management. Ms. Wietlisbach pointed to AOTA's 2021 Scope of Practice, where suture removal is not mentioned specifically, but wound management is listed as "Interventions and procedures to promote or enhance safety and performance in ADLs."

Ms. Wietlisbach noted that the Practice Committee compared the aforementioned documents with the Occupational Therapy Practice Act and ultimately decided that they complemented each other; that suture removal was covered in the Occupational Therapy Practice Act. Furthermore, the AOTA documents consistently stated that although these are interventions within the scope, they should not be provided unless the individual has been trained to do so.

It was the Practice Committee's recommendation to the Board that suture removal was within the scope of practice of an occupational therapist as long as the licensee possessed the knowledge, skill, and ability to do so.

There were no additional Board member remarks.

There were no public comments.

- Denise Miller moved to accept the October 13, 2023, Practice Committee Meeting minutes.
- Beata Morcos seconded the motion.

Board Member Vote

Hector Cabrera	Yes
Denise Miler	Yes
Sharon Pavlovich	Yes
Christine Wietlisbach	Yes
Lynna Do	Yes
Beata Morcos	Yes
Richard Bookwalter	Yes

The motion carried.

13. Discussion and possible action on Practice Committee report and recommendation(s).

Board Member Christine Wietlisbach explained that the Practice Committee's recommendations would assist Board staff in answering questions they receive from the public regarding suture removal.

Public Comment

Kersten Laughlin asked the Board how it planned to disseminate its decisions to the public.

President Bookwalter replied that the Board was not in a position to spread information to the public about suture removal because the statute is not specific to suture removal and without a statutory change of wording, the Board was not authorized to state anything regarding the topic.

Terri Roberts, a member of the public, said that she agreed with Ms. Wietlisbach, in that an individual should not provide services that they have not been trained to provide.

There were no additional Board member remarks.

There were no additional public comments.

14. Ad hoc Budget Committee report and possible recommendations to the Board.

Executive Officer Heather Martin provided an overview of the Ad Hoc Budget Committee's report. The committee discussed that the goal of the Board was to have the Board's revenue be close to their expenditures.

Ms. Martin noted that the fee increases did not need to happen in January 2024 as previously projected because the Board's fund did not go negative as soon as projected. She stated that she also thought the fee increases may not need to be as high as approved by the Board.

Board Member Miller wanted it noted that the Board listened to their constituents and the associations, however, the Board had to address the fees in order to remain solvent.

There were no additional Board member remarks.

There were no public comments.

15. Discussion and possible action on Ad hoc Budget Committee report and recommendation(s) regarding fee increases to ensure future fiscal solvency of the Board's fund.

- Lynna Do moved to adopt the new fee structure to ensure future fiscal solvency of the Board's fund as outlined in the Ad Hoc Budget Committee Report.
- Beata Morcos seconded the motion.

There were no Board member remarks.

There were no public comments.

Board Member Vote

Hector Cabrera	Yes
Denise Miler	Yes
Sharon Pavlovich	Yes
Christine Wietlisbach	Yes
Lynna Do	Yes
Beata Morcos	Yes
Richard Bookwalter	Yes

The motion carried.

16. Update on communication plan, messaging, and development of Frequently Asked Questions regarding future fee increases.

Executive Officer Heather Martin reported that Board meeting materials included a communications plan that identified public affairs activities. There were also recommendations for ways to inform the public about the fee increases.

Ms. Martin expressed her hope that if the associations cannot go on record in support of the fee bill, they would at least remain neutral and not take a position of opposition. The documents presented were meant for the Board's review, input, and approval.

Tentatively, the fee bill would be introduced in spring 2025 and would get signed later that year and become law on January 1, 2026. The provided documents referenced fiscal year 2025-26, half of the year would be with the old set of fees and half of the year would be with the new set of fees.

President Bookwalter noted that the Board should expect opposition, especially from those licensees who enter the fee increase discussion late.

Ms. Martin responded that the Board might be able to avoid some opposition by sharing information about the fee increases early in the process.

Mr. Bookwalter requested that the timeline for the fee increase bill be documented. He would like to see the plan for the fee bill laid out month to month for the Board.

