Board of Chiropractic Examiners
TELECONFERENCE MEETING MINUTES
Government Affairs Committee
June 11, 2013
901 P Street, Ste. 142A
Sacramento, CA 95814

Teleconference Locations

Julie Elginer, Dr. PH
Agoura Hills Library
29901 Ladyface Court
Agoura Hills, CA 91301-2582
(818) 889-2278

Frank Ruffino
Office of Community Resources
480 Alta Road
San Diego, CA 92179
(619) 661-8654

Heather Dehn, D.C.
Dehn Chiropractic
4616 El Camino Avenue, Suite B
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(916) 488-0202

Committee Members Present

Julie Elginer, Dr.PH, Chair
Heather Dehn, D.C.
Frank Ruffino

Staff Present

Robert Puleo, Executive Officer
Linda Shaw, Licensing/Admin. Manager
Dixie Van Allen, Associate Governmental Program Analyst

Call to Order

Dr. Elginer called the meeting to order at 1:09 p.m.

Roll Call

Dr. Dehn called the roll. All committee members were present.

Approval of Minutes

MOTION: FRANK RUFFINO MOVED TO APPROVE THE MINUTES OF THE MAY 7, 2013 GOVERNMENT AFFAIRS COMMITTEE MEETING
SECOND: DR. DEHN SECONDED THE MOTION

VOTE: 3-0
MOTION CARRIED

Legislative Update

Dr. Elginer proposed to address the agenda items in the order that they appeared on the Legislative Summary.

AB722 (Lowenthal) – Vehicles: driver's licenses: medical examinations
Mr. Puleo provided the Committee Members with an update on the May 28th hearing for AB 722 (Lowenthal).

MOTION: DR. DEHN MOVED TO RECOMMEND THAT THE BOARD CONTINUE TO "SUPPORT" AB 722 (LOWENTHAL) AS AMENDED.
SECOND: MR. RUFFINO SECONDED THE MOTION
VOTE: 3-0
MOTION CARRIED

AB 186 (Maienschein) – Professions and Vocations: military spouses: temporary licenses
Mr. Puleo and the Committee Members discussed the conflicts that AB 186 presents with the Chiropractic Initiative Act and efforts to work with the author's office.

The Committee Members agreed to continue their position to "oppose" AB 186 (Maienschein).

SB 176 (Galgiani) - Administrative Procedures

MOTION: DR. DEHN MOVED TO RECOMMEND THAT THE BOARD TAKE AN "OPPOSE" POSITION ON SB 176 (GALGIANI) AS AMENDED ON MAY 24, 2013.
SECOND: MR. RUFFINO SECONDED THE MOTION
VOTE: 3-0
MOTION CARRIED

AB 213 (Logue) – Healing Arts: licensure and certification requirements: military experience
Dr. Elginer proposed moving AB 213 (Logue) off the agenda for action as the bill is dead.

AB 393 (Cooley) – Office of Business and Economic Development: Internet Web Site
The Committee Members discussed AB 393 (Cooley) and agreed to maintain their "neutral" position.

AB 512 (Rendon) – Healing Arts: licensure exemption
The Committee Members discussed AB 512 and agreed to maintain their "neutral" position.

SB 46 (Corbett) – Personal Information: privacy
The Committee Members discussed SB 46 and agreed to maintain their "neutral" position.

SB 306 (Price) – Healing Arts: boards
Mr. Puleo advised the Committee Members that the provisions of SB 306 will be moved into a different bill in the future; therefore, no action is necessary at this time.

Dr. Elginer inquired about the reasons for merging this bill with another.

Mr. Puleo volunteered to contact the author's office to find out the reason(s) for the merge.

AB 1000 (Wieckowski & Maienschein) - Physical Therapists: direct access to services: professional corporations
Dr. Elginer explained that the provisions of AB 1003 were merged into AB 1000.

MOTION: DR. DEHN MOVED TO RECOMMEND THAT THE BOARD TAKE AN "OPPOSE" POSITION ON AB 1000
SECOND: FRANK RUFFINO SECONDED THE MOTION

Dr. Dehn shared concerns with the direct access provision, the inequities between the different healthcare corporations, and chiropractic referrals to physical therapists for further treatment.

Dr. Elginer expressed concerns with page 95, line 29, regarding the absence of a reference to the Chiropractic Initiative Act.

