Board of Chiropractic Examiners

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Teleconference
Government Affairs &
Strategic Planning Committee

January 14, 2016

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

NOTICE OF PUBLIC MEETING

TELECONFERENCE - GOVERNMENT AFFAIRS & STRATEGIC PLANNING COMMITTEE

January 14, 2016, 10:00 a.m.

One or more Committee Members will participate in this meeting at the teleconference sites listed below. Each teleconference location is accessible to the public and the public will be given an opportunity to address the Government Affairs and Strategic Planning Committee at each teleconference location. The public teleconference sites for this meeting are as follows:

Teleconference Meeting Locations:

Dionne McClain, D.C.
McClain Sports & Wellness Inc.
6360 Wilshire Blvd. #410
Los Angeles, CA 90048
(323) 653-1014

Julie Elginer, Ph.D.
Board of Chiropractic Examiners
901 P Street, Suite 142A
Sacramento, CA 95814
(916) 263-5355

Frank Ruffino
Veterans Home of California, Chula Vista
700 East Naples Court
Chula Vista, CA 91911
(619) 482-6010

AGENDA

1. **Call To Order & Establishment Of A Quorum**

2. **Approval of Minutes**
   - October 22, 2015

3. **Presentation and Discussion of the Upcoming 2016 Strategic Planning Process**

4. **Review and Discussion of BCE Strategic Plan Goals Assigned to the Government Affairs & Strategic Plan Committee**
   - Goal 4 – Organizational Effectiveness
   - Goal 7 - Government Affairs

5. **Review and Possible Action Regarding the Board Member Administrative Manual**

6. **Review of the BCE Legislative Bill Tracking Manual**

7. **Review of the 2016 Legislative Calendar**

8. 2015 Legislative Update

- AB 12 (Cooley) State Government: administrative regulations: review
- AB 19 (Chang)
- AB 41 (Chau) Health care coverage: discrimination
- AB 611 (Dahle) Controlled Substances: prescriptions: reporting
- AB 750 (Low) Business and professions: licenses
- AB 85 (Wilk) Open Meetings
- AB 12 (Cooley) State Government: administrative regulations: review
- AB 179 (Bonilla) Healing Arts
- AB 333 (Melendez) Healing Arts: continuing education
- AB 410 (Obernolte) Documents Submitted to Legislative Committees
- SB 467 (Hill) Professions and vocations

9. Public Comment For Items Not On The Agenda

Note: The Committee may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a).] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.

10. Future Agenda Items

11. Adjournment

GOVERNMENT AFFAIRS COMMITTEE
Julie Elginer, Ph.D., Chair, Public Member
Dionne McClain, D.C., Licensee
Frank Ruffino, Public Member

The Board of Chiropractic Examiners' paramount responsibility is to protect the health, welfare, and safety of the public through licensure, education, and enforcement in chiropractic care.

Committee Meetings of the Board of Chiropractic Examiners are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. The Committee may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-5355 or access the Board's Web Site at **www.chiro.ca.gov.**

The meeting facilities are accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Marlene Valencia at (916) 263-5355 ext. 5363 or e-mail marlene.valencia@dca.ca.gov or send a written request to the Board of Chiropractic Examiners, 901 P Street, Ste. 142A Sacramento, CA 95814. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

Agenda Item

#2

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Board of Chiropractic Examiners
MEETING MINUTES
Government Affairs Committee
October 22, 2015

Teleconference Locations

Board of Chiropractic Examiners
901 P Street, Suite 142A
Sacramento, CA 95814

McClain Sports & Wellness Inc.
6360 Wilshire Blvd. #410
Los Angeles, CA 90048

Committee Members Present
Julie Elginer, Dr. PH, Chair
Dionne McClain, D.C.
Frank Ruffino, Public Member

Staff Present
Robert Puleo, Executive Officer
Dixie Van Allen, Licensing & Admin. Manager

Call to Order & Establishment of a Quorum

Dr. Elginer called the meeting to order at 10:01 a.m.

Roll Call

Dr. McClain called the roll. All Board members were present at the locations listed on the Agenda.

Approval of Minutes

MOTION: MR. RUFFINO MOVED TO APPROVE THE MINUTES OF THE JULY 16, 2015 GOVERNMENT AFFAIRS COMMITTEE MEETING.
SECOND: DR. MCCLAIN SECONDED THE MOTION
VOTE: (3-0) (MR. RUFFINO – AYE, DR. MCCLAIN – AYE, DR. ELGINER - AYE)
MOTION CARRIED

Legislative Update

Ms. Van Allen provided the Committee with a status update of the following legislative bills:

- AB 85 – Wilk (Open Meetings)
- AB 12 – Cooley (State Govt.: administrative regulations: review)
- AB 333 – Melendez (Healing Arts: continuing education)
- AB 410 – Obernolte (Documents submitted to legislative committees)
- SB 467– Hill (Professions and Vocations)
- AB 179 - Bonilla (Healing arts)

Dr. Elginer requested staff to research which bills may be 2-year bills to follow in the next legislative session.

Review and Discussion of BCE Strategic Plan Goals Assigned to the Government Affairs & Strategic Plan Committee

Dr. Elginer covered the Strategic Plan goals assigned to the Committee

- Goal 4.1 has been completed in its entirety.
- Goal 4.2 had two action items (4.2.4 and 4.2.5) which needed to be completed.

Dr. Elginer reminded the Committee that the Board members asked for a summary of headquarters staff duties to be included with the Executive Officer's report at the next board meeting and included in the Board Member's onboarding manuals.

The Government Affairs Committee members approved the summary of staff duties for dispersal at the upcoming Board meeting and agreed that this document fulfills the requirements of Action Items 4.2.4 and 4.2.5.

- Goal 4.3 has one action item which has not yet been completed (4.3.6).

Dr. Elginer explained that methods have been explored to increase interactive accessibility to Board and Committee meetings; however, DCA does not have the technological means to provide interactive access to the public for public meetings of the Board. Dr. Elginer suggested that this action item be revisited again in the future.

- Goal 7.1 has been completed.
- Goal 7.2 has been completed with the exception of action items 7.2.4 and 7.2.5.

Dr. Elginer explained that the Board's communication assessment was completed by DCA's Office of Public Affairs. Based on the Governor's Executive Order restricting travel for conferences and outreach, the only viable way to reach consumers is through social media. Action Item 7.2.4 will be completed when Dr. Elginer provides social media training at the January Board meeting.

Mr. Ruffino suggested that Mr. Puleo discuss social media training at the Executive Officer's Roundtable meetings. Dr. Elginer concurred with Mr. Ruffino's recommendation and also urged the Board to continue urging DCA to develop social media training for all Boards and Bureaus within the department.

Dr. Elginer inquired with the Committee members about what they would like the social media training to cover. Mr. Ruffino requested a basic understanding of the different types of social media. Dr. McClain requested that the training cover the difference between social and professional uses of social media as well as demographic data. Mr. Puleo requested that the training cover which medium would be the best for reaching our target audience. Natalie Martin-Rojas, DCA Legislative Analyst, recommended that the Board look at how other departments utilize social media to reach consumers, such as Caltrans use of Twitter.

Overview of Strategic Planning Process and Approach for the 2016 Strategic Planning Year

Dr. Elginer advised the committee that 2016 will be a strategic planning year and briefed the committee on the process that the Board used to develop the current strategic plan. Dr. Elginer inquired about whether the Committee wanted to repeat the same process for the next strategic plan.

Mr. Ruffino suggested that the Board follow the same basic steps but less elaborate and without the use of SOLID.

Dr. McClain shared concerns over the loss of expertise with Board members who are terming out and urged the use of SOLID.

Mr. Puleo and Ms. Van Allen conveyed that they valued the process and the unbiased help of SOLID to facilitate the discussions and create the strategic plan document.