Ms. Miller would like increased oversight on the drafting of the fee bill language. She suggested that Ms. Martin work on the language with the Administrative Committee. Ms. Miller would also like the Frequently Asked Questions (FAQ) to reflect the fact that the fee increases were originally proposed to be much higher.

Ms. Miller proposed sending the FAQs back to the Ad Hoc Budget Committee for further discussion or ask Board members to submit their edits before the May 2024 Board meeting.

Secretary Do proposed adding a column to the document with the originally proposed fees. The document would then show what the originally proposed fee was, what the current fee is, and what the increased fee will be effective January 1, 2026.

President Bookwalter noted his concern regarding staff resources when considering sending items back to the committees. Holding committee meetings require a lot of resources and he did not want the meetings to take away from the other duties of Board staff.

Board Member Pavlovich recommended that Board staff highlight the fact that all the information can be found in the minutes in the Communication Plan.

The Board members agreed to send their recommendations regarding the Communication Plan to the Executive Officer on or before March 12, 2024.

Public Comment

Kersten Laughlin, faculty member at St. Augustine and Region One Director-Elect OTAC, stated that she wanted more transparency by the Board.

Michelle Rigsby, Level II Fieldwork student University of St. Augustine, stated that she typically gets her information through Instagram or other social media outlets.

There were no additional Board member remarks.

There were no additional public comments.

17. Executive Officer update on Public Law 117-333, Portability of Professional Licenses of Servicemembers and their Spouses.

Executive Officer Heather Martin announced that DCA developed a portal that includes a User Guide, a link to access Federal Professional License Portability and State Registration portal as well as a list of individuals registered to practice in California under the SCRA. There is a link provided on the Board's website and Board staff will announce through list serve advisories and social media posts that there will be occupational therapists working in California through this program.

There were no Board member remarks.

There were no public comments.

18. Update on the Occupational Therapy Licensure Compact and possible Board action.

Executive Officer Heather Martin announced that she did not have an update on the Licensure Compact.

President Richard Bookwalter asked Kersten Laughlin, a member of the public, if she had an update from OTAC regarding the Licensure Compact?

Public Comment

Kersten Laughlin, faculty member at St. Augustine and Region One Director-Elect OTAC, responded that she had not heard anything new about the Licensure Compact.

Board Member Denise Miller recommended leaving the Licensure Compact on the agenda for the May 2024 board meeting, because Shaun Conway, Vice President, Regulatory Affairs at National Board for Certification in Occupational Therapy, Inc. (NBCOT), was going to be in attendance and could provide an update at that time.

Board Member Sharon Pavlovich noted that her students asked why California was not part of the Licensure Compact. As the new generation of students are getting more

involved with the associations, she believed that more questions would be forthcoming particularly for the educators.

Joyce Fries, Fieldwork Coordinator at Grossmont College, agreed with Ms. Pavlovich.

Mr. Bookwalter noted that for California to be part of the Licensure Compact there would have to be a bill that passed.

Ms. Do responded that the Board would need students and practitioners to lobby the legislators to get the Licensure Compact on a bill and get it passed in California.

Public Comment

Steven Berrera, prospective occupational therapy student, asked the Board to explain the Licensure Compact to him.

Mr. Bookwalter replied that the Licensure Compact is an interstate agreement to allow occupational therapists to work in member states. He added that California was not currently part of the Licensure Compact.

19. Discussion and possible action on the use of Board meeting minutes by outside organizations as ‘policy’ of the Board.

Board President Richard Bookwalter noted that this topic was in response to a comment brought up by Board Member Christine Wietlisbach regarding information she discovered on a dry needling website while doing research for her Practice Committee meeting. The website indicated that California does not allow dry needling, which caused concern.

Mr. Bookwalter summarized that the website had an excerpt from the Board Meeting Minutes from February 2020 wherein he stated that the Board did not have statutory authority to perform or regulate dry needling and that Ms. Sharon Pavlovich said that dry needling is not within scope of the occupational therapist. Mr. Bookwalter asked the Board’s Attorney Helen Geoffroy what the Board could do about how the minutes were being perceived and used?

Ms. Geoffroy reiterated that meetings are not policy or law. Further, she stated that there was nothing to prevent the Board from notifying the public that inaccurate information is out there.