Dr. Elginer inquired about the similarities between AB 1000 and prior legislation (SB 924 – Price).

VOTE: 3-0
MOTION CARRIED

AB 1057 (Medina) – Professions and vocations: licenses: military service

The Committee agreed to accept staff's recommendation to take a position of "neutral" on AB 1057.

Public Comment

There were no public comments.

Future Agenda Items

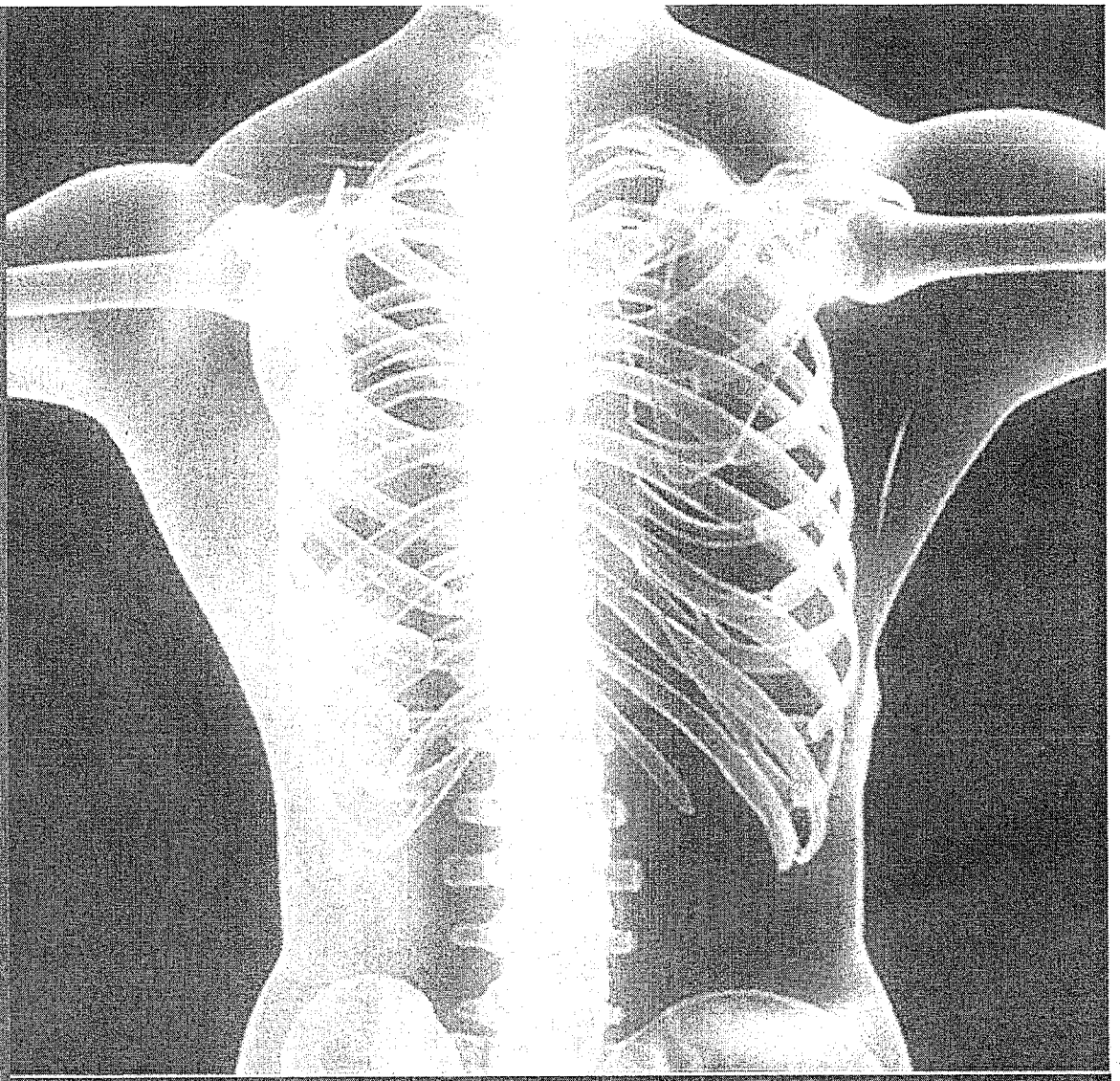
- Dr. Elginer requested to schedule a teleconference board meeting within the next 2 weeks to vote on an official position on AB 1000.
- Dr. Elginer requested that SOLID provide a progress report on the BCE's Strategic Plan.
- The Committee Members agreed to convene the next Government Affairs Committee by teleconference on July 16, 2013 at 1:00 p.m.