Mr. Puleo will follow up with SOLID to determine their availability.

Annual Legislative/Agency Visits

The Committee confirmed the dates of November 19 – 20, 2015 for the visits.

Dr. Elginer inquired about who should be visited what should be included in the presentation.

Mr. Ruffino suggested that the Committee visit both Business and Professions Committees; Caucus staff; Business, Consumer Services and Housing Agency and the Governor's Office to discuss achievements and provide a status update. Mr. Puleo offered to arrange these meetings.

Dr. Elginer suggested that the Committee share their accomplishments, the collaborative work the Board engaged in with chiropractic schools over the last year, sharing best practices at Executive Officer Roundtable meetings, and emerging issues. Dr. Elginer also requested Committee members to submit talking points to Mr. Puleo.

Dr. Elginer inquired about the when the Board is up for Sunset Review. Mr. Puleo offered to look into the date.

Mr. Puleo suggested that the Committee also try to meet with DCA's Legislative Director and the California Chiropractic Association.

Mr. Ruffino inquired about the status of the Scope of Practice Focus Group. He further suggested that the Board continue the stakeholder meetings to move the profession forward.

Public Comment – Ms. Martin-Rojas informed the Committee about upcoming training on the Legislative Process that DCA is holding on December 15 and 16. Ms. Martin-Rojas will provide further clarification on the format of the training.

Dr. Elginer offered the Board's Legislative Bill Tracking Manual as a tool to use for this training.

Future Agenda Items –

The Committee selected a date of January 14, 2016 at 10:00 a.m. or an alternate date of January 15, 2016 at 10:00 a.m. for convening the next Govt. Affairs Committee meeting.

Adjournment –

MOTION: MR. RUFFINO MOVED TO ADJOURN THE GOVERNMENT AFFAIRS COMMITTEE MEETING
SECOND: DR. MCCLAIN SECONDED THE MOTION
VOTE: (3-0) (MR. RUFFINO – AYE, DR. MCCLAIN – AYE, DR. ELGINER - AYE)
MOTION CARRIED

Dr. Elginer adjourned the meeting at 11:19 p.m.

Agenda Item

#3

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Agenda Item 3
January 14, 2016

Presentation and Discussion of the Upcoming 2016 Strategic Planning Process

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Purpose of the item:

Committee members will receive a brief update and presentation from DCA SOILD regarding the strategic planning process.

Action(s) requested

No action requested at this time.

Background:

The Board completes a Strategic Plan every three years. The Board completed the 2014-2017 Strategic Plan in 2013. The Board is currently in the process of information gathering for the next iteration of the BCE Strategic Plan.

At this meeting, the DCA SOLID facilitator will provide Committee members with information regarding:

- The general methodology for completion of a strategic plan
- The identification of stakeholders for participation in the process
- The development of survey questions and methods for using the SurveyMonkey platform

Recommendation(s)

Staff has no recommendation at this time.

Next Step

N/A

Attachment(s)

- BCE Strategic Plan Development Roadmap
- DCA Facilitator Biographies
- 2014 – 2017 BCE Strategic Plan

CALIFORNIA BOARD OF CHIROPRACTIC EXAMINERS
STRATEGIC PLAN DEVELOPMENT ROADMAP

Average Time to Complete Each Phase

Preliminary Meeting & Set-up	Environmental Scan	Board Meeting Planning Session	Create & Finalize Plan	Action Planning
1 Week	6 Weeks	2 Weeks	3 Weeks	
• Preliminary meeting with client	• Conduct focus group with staff	• Create facilitation plan	• SOLID drafts plan	• Prioritize objectives
• Introduce facilitators	• Survey stakeholders	• Conduct planning session	• Review plan with client and make adjustments	• Establish timeframes
• Set schedule and decide dates	• Conduct Board member interviews	• Revisit vision	• Board approval or adoption	• Determine metrics
• Decide roles	• Executive Officer interview	• Revisit mission	• Post plan to website	• Assign responsibilities
• Define process	• Compile and analyze data	• Revisit values		• Draft action plan
• Create customized development plan for client	• Review findings with client	• Review environmental scan results		• Review plan with client and make adjustments
		• Establish goals and objectives		

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Facilitator Biographies

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Dennis Zanchi

Since joining the SOLID team in 2013, Dennis has conducted focus groups for the Department of Justice as well as DCA boards and bureaus. Dennis has worked on strategic plans for Psychology, BPELSG and Optometry. Prior to DCA, Dennis worked with colleges nationwide facilitating interactive sessions on a variety of education-related topics, including sessions designed to draw out opinions, build consensus, and guide groups to discover new solutions. He helped college administrators build a better framework for understanding student loan default prevention, financial literacy, and student retention. He also develops evaluation measurement methods to quantify the success of various initiatives. Prior to working with colleges, Dennis worked with credit unions nationwide to develop consumer research and marketing plans. He is a graduate of CSU, Sacramento.

Elisa Chohan

Elisa Chohan joined the SOLID team in 2013. Since then, Elisa has partnered with the Board of Registered Nursing, the Bureau of Real Estate Appraisers, the Cemetery and Funeral Bureau, the Court Reporters Board and the Structural Pest Control Board to develop their organization's strategic plans. Elisa came directly from the Bureau of Automotive Repair (BAR) Technical Training Unit. At BAR, Elisa was responsible for the implementation of new processes as well as the creation of new curricula with a focus on adult learning theory and collaborative learning strategies. Prior to starting her career in state service, Elisa was a high school teacher in the Sacramento area, where she worked to develop accreditation plans and process improvement measures to increase institutional efficiency. She has extensive experience with classroom management and developed strategies for behavioral and learning challenges. Elisa graduated from University of California, Davis with a B.A. in History and earned her Masters of Education degree in 2012 from Sacramento State University.

Noel Cornelia

Noel brings over 10 years of experience providing innovative ideas for graphic facilitation of strategic planning sessions in the areas of project management, administration, construction, engineering, and employee recognition. Noel leads participants in the areas of team building, strategic visioning, process improvement, planning, conflict resolution, SWOT, brainstorming, reflection, mission statements, and storyboarding. Noel is the State of California's leading expert in Graphic Recording and Graphic Facilitation training and consulting. She is a Certified True Colors instructor whose sole clients were executives and managers. Noel is a consultant for a dynamic government firm, local universities, private sector businesses, and educators seeking to engage audiences visually. Recently, Noel created the first comprehensive academy for visual communication exclusively for the public sector to build teams and strengthen California's leaders. Noel graduated from CSU, Sacramento, is pursuing graduate studies in Art Therapy, and has been a small business owner for over 14 years.