Board Member Wietlisbach commented that the Board could not change what information people put on the internet or how their readers will interpret it. Unfortunately, she thought that people would believe that they cannot use dry needling in California after visiting that website.

Board Member Denise Miller responded that the Board should be especially mindful when using the term “within scope” unless they have the evidence to support the comment. She deferred to Attorney Helen Geoffroy to comment on the use of the word “scope.”

Ms. Geoffroy responded by stating that the Board might want to consider what is in the laws and regulations. In her opinion, the educational standards might not meet the

Board’s needs for defining what an occupational therapist does. For example, anatomy is not mentioned in

the occupational therapy educational standards, but hopefully the OT practitioners have had some anatomy education. There are documents such as the framework and scope of practice that are in existence that might be better references for OT practitioners have the authority to perform specific treatments or not. Some Boards created their framework or scope of practice to be more specific than others and the Board want to discuss creating more specificity in our laws or regulations.

Mr. Bookwalter suggested adding a discussion about framework as a future agenda item. He added that previously, the Board referenced the AOTA Scope of Practice, but moved

away from that as it was a fluid document. He would like to include referencing the AOTA Scope of Practice to a future agenda as well.

There were no additional Board member remarks.

There were no public comments.

20. Discussion and possible action on establishing deadline for written public comments to be included in meeting materials.

President Bookwalter noted that at a previous meeting, Board Member Sharon Pavlovich asked if the Board could discuss establishing a deadline to allow written public comments to be included in meeting materials for discussion.

Board Attorney Helen Geoffroy noted that the Bagley-Keene Opening Meeting Act required the Board to accept comments from the public. Ms. Geoffroy was unaware if the Board could establish a deadline pertaining to the inclusion of those comments in the next board meeting materials for discussion. She agreed to investigate the matter further.

Mr. Bookwalter suggested that Board staff create a standard response email for comments from the public and Ms. Martin agreed to do so.

Secretary Lynna Do suggested that the Board's expectation should be that a comment must be received by the Board no later than 5 days before the meeting to be considered for discussion. If an individual wanted the matter to be discussed at the next meeting and could not meet the deadline, they would have the option to bring the comment to the meeting in person.

Ms. Pavlovich added that it is difficult for the Board members to do their due diligence regarding a specific topic if the comments are slipped into their materials the morning of the meeting. Her suggestion was to accept comments no later than 10 days before the meeting.

Vice President Beata Morcos suggested the deadline be one to two days prior to the meeting.

Ms. Geoffroy noted that in the Bagley-Keene Opening Meeting Act under §11125.7 it allows the Board to establish some guidelines for public comment as long as the guidelines were noticed on the meeting agenda.

Public Comment

Kersten Laughlin, faculty member at St. Augustine and Region One Director-Elect OTAC, expressed desire to have access to public comments as soon as possible.

Ms. Geoffroy responded that if a comment was not received timely for consideration, then the Board could request the commentor attend the meeting and comment in person. The Board must receive a comment and post it; however, the Board members are not required to discuss every comment at the meetings.

Mr. Bookwalter asked Ms. Martin to direct Board staff to add guidelines on the next meeting agenda that would include information about the timeliness of public comments for consideration at the meeting.

CONVENE CLOSED SESSION

The Board convened in Closed Session at 3:36 p.m.

RECONVENE IN OPEN SESSION

The Board reconvened in Open Session at 4:40 p.m.

ADJOURNMENT

The Board meeting adjourned at 4:40 p.m.

BOARD MEETING MINUTES

February 8-9, 2024

Board Members Present

Richard Bookwalter - President
Beata Morcos – Vice President
Lynna Do - Secretary
Hector Cabrera
Denise Miller
Sharon Pavlovich
Christine Wietlisbach

Board Staff Present

Heather Martin – Executive Officer
Rachael Hutchison - Analyst

Friday, February 9, 2024

9:30 am - Board Meeting

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

The meeting was called to order at 9:43 a.m. Secretary Lynna Do called roll and a quorum was established.

22. President's Remarks – Informational only; no Board Action to be taken.

President Bookwalter did not have any remarks.

23. Board Member Remarks – Informational only; no Board Action to be taken.

There were no Board member remarks.