Adjournment

Dr. Elginer adjourned the meeting at 2:06 p.m.

Board of Chiropractic Examiners

State of California



2014-2017 strategic plan

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

MEMBERS OF THE BOARD OF CHIROPRACTIC EXAMINERS

Francesco Columbu, D.C., Chair

Sergio Azzolino, D.C., Vice-Chair

Julie Elginer, Dr., PH, Secretary, Public Member

Hugh Lubkin, D.C., Member

Heather Dehn, D.C., Member

Frank Ruffino, Public Member

Robert Puleo, Executive Officer

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ABOUT THE BOARD OF CHIROPRACTIC EXAMINERS

The Board of Chiropractic Examiners (the Board) is the largest chiropractic regulatory board in the nation and is considered a leader by other chiropractic boards throughout the country. Recognized in 2010 by the Federation of Chiropractic Licensing Boards for excellence in chiropractic regulation, the Board has worked diligently to improve the standards of care in the chiropractic profession in California.

The Board's primary mandate is to enforce the Chiropractic Initiative Act (the ACT). The Act became effective on December 21, 1922, through an initiative measure approved by the electors of California on November 7, 1922. The Act created the Board to establish standards for chiropractic education and services. The Board protects and serves the consumers of California through enforcement of the chiropractic profession and oversight of approximately 14,000 California licensed chiropractors and 19 chiropractic schools and colleges.

The Board consists of seven members appointed by the Governor, comprised of five licensed doctors of chiropractic and two members who represent the public. There are three standing Board committees and each committee is comprised of at least two Board members and a staff resource that provides technical and administrative support. Each committee has a chairperson who coordinates the committee's work, ensures progress toward the Board's priorities, and provides a report at each Board meeting.

The three Board committees include:

Committee	Responsibilities
Licensing, Continuing Education, & Public Relations	Proposes policies and standards regarding chiropractic colleges, doctors of chiropractic, satellite offices, corporation registration, and continuing education providers and courses. The Committee also develops strategies to communicate with the public through various forms of media.
Enforcement & Scope of Practice	Proposes regulations, policies, and standards to ensure compliance with chiropractic law and regulations. The Committee continuously seeks ways to improve the Board's enforcement activities.
Government Affairs & Strategic Planning	Proposes and reviews policies, procedures to address audit and sunset review deficiencies. Works directly with the Executive Officer and staff to monitor budget expenditures, trends, and the Contingent Fund levels. Reviews and recommends positions on legislative bills that affect the Board. Oversees all administrative issues regarding Board operations. Develops draft strategic plans and monitors the Board's progress in achieving goals and objectives, reporting on progress of plan completion annually.

The Board appoints an Executive Officer to oversee a staff of 19 permanent positions that support three functional units:

- The Administrative/Licensing Unit is responsible for the BCE licensee application and renewals, continuing education, administrative, and policy functions.
- The Compliance Unit (CU) and the Field Investigations Unit (FIU), which are responsible for enforcement functions, handling complaint intake, investigations, disciplinary action, and probation monitoring.

All of these functions support the protection of Californians from licensed and unlicensed individuals who engage in fraudulent, negligent, or incompetent chiropractic practice.

The Board must ensure that only those applicants with the necessary education, examination, and experience receive a California license to practice chiropractic. Requirements for licensing include passing the California Law and Professional Practice Exam (CLPPE), completing 60 pre-chiropractic units of approved education courses, and graduation from a Council on Chiropractic Education (CCE) approved college or school. Licensees are required to complete 24 hours of continuing education credit each year for license renewal.

The Board continually strives to fulfill its state mandate and mission in the most efficient manner, by exploring new policies and revising existing policies, programs, and processes. The Board is continually committed to increasing the quality and availability of services it offers to stakeholders.

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RECENT ACCOMPLISHMENTS

As a part of strategic planning, the Board evaluated its previous strategic plan goals and identified which objectives were accomplished. The following are the significant Board accomplishments since the 2008 strategic plan was adopted:

- Established a Board culture that fosters and promotes consumer protection, effective Board governance, and accountability.