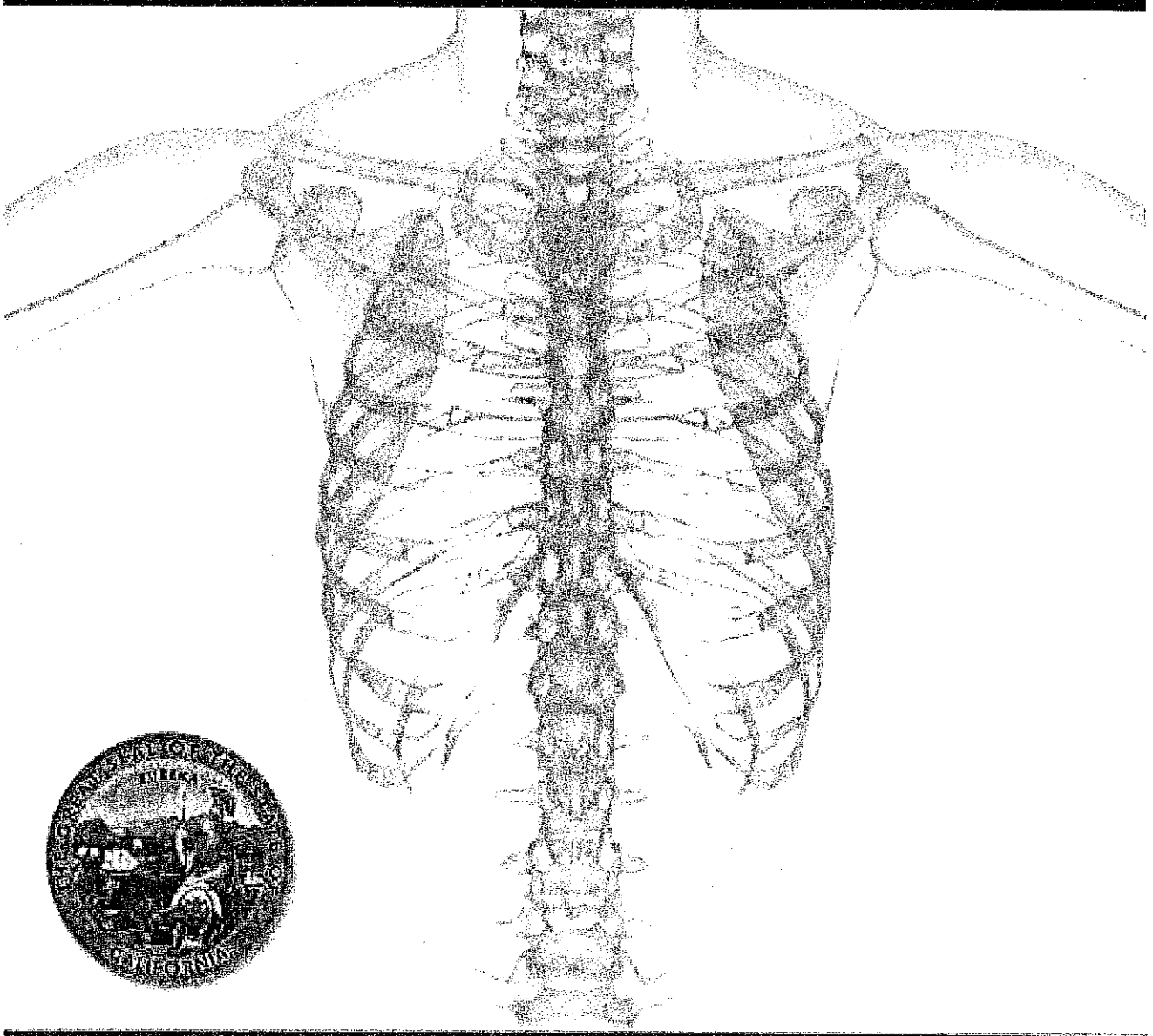
Ted Evans

Ted Joined SOLID in 2014. At DCA he has developed strategic plans for the Architects Board and the Bureau of Security and Investigative Services. Ted previously worked as a Systems Engineer on the new product implementation team at Meridian Systems. While at Meridian, he created deployment plans, training coursework, knowledge base documentation, and testing metrics. Additionally, he created process maps to support and train clients in their transition to new software. Ted also brings over 15 years of operational management expertise, specializing in process improvement. He developed and implemented successful strategic plans and operations analysis for technology service providers and high-volume restaurant/entertainment facilities. Ted has degrees in Information Technology and Physical Science/Mathematics, and a Bachelor of Science from CSU, Sacramento in Business Administration with a concentration in Human Resources & Organizational Behavior.

Brianna Miller

Brianna joined the SOLID team in 2015. Brianna has worked for the Department of Consumer Affairs (DCA) since 2010, serving at the Board of Optometry, the Bureau of Automotive Repair (BAR) and, most recently, as the DCA's Policy Coordinator in the Division of Programs & Policy Review. In her role as Policy Coordinator, Brianna facilitated policy discussions in monthly Policy Review Committee meetings. Additionally, Brianna has drafted procedural guides and handbooks, and has led presentations for DCA staff and stakeholders. Brianna graduated from University of California, Davis with a B.A. in Psychology and is expecting to complete a Master's of Science degree in Industrial/Organizational Psychology in Summer 2015. Brianna brings graduate-level Organizational Development and Organizational Psychology knowledge in psychometrics, data analysis, needs assessments, job analyses and employee behavior to SOLID's clients.

2014–2017 Strategic Plan



Board of

Chiropractic Examiners

State of California

Members of the Board of Chiropractic Examiners

Sergio Azzolino, D.C., Chair

Heather Dehn, D.C., Vice-Chair

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

Corey Lichtman, D.C., Member

Dionne McClain, D.C., Member

John Roza, Jr., D.C., Member

Frank Ruffino, Public Member

Robert Puleo, Executive Officer

Edmund G. Brown, Jr., Governor

Anna M. Caballero, Secretary, Business, Consumer Services and Housing Agency

Awet Kidane, Director, Department of Consumer Affairs

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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.

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

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 Board of Chiropractic Examiners 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.

Overview of Strategic Planning

SOLID begins strategic planning by conducting a preliminary meeting with the Executive Officer and Board staff management to learn about the background of the Board of Chiropractic Examiners, identify key areas of focus, define roles and responsibilities, and establish a customized strategic planning schedule.

To understand the environment in which the Board operates and identify factors that could impact the Board's success, SOLID conducted a scan and analysis of the internal and external environments by collecting information through the following methods:

- An online survey sent to twenty-four Board stakeholders, comprised of chiropractic professional associations, Board approved schools or colleges, and others who expressed interest in the strategic direction of the Board. Sixteen stakeholders responded to the survey.
- Telephone interviews with six Board members conducted during the month of May 2013.
- Focus group discussion on June 13, 2013, with Board staff, managers, and the Executive Officer.

The most significant themes and trends identified from the environmental scan were discussed by the Board during a strategic planning session facilitated by SOLID. This information guided the Board in development of its Vision, Mission, and Values, and directed the strategic goals and objectives outlined in this strategic plan for the Board to accomplish over the next four years 2014–2017.

Significant 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.

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.

Strategic Goals and Objectives

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Goal 1: Licensing

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

The objectives and action items 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.

Objective Measurement
Adherence to timeframes and completed review of existing policies/procedures.
Action Item
1.1.1 Conduct evaluation of workload and processing timeframes (e.g., monthly reports, quarterly statistics, process goals), and determine discrepancies.
1.1.2 Compare internal processes to similar health profession boards to identify best practice processing timeframes.
1.1.3 Review statistics and existing policies/procedures to identify areas for improvement.
1.1.4 Adjust workload policies and procedures and/or goals for greater efficiency.

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.

Objective Measurement
Successful implementation of BreEZe.
Action Item
1.2.1 Correspond regularly with DCA's BreEZe team until phase 3 rollout is completed.
1.2.2 Actively work with Breeze development team to define business needs, test system, and clean up data in preparation for Breeze implementation.
1.2.3 Train all BCE staff on Breeze.

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

Objective Measurement
Presentation of findings to the Licensing, Continuing Education, & Public Relations Committee.
Action Item
1.3.1 Evaluate the curriculum of foreign schools to ensure it meets BCE requirements.
1.3.2 Determine standards of the Chiropractic Council of Education (CCE) and the Councils on Chiropractic Education International (CCEI) to meet minimum standards of equivalence.
1.3.3 Identify needed changes to existing regulations.
1.3.4 Present findings to the Licensing, Continuing Education, & Public Relations Committee.

Goal 2: Regulation and Enforcement

Enforce laws and regulations to ensure consumer protection.

The objectives and action items 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.