24. Public Comment for items not on the Agenda.

Jennifer Allison, an occupational therapy student at the University of St. Augustine, chose to introduce herself.

Steven Berrera, a prospective occupational therapy student, chose to introduce himself.

There were no Board member remarks.
There were no additional public comments.

25. Report on pending Regulatory Proposals.

This agenda item was discussed on February 8, 2024.

Executive Officer Martin noted that in the Board meeting materials, the regulatory proposals on the first and second pages were pending; meaning that they were submitted to DCA. The

regulatory proposals on page three are the regulatory packages that need to be drafted and submitted to DCA.

There were no Board member remarks.
There were no public comments.

26. Report on legislation introduced in 2024.

Executive Officer Heather Martin provided the Board members with the proposed amendments to Business and Professions Code Sections 2570.4 and 2570.6. She hoped that the next time the Board saw the language it would be in bill format.

Board Member Denise Miller asked if the proposed language in the materials had been seen by the stakeholders in the same format provided in the materials?

Ms. Martin replied that the proposed language was approved by the Board in 2022, and that the language had been available to the stakeholders after the Board meeting during which the proposed language was approved by the Board.

Ms. Martin recommended a follow up discussion of the proposed amendments to Business and Professions Code Sections 2570.4 and 2570.6 be added to the Ad Hoc for Supervision Standards Committee meeting agenda.

There were no additional Board member remarks.
There were no public comments.

27. Report on pending legislation and consideration of taking a position, or updating a previous position taken on proposed legislation impacting the Board, including:
a) Assembly Bill (AB) 47 (Boerner), Pelvic floor physical therapy coverage.

The Board agreed to continue to watch AB 47.

b) AB 381 (Rubio), Teacher credentialing: services credential with a specialization in health: occupational and physical therapists.

Mr. Bookwalter stated that AB 381 failed passage.

c) AB 796 (Weber), Business and Professions Code, relating to athletic trainers.

Mr. Bookwalter noted that AB 796 did not have any movement since July 2023, however, the Board was expecting to see a new version soon and would like to see AB 796 discussed at the Legislative and Regulatory Affairs Committee meeting in March 2024, and would provide an update to the Board at the May 2024 meeting.

Board Member Pavlovich asked if the athletic trainers (ATs) were still trying to be housed under the Medical Board of California?

Ms. Martin responded that the Medical Board of California had reached out to her and stated that they did not want to house the athletic trainers at their board. The author's office also reached out to Ms. Martin to get the pulse of the Board regarding an amendment that would place the athletic trainers under the California Board of Occupational Therapy (Board) again. The Medical Board took a position of oppose, unless amended to not have the athletic trainers under their Board, however, some legislators believed that ATs should stay under the Medical Board given the required supervision by the physician over the athletic trainers.

d) AB 1028 (McKinnor), Reporting of crimes: mandated reporters.

Mr. Bookwalter noted that AB 1028 was held in Appropriations and the last amendment was on June 28, 2023.

e) AB 1612 (Pacheco), Health and Safety Code, relating to clinics licensure.

Mr. Bookwalter stated that AB 1612 had passed in both houses and then was vetoed by the Governor followed by consideration of the Governor's veto being stricken from file.

f) Senate Bill (SB) 802 (Roth), Licensing boards: disqualification from licensure: criminal conviction.

Mr. Bookwalter stated that SB 802 had not changed since July 11, 2023.

There were no additional Board member remarks.
There were no public comments.

28. Executive Officer's Report.

a) Operational report.

Executive Officer Heather Martin summarized her report and highlighted that the Board has been busy with recruitment for vacant positions.

b) Fiscal Month 6 revenue and expenditure reports.

Ms. Martin announced that the Board's revenue was slightly higher than the expenditures. However, Ms. Martin does not expect this trend to continue.

The Board's legal expenditures were low in the first quarter of the fiscal year however, there were 13 cases referred to the Attorney General's Office since that quarter which is an indicator that expenditures will increase next year.

c) Fund condition statement.

Ms. Martin pointed out that the months in operating reserves was in a downward trend. As discussed on the previous day, the fee increases will prevent the Board from going negative.