- Developed and maintain a Board Member Administrative Manual, which is used as a model for other Boards, and assists Board members in carrying out their responsibilities of developing policy, adjudicating disciplinary matters and protecting the public's interest.

- Analyzed core business processes and implemented improvements that resulting in decreased processing times and the elimination of backlogs for Licensing, Enforcement, and Continuing Education.

- Developed and implemented an internal control system for monitoring timeliness of case reviews, complaint processing, and created compliance and investigation procedure manuals.

- Established and filled field investigator positions to investigate consumer complaints, monitor probationers, and onsite inspections of chiropractic offices.

- Maintained proactive consumer protection and enforcement by staying current and recognizing when changes to laws are needed. Promulgated and adopted regulations for consumer protection to raise requirements, and institute a citation and fine program, which improved enforcement operations.

- Adopted regulations to increase the required annual continuing education from 12 hours to 24 hours, and allowed for online courses and courses approved by other health care Boards.

- Restructured the Board's eight committees into three committees.
- Began live webcasting Board meetings in May 2009 and posting these recorded meetings on the Board's website.
- Reduced enforcement case closure rates to within nine months.
- Began teleconferencing committee meetings to save costs and allow for increased public access.
- Completed a successful Sunset Review.

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OUR VISION

To promote excellence in chiropractic care.

OUR MISSION

To protect the health, welfare, and safety of the public through licensure, education, and enforcement in chiropractic care.

OUR VALUES

Consumer Protection – We make effective and informed decisions in the best interest and for the safety of the consumer.

Service – We are professional and responsive to the needs of our stakeholders.

Innovation – We value new ideas and concepts, which are fundamental to our successful delivery of services to consumers and the efficient regulation of the Chiropractic marketplace.

Quality – We will deliver service, information, and products that reflect excellence.

Transparency – We hold ourselves accountable to the people of California.

Efficiency – We diligently identify the best ways to deliver high-quality services with the most efficient use of our resources.

Integrity – We are honest, fair, respectful, and ethical.

GOAL 1: LICENSING

Promote licensing standards to protect consumers and allow reasonable access to the profession.

The objectives to meet this goal are listed below in order of priority:

1.1 Evaluate internal procedures to identify areas for improvement to maintain prompt and efficient processing of applications and renewals.

1.2 Collaborate with the Department of Consumer Affairs (DCA) to implement a new licensing and enforcement system (BreEZe) for online processing of initial and license renewals, including acceptance of credit card payments.

1.3 Determine the feasibility of recognizing equivalent educational standards with other countries.

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GOAL 2: REGULATION AND ENFORCEMENT

Enforce laws and regulations to ensure consumer protection.

The objectives to meet this goal are listed below in order of priority:

2.1 Establish standardized training and evaluation of Expert Consultants to improve effectiveness and consistency.

2.2 Protect the Board's authority to interpret and clarify the Chiropractic Initiative Act to ensure public protection.

2.3 Review and revise the Board's disciplinary guidelines.

2.4 Utilize BreEZe and online resources to coordinate receipt of disciplinary documents more efficiently.

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GOAL 3: PROFESSIONAL QUALIFICATIONS AND CONTINUING EDUCATION

Ensure the initial and continuous competency of all Doctors of Chiropractic.

The objectives to meet this goal are listed below in order of priority:

3.1 Establish provider review standards for continuing education providers.

3.2 Develop a continuing education course auditing system to ensure providers are delivering quality instruction to licensees and take action against those providers who fail to meet these standards.

3.3 Evaluate effectiveness of compliance with continuing education regulations to ensure competency.

3.4 Establish and document protocols for ongoing communication with chiropractic oversight organizations to ensure consistent standards.

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GOAL 4: ORGANIZATIONAL EFFECTIVENESS

Efficiently utilize resources to meet goals and objectives.

The objectives to meet this goal are listed below in order of priority:

4.1 Improve onboarding of new Board members by creating a Board specific orientation program.

4.2 Increase Board awareness of staff functions, responsibilities, and timeframes for completing tasks.

4.3 Explore alternative ways to engage public participation in Board and committee meetings that leverage new technologies.

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GOAL 5: PUBLIC RELATIONS AND OUTREACH

Communicate with consumers, licensees and stakeholders about the current and evolving practice of chiropractic and regulation of the profession.