Objective Measurement
Successful creation of standards, training, and an Expert Consultant evaluation.
Action Item
2.1.1 Consult with DCA's Legal Affairs about the ability to test and evaluate expert consultants to ensure consistency in reporting.
2.1.2 Develop qualifications and proficiency standards for expert consultants with the Enforcement & Scope of Practice Committee to define criteria and standards for expert consultant selection.
2.1.3 Review regulations to more clearly define standards of care to establish consistency among expert consultants.
2.1.4 Conduct a needs assessment to identify existing materials, gaps, and determine what is needed for training expert consultants.
2.1.5 Consult with SOLID to create a training course for expert consultants to provide more in-depth training.

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

Objective Measurement
Communication updates of trends and areas of concern provided at Board meetings.
Action Item
2.2.1 Monitor legislation that impacts the Board and its authority during the legislative cycle (Jan – Sept).
2.2.2 Communicate with legislative staff throughout the legislative process: Analyze legislation, send position letters and testify at hearings.
2.2.3 Monitor the legislative activities of special interest groups and determine the impact to the Chiropractic Act.
2.2.4 Work with the Government Affairs & Strategic Planning Committee to keep lines of communication open with the legislative staff and the Legislature.
2.2.5 Update Board members on trends and special interest group areas of concern at Board meetings.

2.3 Review and revise the Board's disciplinary guidelines.

Objective Measurement
Completion of regulatory process.
Action Item
2.3.1 Conduct review of new laws and current disciplinary guidelines. Work with the Enforcement & Scope of Practice Committee to identify changes.
2.3.2 Identify areas of improvement and prepare a draft with proposed changes.
2.3.3 Prepare proposed regulatory language in document and display changes.
2.3.4 Submit document to Board for review and approval.
2.3.5 Complete the regulatory process.

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

Objective Measurement
Successful implementation of BreEZe.
Action Item
2.4.1 Correspond regularly with DCA's BreEZe team until phase 3 rollout is completed.
2.4.2 Actively work with Breeze development team to define business needs, test system, and clean up data in preparation for Breeze implementation.
2.4.3 Train all BCE staff on Breeze.

Goal 3: Professional Qualifications and Continuing Education

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

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

3.1 Establish provider review standards for continuing education providers.

Objective Measurement
Completion of regulatory process.
Action Item
3.1.1 Define proficiency standards for Continuing Education (CE) providers with the Licensing, Continuing Education, & Public Relations (LIC/CE/PR) Committee.
3.1.2 Prepare proposed regulatory language in document and display changes.
3.1.3 Submit document to the Board for review and approval.
3.1.4 Complete the regulatory process.

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.

Objective Measurement
Developed auditing mechanism to maintain quality of CE courses and integrity of the CE process.
Action Item
3.2.1 Review regulations to determine criteria for course content.
3.2.2 Develop an auditing form/checklist for CE courses.
3.2.3 Provide a quarterly list of new CE providers and dates for upcoming courses to the Licensing, Continuing Education, & Public Relations Committee.
3.2.4 The Licensing, Continuing Education, & Public Relations (LIC/CE/PR) Committee assigns auditors to attend CE courses and audit providers.
3.2.5 Submit audit forms to the CE Manager and take action as appropriate.

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

Objective Measurement
Presentation of findings to the Licensing, Continuing Education, & Public Relations (LIC/CE/PR) Committee.
Action Item
3.3.1 Collect and evaluate complaints and compile statistics regarding enforcement trends and new laws related to CE course work.
3.3.2 Develop a process to conduct random audits of licensees' compliance with CE regulations and course completion.
3.3.3 Identify the top 10 licensee violations and disseminate to CE providers as topics for CE courses.
3.3.4 Present findings to the LIC/CE/PR Committee to determine the next action items.

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

Objective Measurement
Chair appoints a Board member liaison who provides bi-annual reports to the Board.
Action Item
3.4.1 Assign a professional Board member to serve as a liaison to professional organizations and BCE.
3.4.2 Update Board member manual to reflect new duties and responsibilities of the Board liaison role.
3.4.3 Board member liaison regularly communicates with other chiropractic oversight organizations.
3.4.4 Report findings to the Board.

Goal 4: Organizational Effectiveness

Efficiently utilize resources to meet goals and objectives.

The objectives and action items 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.

Objective Measurement
Updated onboarding program and materials for Board members.
Action Item
4.1.1 Establish a process to invite new Board members to visit the BCE office to gain understanding of office functions.
4.1.2 Develop a Board member mentor program.
4.1.3 Survey Board members to assess needs and determine the types of materials to include in the new Board member manual.
4.1.4 Based on the needs assessment results, develop a new employee/ welcome binder for new Board members with BCE overview, BCE budget, administrative processes, and historical information.
4.1.5 Work with the Government Affairs & Strategic Planning Committee to update the Board Administration Manual.
4.1.6 Present the onboarding manuals for Board approval.

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

Objective Measurement
Board member satisfaction of materials and awareness of BCE staff functions.
Action Item
4.2.1 Schedule BCE office visits for Board members.
4.2.2 Implement email blasts of Board related events to notify Board members of BCE, DCA BMOT, and association meetings.
4.2.3 Survey Board members to determine the types of materials requested.
4.2.4 Based on feedback, develop materials that provide overview of BCE staff functions.
4.2.5 Provide Board program overview information to Board members.

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

Objective Measurement
Increased public attendance and participation at Board Meetings.
Action Item
4.3.1 Establish a process that would encourage licensees to attend Board meetings (e.g., credit earned toward professional development).
4.3.2 Invite school representatives as guest speakers at Board meetings.
4.3.3 Send Board meeting calendar to schools, colleges, and associations to disseminate.
4.3.4 Ask professional associations to publicize Board meeting dates.
4.3.5 Work with DCA's Office of Public Affairs to regularly update Twitter, Facebook, and other social media channels to increase awareness of Board meeting dates.
4.3.6 Identify and implement methods to increase accessibility to Board meetings.

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 and action items to meet this goal are listed below in order of priority:

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

Objective Measurement
Developed communication plan is approved by the Licensing, Continuing Education & Public Relations (LIC/CE/PR) Committee.
Action Item
5.1.1 Forward the DCA Board/Bureau/Program meeting schedule email to Board members.
5.1.2 Contact the DCA Office of Public Affairs for information on development of a BCE Communication Plan.
5.1.3 Identify DCA resources and examples for the communication plan.
5.1.4 Executive Officer shares the gathered information with the LIC/CE/PR Committee.
5.1.5 Establish Board communication protocols and best practices for the communication plan.
5.1.6 Develop the BCE Communication Plan.

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.

Objective Measurement	
Consumer education material is created, approved by the Board, and distributed to stakeholders and target audiences.	
Action Item	
5.2.1A	Contact the DCA Office of Publications, Design, and Editing about creating publications to educate consumers, licensees, and students.
5.2.2A	Present samples from the DCA Office of Publications, Design, and Editing to the LIC/CE/PR Committee.
5.2.3A	LIC/CE/PR Committee Chair will form a task force to develop publication content.
5.2.4A	Convene the task force to develop a prototype for the LIC/CE/PR Committee's review.
5.2.5A	Present the prototype to the Board for approval.
5.2.6A	Prepare approved materials for electronic distribution to stakeholders and target audiences.

Objective Measurement	
Quarterly newsletter is created and distributed to stakeholders and target audiences.	
Action Item	
5.2.1B	Research areas of interest for quarterly newsletter articles and identify targeted consumers and licensees.
5.2.2B	Draft newsletter articles for the LIC/CE/PR Committee's review.
5.2.3B	DCA Office of Publications, Design, and Editing formats the newsletter.
5.2.4B	DCA Legal Affairs reviews the newsletter and BCE staff submit the newsletter for Board approval.
5.2.5B	Approved newsletter is prepared for electronic distribution to consumers and licensees.