There was also traction on implementing 3% credit card fees be charged to the users rather than the Board absorbing that expenditure. That change will require BreZE modifications and contract modifications.

d) Licensing data for 10/1/2023 – 12/31/2023.

Ms. Martin reviewed the included licensing data documents.

e) Enforcement data for 10/1/2023 – 12/31/2023.

Ms. Martin announced that the Board did not have any cease practice orders since her last report and that the majority of the cases that went to the Attorney General's Office (AGO) were Accusations.

Public Comment

Jennifer Allison, an occupational therapy student at the University of St. Augustine, asked what it meant to surrender your license?

Ms. Martin explained that when a license surrenders their license, the individual can walk away from their license and the probation terms. The individual signs a document acknowledging that surrendering their license is considered discipline.

Board Attorney Helen Geoffroy further explained that when someone is put on probation, their license is revoked however the revocation order is Stayed during the probation term. When an individual surrenders their license, the Stay is released, and the Order of Revocation is imposed.

f) Future Agenda Items.

Ms. Martin noted that there was a list of future agenda items in the Board meeting materials. Some of the agenda items will be discussed at the May Board meeting and some other items discussed yesterday would be added to the list along with any items that were suggested in agenda item 30.

g) Data or information requested at prior Board meeting.

Ms. Martin did not have any information to share.

h) Other informational items. (No Board action can be taken.)

Ms. Martin announced that a Budget letter from the Department of Finance was issued which asked for extreme reduction in expenditures.

In addition to the letter from the Department of Finance there was a memorandum received from the Director of DCA that outlined the expenditure exemption process.

Ms. Martin added that the Board will be submitting an exemption for travel for the Board's May 2024 meeting.

Board Member Denise Miller noted that the May Board meeting will be critical in the progression of the process to find Ms. Martin's replacement upon her retirement later that year and felt that it should be in person.

Ms. Martin confirmed that attending virtually would be an option, however, the Board must have a quorum attending in person to allow for the other Board members to attend virtually.

There were no additional Board member remarks.
There were no public comments.

29. Discussion and possible selection of additional Board meeting dates for Executive Officer interviews and selection and the Board's strategic planning session.

President Bookwalter announced that at the May 2024 Board meeting in Sacramento, DCA will send a representative from Human Resources (HR) to explain the recruitment process for the Executive Officer and advise the Board of the next steps and address any concerns.

Ms. Martin added that at the May 2024 Board meeting the HR representative will provide suggested changes to the Executive Officer's Duty Statement as well as a drafted vacancy announcement. The representative would like to leave the meeting with an approved job announcement and Duty Statement and/or direction should the Board want changes.

Ms. Martin reminded the Board that the Screening Committee will conduct the initial interviews then the most competitive candidates will interview with the full Board. She suggested December 4-10, 2024, as a good time for the final candidates to interview with the full Board.

Ms. Martin mentioned that she would be open to returning to the Board as a retired annuitant to assist with the transition of the new Executive Officer.

The Board agreed on December 4-6 or 9-10, 2024, for interview dates for the Executive Officer position.

Lastly, Ms. Martin recommended that the Strategic Planning Session be pushed out until January or February of 2025. It would be beneficial for her replacement to be involved in the strategic planning process.

Public Comment

Jennifer Allison, an occupational therapy student at the University of St. Augustine, asked for clarification regarding Board Members Denise Miller's and Sharon Pavlovich's terms ending this year.

Mr. Bookwalter confirmed that Ms. Miller and Ms. Pavlovich's terms will expire on December 31, 2024. If replacements are not appointed before December 31, 2024, then their positions will be vacant until replacements are appointed.

There were no additional Board member remarks.
There were no additional public comments.

30. New suggested agenda items for a future meeting.

Board Member Christine Wietlisbach suggested that the Board ask the Senate if they could postpone the Board's Sunset Review date.

Board Member Denise Miller suggested that the Board discuss Ms. Martin's potential return as a Retired Annuitant in exempt status at the May 2024 Board meeting. She added that the Board should have someone do a presentation about the Medi-Cal changes at a future Board meeting.

There were no additional Board member remarks.
There were no public comments.

ADJOURNMENT

The Board meeting adjourned at 11:12 a.m.