The objectives to meet this goal are listed below in order of priority:

5.1 Partner with DCA to establish internal and external communication protocols.

5.2 Through the DCA Office of Publications, Design, and Editing, develop consumer education materials in different languages to assist consumers in making informed decisions.

5.3 Collaborate with DCA to optimize the Board's website.

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GOAL 6: PROFESSIONAL ADVANCEMENT

The Board of Chiropractic Examiners embraces innovation and supports the advancement of the practice of chiropractic.

The objectives to meet this goal are listed below in order of priority:

6.1 Embrace the non-surgical, non-pharmaceutical role of the Chiropractor to increase consumer access to healthcare.

6.2 Evaluate trends in chiropractic care in other states to determine potential impact to regulations in California.

6.3 Embrace the role of the chiropractic specialties.

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GOAL 7: GOVERNMENT AFFAIRS

Establish and maintain collaborative partnerships in government to ensure the Board of Chiropractic Examiners is well informed regarding priorities and initiatives.

The objectives to meet this goal are listed below in order of priority:

7.1 Establish open lines of communication with government stakeholders to ensure the Board is well informed about information relevant to the chiropractic profession.

7.2 Partner with state and local government to participate in consumer related events to increase awareness of the Board's mission and consumer protection services.

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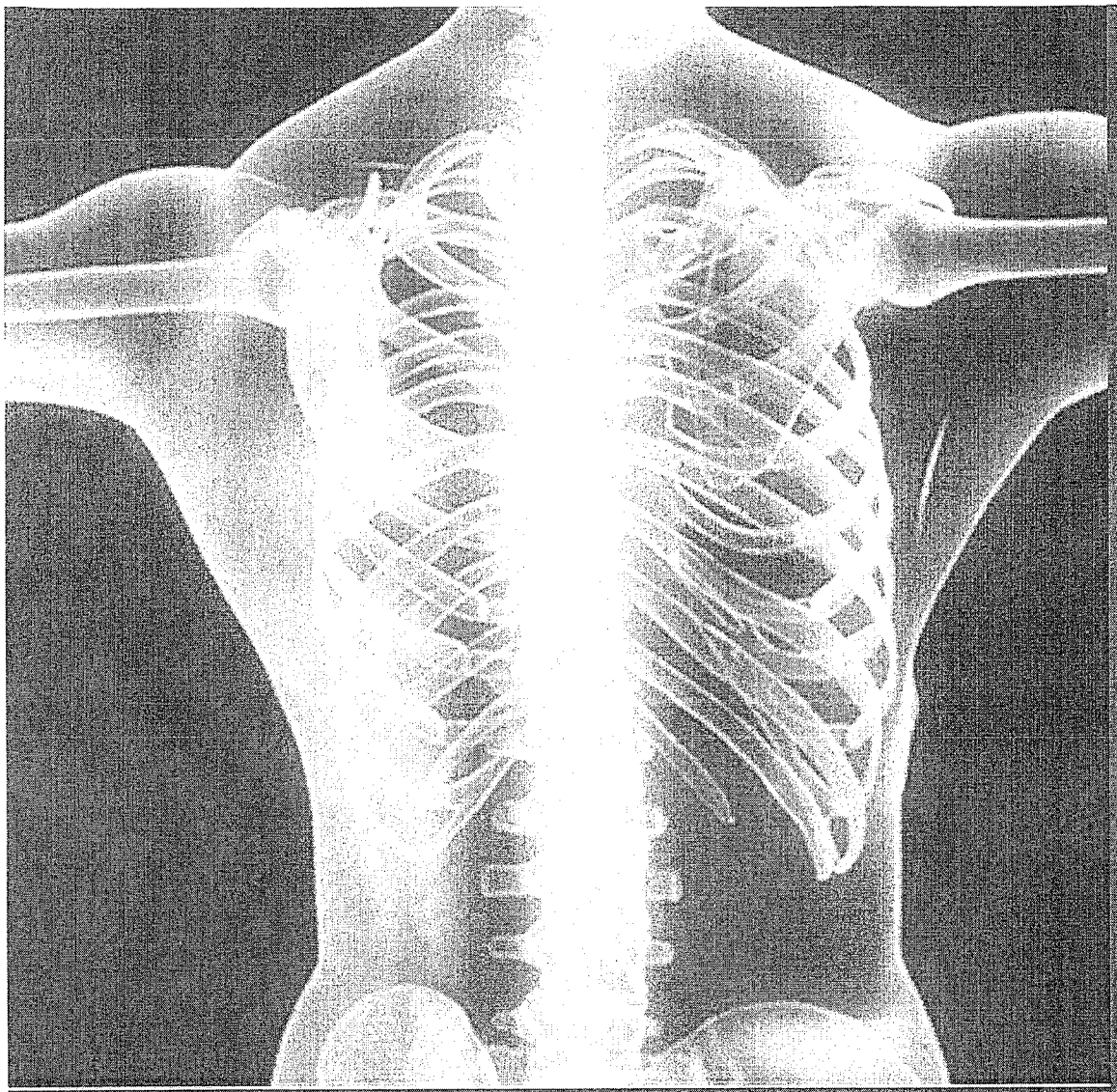