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

Objective Measurement
Identified website enhancements are approved by the Board and updated on the BCE website.
Action Item
5.3.1 Conduct a needs assessment of the BCE website with Board members to identify gaps and areas of improvement.
5.3.2 Review the needs assessment findings and identify ideas for website enhancements.
5.3.3 Present recommendations to the Board for approval.
5.3.4 Consult with the Office of Publications, Design, and Editing web team to enhance the BCE website with the Board's approved enhancements.

Goal 6: Professional Advancement

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

The objectives and action items 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.

Objective Measurement
Board Liaison is appointed by the Chair and reports bi-annual updates to the Board.
Action Item
6.1.1 Appoint a professional Board member to serve as a liaison to monitor national trends related to scope of practice and report information to the Board.
6.1.2 Update the Board member manual to reflect new duties and responsibilities of the Board Liaison.
6.1.3 Board Liaison regularly communicates with other health care organizations.
6.1.4 Report updates to the Board.

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

Objective Measurement
Bi-annual report of chiropractic care trends provided to the Board.
Action Item
6.2.1 Review chiropractic trends and identify what chiropractors can do within existing regulations.
6.2.2 Explore the possibility of amending the Chiropractic Act and Section 302 of regulations to clarify or expand the scope of practice and provide recommendations to the Board.
6.2.3 Monitor trends in chiropractic care and communicate with organizations to stay current.
6.2.4 Report to the Board on chiropractic care trends.

6.3 Embrace the role of the chiropractic specialties.

Objective Measurement
The Enforcement/SOP Committee provides recommendations to the Board.
Action Item
6.3.1 Explore the possibility of amending the Chiropractic Act or regulation to recognize chiropractic specialties.
6.3.2 Develop recommendations for the Board's decision of the next action items.

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 and action items 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.

Objective Measurement
Subscription and identification of regulatory notices impacting BCE.
Action Item
7.1.1 Subscribe to other DCA health care boards email subscriptions to receive email blasts of information updates.
7.1.2 Review email updates and identify important information to communicate to Board members.
7.1.3 Participate in the Executive Officer Roundtable Meeting and forward information to Board members.
7.1.4 Monitor the Office of Administrative Law regulatory notices of current and pending regulation packages, and disapprovals from other DCA health care programs and boards.
7.1.5 Report to the Board on regulatory notices impacting the BCE.

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.

Objective Measurement
Identified outreach events and implemented Board approved recommendations.
Action Item
7.2.1 Work with the Government Affairs & Strategic Planning Committee to identify target groups for outreach.
7.2.2 Research and work with the DCA Outreach Unit to identify events for outreach.
7.2.3 Provide recommendations to the Government Affairs & Strategic Planning Committee.
7.2.4 Provide recommendations to the Board.
7.2.5 Implement the Board approved recommendations to increase awareness.

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Agenda Item

#4

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Agenda Item 4
January 14, 2016

Review and Discussion of BCE Strategic Plan Goals Assigned to the Government Affairs & Strategic Plan Committee

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Purpose of the item:

Committee members will receive a brief update on any progress made completing Strategic Plan Goals since the last Committee meeting.

Action(s) requested

During this agenda item, Committee members will have the opportunity to discuss the Strategic Plan Goals and make modifications if necessary.

Background:

At each Government Affairs & Strategic Planning Committee meeting, Committee members review and receive an update on the progress made toward completing the BCE Strategic Plan Goals.

Recommendation(s)

Staff has no recommendation at this time.

Next Step

N/A

Attachment(s)

- Strategic Plan Goals Update

GOAL 4: ORGANIZATIONAL EFFECTIVENESS

Efficiently utilize resources to meet goals and objectives.

The objectives and action items 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.

Objective Measurement		
Updated onboarding program and materials for Board members.		
Action Item	**Responsible Party**	**Completion Date**
4.1.1 Establish a process to invite new Board members to visit the BCE office to gain understanding of office functions.	Administration Manager/ Executive Officer	Completed (Annually with appointment of new members.)
4.1.2 Develop a Board member mentor program.	Administration Manager/ Executive Officer	Completed
4.1.3 Survey Board members to assess needs and determine the types of materials to include in the new Board member manual.	Administration Manager/ Executive Officer	Completed
4.1.4 Based on the needs assessment results, develop a new employee/welcome binder for new Board members with BCE overview, BCE budget, administrative processes, and historical information.	Administration Manager/ Executive Officer	Completed
4.1.5 Work with the Government Affairs & Strategic Planning Committee to update the Board Administration Manual.	Administration Manager/ Executive Officer/	Completed Annually
4.1.6 Present the onboarding manuals for Board approval.	Administration Manager/ Executive Officer	Completed

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

Objective Measurement		
Board member satisfaction of materials and awareness of BCE staff functions.		
Action Item	**Responsible Party**	**Completion Date**
4.2.1 Schedule BCE office visits for Board members.*	Administration Manager/ Executive Officer	Completed (Ongoing)
4.2.2 Implement email blasts of Board related events to notify Board members of BCE, DCA BMOT, and association meetings.	Administration Manager/ Executive Officer	Completed (Ongoing)
4.2.3 Survey Board members to determine the types of materials requested.	Administration Manager/ Executive Officer	Completed
4.2.4 Based on feedback, develop materials that provide overview of BCE staff functions.	Administration Manager/ Executive Officer	Completed
4.2.5 Provide Board program overview information to Board members.	Administration Manager/ Executive Officer	Completed

* BCE office visits for Board members are optional, but recommended by the Board Chair.

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

Objective Measurement		
Increased public attendance and participation at Board Meetings.		
Action Item	**Responsible Party**	**Completion Date**
4.3.1 Establish a process that would encourage licensees to attend Board meetings (e.g., credit earned toward professional development).	Administration Manager/ Executive Officer	Completed (Ongoing)
4.3.2 Invite school representatives as guest speakers at Board meetings.	Administration Manager/ Executive Officer	Completed (Bi-annually)
4.3.3 Send Board meeting calendar to schools, colleges, and associations to disseminate.	Administration Manager/ Executive Officer	Completed (Quarterly)
4.3.4 Ask professional associations to publicize Board meeting dates.	Administration Manager/ Executive Officer	Completed (Quarterly)
4.3.5 Work with DCA's Office of Public Affairs to regularly update Twitter, Facebook, and other social media channels to increase awareness of Board meeting dates.	Administration Manager/ Executive Officer	Completed (Ongoing)
4.3.6 Identify and implement methods to increase accessibility to Board meetings.	Administration Manager/ Executive Officer	Q1 2017 (Ongoing)

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 and action items 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.

Objective Measurement		
Subscription and identification of regulatory notices impacting BCE.		
Action Item	**Responsible Party**	**Completion Date**
7.1.1 Subscribe to other DCA health care boards email subscriptions to receive email blasts of information updates.	Executive Officer/ Administration Manager	Completed (Ongoing)
7.1.2 Review email updates and identify important information to communicate to Board members.	Executive Officer/ Administration Manager	Completed (Ongoing)
7.1.3 Participate in the Executive Officer Roundtable Meeting and forward information to Board members.	Executive Officer/ Administration Manager	Completed (Ongoing)
7.1.4 Monitor the Office of Administrative Law regulatory notices of current and pending regulation packages, and disapprovals from other DCA health care programs and boards.	Policy Analyst	Completed (Ongoing)
7.1.5 Report to the Board on regulatory notices impacting the BCE.	Policy Analyst	Ongoing (As needed)

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.

Objective Measurement		
Identified outreach events and implemented Board approved recommendations.		
Action Item	**Responsible Party**	**Completion Date**
7.2.1 Work with the Government Affairs & Strategic Planning Committee to identify target groups for outreach.	Policy Analyst/ Sponsor: Government Affairs & Strategic Planning Committee	Q1 2016
7.2.2 Research and work with the DCA Outreach Unit to identify events for outreach.	Policy Analyst Sponsor: Government Affairs Committee	Q1 2016
7.2.3 Provide recommendations to the Government Affairs & Strategic Planning Committee.	Policy Analyst Sponsor: Government Affairs Committee	Q1 2016
7.2.4 Provide recommendations to the Board.	Policy Analyst Sponsor: Government Affairs Committee	Q1 2016
7.2.5 Implement the Board approved recommendations to increase awareness.	Policy Analyst	Q2 2016

Agenda Item

#5

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Agenda Item 5
January 14, 2016

Review and Possible Action Regarding the Board Member Administrative Manual

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Purpose of the item:

This agenda item will provide Committee Members with an opportunity to conduct the annual review of the Board Member Administrative Manual. This Administrative Manual review is a helpful exercise to deepen Board Members understanding of their roles and responsibilities as Board Members.

Action(s) requested

Committee members will review the Board Member Administrative Manual, and if necessary, offer edits, and direct staff to make changes as discussed.

Background:

Annually, the Board conducts a comprehensive review of its Board Member Administrative Manual. This review allows Committee Members a chance to review the Administrative Manual in order to ensure Board policies and procedures are relevant and reflect the current practices of the Board and staff.

The BCE Administrative Manual was created to serve as a reference guide regarding the functions of the BCE and its committees, roles of BCE members, BCE leadership and committee members, and procedures for BCE and committee meetings. The Administrative Manual also provides general information regarding Board operations procedures, Board administration and staff, and other policies and procedures.

Recommendation(s)

Staff has no recommendations at this time.

Next Step

The amended Administrative Manual will be provided to the full Board for review at the next Board Meeting.

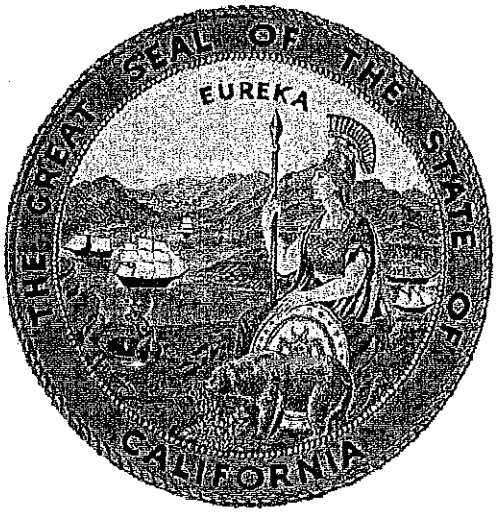
Attachment(s)

- BCE Board Member Administrative Manual

State of California

BOARD OF CHIROPRACTIC EXAMINERS
BOARD MEMBER
ADMINISTRATIVE PROCEDURE MANUAL

Adopted October 2007
Revised January 2015



Edmund G. Brown Jr., Governor
State of California

MISSION STATEMENT

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

Members of the Board

Sergio Azzolino, D.C., Chair
Heather Dehn, D.C., Vice Chair
Julie A. Elginer, Dr.PH, Secretary
Dionne McClain, D.C.
John Roza, D.C.
Corey Lichtman, D.C.
Frank Ruffino, Public Member

Executive Officer
Robert C. Puleo

This procedure manual is a general reference including a review of some important laws, regulations, and these basic Board policies in order to guide the actions of the Board Members and ensure Board effectiveness and efficiency. The Chiropractic Initiative Act of 1922 (the Act) will be referenced and summarized throughout this procedure manual.

This Administrative Procedure Manual, regarding Board Policy, can be amended by four affirmative votes of any current or future Board.

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CHAPTER 1. Introduction

Overview

The Board of Chiropractic Examiners (Board) was created on December 21, 1922, through an initiative measure approved by the electors of California on November 7, 1922.

The Act states it is... "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith..."

The powers and authority of the Board is specifically defined in Section 4 of the Act. In general, the board is a policy-making and administrative review body comprised pursuant to the provisions of Section 1 to 20 of the Act. The Board, when full, is comprised of seven Members, five professional and two public, each appointed by the Governor. The Board's paramount purpose is to protect California consumers through the enforcement of the Act, other applicable laws and the California Code of Regulations related to the Practice of Chiropractic, identified herein as the Board's regulations. The Board is also mandated by the Initiative to supervise licensees, chiropractic colleges, and continuing education for relicensing.

Acronyms

ALJ	Administrative Law Judge
AG	Office of the Attorney General
APA	Administrative Procedure Act
BCE	Board of Chiropractic Examiners
B&P	Business and Professions Code
CalHR	California Department of Human Resources
CATS	Computer Assisted Testing Service
CCCP	California Code of Civil Procedure
CCR	California Code of Regulations
CE	Continuing Education
CLEAR	Council on Licensure Enforcement & Regulations
DAG	Deputy Attorney General
DCA	Department of Consumer Affairs
DOF	Department of Finance
DOI	Department of Insurance
DWC	Division of Workers Compensation
EO	Executive Officer
FCLB	Federation of Chiropractic Licensing Boards
NBCE	National Board of Chiropractic Examiners
SAM	State Administrative Manual
SCIF	State Compensation Insurance Fund
VCGCB	Victim Compensation and Government Claims Board

General Rules of Conduct

All Board Members shall act in accordance with their oath of office, and shall conduct themselves in a courteous, professional and ethical manner at all times. The Board serves at the pleasure of the governor, and shall conduct their business in an open manner, so that the public that they serve shall be both informed and involved, consistent with the provisions of the Bagley-Keene Open Meeting Act and all other governmental and civil codes applicable to similar boards within the State of California.

- Board Members are part of a state regulatory board and your individual rights to make independent public comments or statements takes a second place to supporting a uniform public presentation of a cohesive board.

- Board Members shall comply with all provisions of the Bagley-Keene Open Meeting Act and other applicable rules, regulations, codes and laws governing public employees.

- Board Members shall not speak or act for the Board without proper preauthorization from the Chair and/or EO prior to making any statement or press release. When possible, only the Chair or EO will make public statements or press statements.

- Board Members shall not privately or publicly lobby for, publicly endorse, or otherwise engage in any personal efforts that would tend to promote their own personal or political views or goals, as it pertains to issues related to jurisdiction of the Board, when those views or goals are in direct opposition to an official position adopted by the Board.

- Board Members shall not accept gifts from applicants, licensees, or members of the profession while serving on the Board. All Fair Political Practices Act Rules shall be followed.

- Board Members shall maintain the confidentiality of confidential documents and information related to Board business. Always confirm with the EO whether information is public and may be disclosed. The public's access should be from a source other than a BCE Member.

- Board Members should avoid discussion of confidential Board business with petitioners, licensees or persons not authorized to receive confidential and restricted enforcement information. Failure to do so may result in the Board Member having to recuse him/herself due to conflict of interest issues. All consumers, applicants and licensees with enforcement related questions, concerns or complaints should be referred to the EO or Chair.

- Board Members shall commit adequate time to prepare for their Board responsibilities including the reviewing of Board meeting notes, administrative

cases to be reviewed and discussed, and the review of any other materials provided to the Board Members by staff, related to official Board business.

- Submission of votes have time requirements that are critical to meeting legal timeframe constraints. Board members shall make every attempt to meet the deadlines identified by Board staff.

- BCE Members shall submit reimbursement records each month to facilitate timely reimbursement.

- All travel for Board related business, other than routine Board meetings and Committee Meetings, must be submitted in writing and preapproved by the Chair and EO before travel.

- Board Members shall recognize the equal role and responsibilities of all other Board Members and interact with one another in a polite and professional manner.

- Board Members shall act fairly, be nonpartisan, impartial, and unbiased in their role of protecting the public and enforcing the Chiropractic Initiative Act.

- Board Members shall uphold the principle that the Board's primary mission is to protect the public.