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BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

Status of Legislation Followed by the Govt. Affairs Committee

SUPPORT:

- AB 722 (Lowenthal) - Vehicles: driver's licenses: medical examinations
  - This bill would add doctors of chiropractic to the list of health care professionals authorized to perform physical medical examinations of applicants for specified driver's licenses. (SUPPORT AS AMENDED)
  - STATUS: Chaptered 08/27/13

OPPOSE:

- AB 1000 (Wieckowski) – Physical Therapists: direct access to services: professional corporations
  - This bill would allow patients direct access to physical therapy treatment, authorize licensed physical therapists to be shareholders, officers, directors of a medical corporation or a podiatric medical corporation, and permit professional corporations to employ licensed professionals not specifically listed in the Corporations Code.
  - STATUS: Passed Senate 09/10/13, passed Assembly 09/11/13 – Enrolled, Governor 's action is pending.

NEUTRAL:

- AB 393 (Cooley) - Office of Business and Economic Development: Internet Web site
  - This bill would require the Governor's Office of Business and Economic Development to create a website containing fee requirements and schedules of licensing, permitting and registration fees and requirements for small businesses.
  - STATUS: Chaptered 08/19/13

- AB 512 (Rendon) - Healing arts: licensure exemption
  - This bill would extend the sunset date for an existing law that allows out-of-state medical practitioners to volunteer their services at specified health care events for uninsured or underinsured persons in California.
  - STATUS: Chaptered 08/16/13

- AB 1057 (Medina) – Professions and vocations: licenses: military service
  - This bill would require all licensing boards under DCA to inquire in all licensing applications whether the applicant is serving in, or has previously served in, the military.
  - STATUS: Passed Senate 08/26/13, passed Assembly 08/30/13 – Enrolled, Governor's action is pending.

- SB 46 (Corbett) – Personal information: privacy
  - This bill would strengthen computer account data security for the public by expanding the scope of personal information applicable to security breach disclosure requirements for all California entities and businesses who maintain personal information on clients or customers.

- STATUS: Chaptered 09/27/2013

WATCH:

◦ SB 305 (Price) – Healing arts: Boards
- This bill would require legislative review of several healing arts boards, including the Board of Chiropractic.
  (Previously SB 306)
- STATUS: Chaptered 10/03/13

TWO-YEAR, REPURPOSED & DEAD BILLS:

◦ SB 176 (Galgiani) - Administrative Procedures
- This bill would require state agencies, boards and commissions to involve all parties that are subject to proposed regulations in public discussion regarding the proposed regulation prior to publication of the notice in the California Regulatory Notice Register. (OPPOSE AS AMENDED)
- STATUS: 8/30/13 Held in Appropriations Suspense File (DEAD)

◦ AB 213 (Logue) - Healing arts: licensure and certification requirements: military experience.
- This bill would require healing arts boards under Division 2 of the Business and Professions Code and the State Department of Public Health to require a school seeking accreditation or approval to provide proof of procedures to evaluate whether the military training, education and practical experience are equivalent to board standards. (OPPOSE UNLESS AMENDED)
- STATUS: Two-year bill

◦ AB 186 (Maienschein) – Professions and Vocations: military spouses: temporary licenses.
- This bill would require boards within DCA who have not established a temporary licensing process prior to January 1, 2014, to issue temporary licenses to spouses or domestic partners of active duty members of the Armed Forces. (OPPOSE UNLESS AMENDED OR DETERMINED THAT THESE PROVISIONS ARE NOT APPLICABLE TO THE BCE)
- STATUS: Two-year bill