- Board Members shall follow the guidelines set forth in Executive Order 66-2.

CHAPTER 2. Board Members & Meeting Procedures

Membership
(§1 Initiative Act)

Board Members are appointed and serve in accordance with Section 1 of the Initiative Act.

Board Meetings and Offices
(§6 Initiative Act)

Board meetings must be consistent with the Initiative Act and follow the terms and provisions of the Bagley-Keene Open Meeting Act.

Board Meetings
(Government Code Section 11120 et seq. - Bagley-Keene Open Meeting Act)

The Board complies with the provisions of the Government Code Section 11120, et seq., commonly referred to the Bagley-Keene Open Meeting Act Robert's Rules of Order, as long as there is no conflict with any superseding codes, laws or regulations.

All Meetings shall follow the provisions of the Bagley-Keene Open Meeting Act.

Any meetings deviating from a standard public meeting may be called, when required, in accordance with the Bagley-Keene Open Meeting Act, Government Code Section 11125.4

Whenever practical and appropriate, the Board should utilize available technology to conduct meetings so as to minimize the time and expenditures associated with staff and Board Member travel as well as the cost of renting meeting space.

Quorum
(§3 Initiative Act)

A majority of the Board (four Members) is required to constitute a quorum. The Board shall follow the provisions of §3 of the Initiative Act requiring a quorum of four (4) Members to carry any motion or resolution, to adopt any rule or disciplinary action, or to authorize the issuance of any license provided for within the Act.

Board Member Attendance at Board Meetings
(Board Policy)

Being a Member of the Board is a serious commitment of time and effort to the governor, and the people of the State of California. Board Members shall attend a minimum of 75% of all scheduled committee meetings and scheduled Board meetings. In extraordinary circumstances, the Chair may excuse a Board Member from this obligation. If a Member is unable to attend a Board Meeting, he or she must contact the Board Chair or the Executive Officer, and provide a verbal notice followed by a written explanation of their absence as soon as possible thereafter.

Public Attendance at Board Meetings
(Government Code Section 11120 et seq.)

Meetings are subject to all provisions of the Bagley-Keene Open Meeting Act. This Act governs meetings of the state regulatory Boards and meetings of committees of those Boards where the committee consists of more than two Members. It specifies meeting notice, agenda requirements, and prohibits discussing or taking action on matters not included on the agenda. If the agenda contains matters which are appropriate for closed session, the agenda shall cite the particular statutory section and subdivision authorizing the closed session.

Agenda Items
(Board Policy)

Board Members may submit agenda items for a future Board meeting during the "Future Agenda Items" section of a Board meeting or directly to Executive Officer 21days prior to a Board meeting

Agenda item requests shall be placed on the Board or Committee meeting agenda within two meetings from receipt of the original request.

In the event of a conflict in scheduling an agenda topic, the Board Secretary will discuss the proposed agenda item with the Board Chair, and the Board Chair shall make the final decision to schedule the item at the upcoming or following Board Meeting. The Board Secretary will work with the Executive Officer to finalize the agenda.

Notice of Meetings
(Government Code Section 11120 et seq.)

Meeting notices, including agendas, for Board meetings will be sent to persons on the Board's mailing list at least 10 calendar days in advance, as specified in the Bagley-Keene Open Meeting Act. The notice shall include a staff person's name, work address, and work telephone number who can provide further information prior to the meeting.

Notice of Meetings Posted on the Internet
(Government Code Section 11125 et seq.)

Meeting notices shall be posted on the Board's web site at least 10 days in advance of the meeting, and include the name, address, and telephone number of staff who can provide further information prior to the meeting.

E-Mail Ballots
(Government Code Section 11526 and Board Policy)

The Board must approve any proposed decision or stipulation before the formal discipline becomes final and the penalty can take effect.

Proposed stipulations and decisions are e-mailed to each Board Member for his or her vote. For stipulations, a background memorandum from the assigned deputy attorney general accompanies the e-mail ballot. A two-week deadline generally is given for the e-mail ballots for stipulations and proposed decisions to be completed and returned to the Board's office.

Holding Disciplinary Cases for Board Meetings
(Board Policy)

When voting on e-mail ballots for proposed disciplinary decisions or stipulations, a Board Member may wish to discuss a particular aspect of the decision or stipulation before voting. If this is the case, the ballot must be marked "hold for discussion," and the reason for the hold must be provided on the mail e-ballot. This allows staff the opportunity to prepare information being requested.

If one vote is cast to hold a case for discussion, the case is set aside and not processed (even if four votes have been cast on a decision). Instead the case is scheduled for a discussion during a closed session at the next Board meeting.

If the matter is held for discussion, staff counsel will preside over the closed session to assure compliance with the Administrative Procedure Act and Open Meeting Act.

If the Board Member is comfortable voting on the matter, but wishes to discuss the policy behind the decision or case, the ballot should be marked "Policy Issue for Discussion. I have voted above. Issue: _____." The Executive Officer will respond directly to the Member. If still unresolved or if the matter is to be referred to the Board, the policy issue will be placed on the agenda for discussion at the next Enforcement Committee Meeting.

Any time a Member votes to "hold for discussion" the Chair, EO and Legal Counsel will discuss the Member's concern(s) for educational purposes and to evaluate if any administrative policy modifications should be proposed.

Record of Meetings
(Board Policy)

All original video and audio recordings are to be maintained and archived indefinitely and never destroyed. The typed minutes are only a summary, not a transcript, of each Board meeting. They shall be prepared by Board staff and submitted for review by Board Members before the next Board meeting.

Board minutes must be approved or disapproved at the next scheduled meeting of the Board. When approved, the minutes shall serve as the official record of the meeting. The minutes of each Board meeting shall be maintained for 27 years per the Board's retention schedule.

Recording
(Government Code Section 11124.1(b))

The meeting may be audio and video recorded by the public or any other entity in accordance with the Bagley-Keene Open Meeting Act, the members of the public may tape record, videotape or otherwise record a meeting unless they are disruptive to the meeting and the Chair has specifically warned them of their being disruptive, then the Chair may order that their activities be ceased.

The Board may place audio and video recorded public board meetings on its web site at www.chiro.ca.gov.

Meeting Rules
(Board Policy)

The Board will use Robert's Rules of Order, to the extent that it does not conflict with state law (e.g., Bagley-Keene Open Meeting Act or other state laws or regulations), as a guide when conducting the meetings. Questions of order are clarified by the Board's legal counsel.

Public Comment
(Board Policy)

Public comment is always encouraged and allowed, however, if time constraints mandate, time limits may be imposed at the discretion of the Chair. Due to the need for the Board to maintain fairness and neutrality when performing its adjudicative function, the Board shall not receive any information from a member of the public regarding matters that are currently under or subject to investigation, or involve a pending or criminal administrative action.

1. If, during a Board meeting, a person attempts to provide the Board with any information regarding matters that are currently under or subject to investigation or involve a pending administrative or criminal action, the person shall be advised that the Board cannot properly consider or hear such substantive information and the person must be instructed to refrain from making such comments.

2. If, during a Board meeting, a person wishes to address the Board concerning alleged errors of procedure or protocol or staff misconduct involving matters that are currently under or subject to investigation or involve a pending administrative or criminal action, the Board will address the matter as follows:

    a. Where the allegation involves errors of procedure or protocol, the Board may designate either its Executive Officer or a Board employee to review whether the proper procedure or protocol was followed and to report back to the Board.
    b. Where the allegation involves significant staff misconduct, the Board shall direct the Executive Officer to review the allegation and to report back to the Board.

3. The Board may deny a person the right to address the Board and have the person removed if such person becomes disruptive at the Board meeting. The Board accepts the conditions established in the Bagley-Keene Open Meeting Act and appreciates that at times the public may disapprove, reprimand, or otherwise present an emotional presentation to the Board, and it is the Board's duty and obligation to allow that public comment, as provided by law.

CHAPTER 3. Travel & Salary Policies & Procedures

Board related travel incurs additional expenses and potential liabilities. The State incurs liability risk any time a Board member travels to represent the BCE, regardless of whether the Board member pays for their own travel expenses. Board members must complete the appropriate paperwork and follow established policies and procedures for timely reimbursement of travel claims.

Travel Approval
(Board Policy)

Travel arrangements for regularly scheduled Board meetings and committee meetings do not require prior approval. Any other Board related travel requires preapproval by the Board Chair and Executive Officer. Expenses and per diem reimbursement are provided to Board members in accordance with established State travel reimbursement rules.

Travel Arrangements
(Board Policy)

Board Members who prefer to make their own travel arrangements are encouraged to coordinate with the Board Liaison on lodging accommodations. You need to obtain an original receipt to submit for reimbursement. Always seek hotels that charge the state rate. Preauthorization is required if the state rate is to be exceeded.

Out-of-State Travel
(SAM Section 700 et seq.)

Out-of-state travel for all persons representing the state of California is controlled and must be approved by the Governor's Office. Permission for out-of-state travel must be obtained through the Executive Officer. Individual Board Members can not authorize out-of-state travel. Board Members will be reimbursed for actual lodging expenses, supported by vouchers, and will be reimbursed for meal and supplemental expenses. Keep all original receipts and submit with your travel expense claim.

Travel Claims
(SAM Section 700 et seq.)

Rules governing reimbursement of travel expenses for Board Members are the same as for management-level state staff. All expenses shall be claimed on the appropriate travel expense claim forms. The Board Liaison maintains these forms and completes them as needed.

The Executive Officer's travel and per diem reimbursement claims shall be submitted to the Board Chair for approval.

It is advisable for Board Members to submit their travel expense forms immediately after returning from a trip and not later than thirty days following the trip.

Salary Per Diem
(§1 Initiative Act and B&P Code Section 103)

Compensation in the form of salary per diem and reimbursement of travel and other related expenses for Board Members is regulated by the B&P Code Section 103. Board Members are paid out of the funds of the Board, as provided for within the Chiropractic Initiative Act.

Salary Per Diem
(Board Policy)

Accordingly, the following general guidelines shall be adhered to in the payment of salary per diem or reimbursement for travel:

1. A salary per diem or reimbursement for travel-related expenses shall be paid to Board Members for attendance at official Board or committee meetings.

   Attendance at gatherings, events, hearings, conferences or meetings other than official Board or committee meetings shall be approved by the Board Chair & Executive Officer prior to the Board Member's travel and attendance.

   The term "day actually spent in the discharge of official duties" shall mean such time as is expended from the commencement of a Board or committee meeting until that meeting is adjourned.

2. For Board-specified work, Board Members will be compensated for actual time spent performing work authorized by the Board Chair. This may also include, but is not limited to, authorized attendance at other gatherings, events, meetings, hearings, or conferences, such as the FCLB, NBCE, CE, Ambassador at Large, Lectures, etc.. Work also includes preparation time for Board or committee meetings and reading and deliberating mail ballots for disciplinary actions.

3. Reimbursable work does not include miscellaneous reading and information gathering unrelated to Board business and not related to any meeting, preparation time for a presentation and participation at meetings not related to official participation of the Members duties with the Board.

4. Board Members may participate on their own (i.e., as a citizen or professional) at an event or meeting but not as an official Board representative unless approved in writing by the Chair. Requests must

be submitted in writing to the Chair for approval and a copy provided to the Executive Officer. However, Board Members should recognize that even when representing themselves as "individuals," their positions might be misconstrued as that of the Board and a BCE Member must use their best effort to continue to clarify this separation.

CHAPTER 4. Board Officers & Committees

Officers of the Board
(§3 Initiative Act)

The Board shall elect at the first meeting of each new year a Chair, Vice Chair and Secretary from the Members of the Board as specified in the Initiative Act.

Officer Vacancies
(Board Policy)

The chain of administrative protocol starts with the Chair. If unavailable or recused, the Vice-Chair shall take over the duties of the Chair until the Chair returns. If the Vice-Chair is unavailable, the Secretary shall take over the duties of the Chair until the Vice Chair or Chair returns.

If the Chair becomes unable to fulfill their duties, the Vice-Chair will become the Chair until the next scheduled election. The new Chair may appoint their choice of Vice-Chair. The Secretary will remain the same. If any other officer (Vice-Chair or Secretary) becomes unavailable, the Chair shall appoint a replacement until the next general elections.

Communication Between Officers
(Board Policy)

The Chair, Vice-Chair and Secretary must have timely and effective communication for the efficient operation of the BCE. Failure to respond to email correspondences or failing to address specific topics is inconsistent with professionalism and if a repetitive failure to communicate persists, this will be discussed in a meeting with that officer the Chair and EO to resolve the concern. If all parties agree that communication can not be resolved, the Chair may agendize the ongoing concern and, if necessary, call for a special election at the next full Board Meeting.

Committee Appointments
(Board Policy)

The Chair shall establish committees, whether standing or special, as he or she deems necessary.

The composition of the committees and the appointment of the Members shall be determined by the Board Chair. The Chair may consult with the Vice Chair or Secretary and the Executive Officer. All conversations must be consistent with Bagley Keene Open Meeting Act Restrictions which mandate that no more than two Members can actively discuss Board business.

Standing Committees
(Board Policy)

The Board has three standing committees:

1. **Licensing, Continuing Education, and Public Relations Committee**
   The Committee 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.

2. **Enforcement and Scope of Practice Committee**
   The Committee 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.

3. **Government Affairs and Strategic Planning Committee**
   The Committee proposes and reviews policies, procedures, to address audit and sunset review deficiencies.

   The Committee works directly with the Executive Officer and staff to monitor budget expenditures, trends, and the Contingent Fund levels.

   The Committee shall monitor individual line item expenditure and look for anomalies with a three year pattern for purposes of preparing a budget change proposal to correct either an under or over expenditure.

   The committee will review and recommend positions on legislative bills that affect the Board. The guidelines for identifying, tracking, analyzing, taking positions on proposed legislation are set forth in the BCE "Legislative Bill Tracking" manual.

   The Committee oversees all administrative issues regarding BCE operations.

   This Committee develops draft strategic plans and monitors the Board's progress in achieving goal and objectives. The Board must develop a strategic plan once every three years. The Committee must report progress on the strategic plan annually beginning in 2013.

Committee Meetings
(Board Policy)

Each of these committees is comprised of at least two Board Members. Staff provides technical and administrative input and support. The committees are an important venue for ensuring that staff and Board Members share

information and perspectives in crafting and implementing the Board's objectives and goals.

The Board's committees allow Board Members, the public, stakeholders and staff to discuss and conduct problem solving on issues related to the Board's objective and goals. .

The committees are charged with coordinating Board efforts to reach the Board's objective and goals and achieving positive results on its performance measures.

The Board Chair designates one member of each committee as the committee's chairperson.

The committee chair will work with the Executive Officer and the Board Chair to set the committee's goals and meeting agendas. The Committee Chair coordinates the committee's work, ensures progress toward the Board's priorities, and presents reports at each meeting.

During any public committee meeting, comments from the public are encouraged, and the meetings themselves are frequently public forums on specific issues before a committee. Committees shall comply with the Bagley-Keene Open Meeting Act.

Attendance at Committee Meetings
(Board Policy and Government Code Section 11122.5 et seq.)

If a Board Member wishes to attend a meeting of a committee of which he or she is not a member, the Board Member must notify the committee chair, Executive Officer, and Board Chair.

Board Members who are not members of the committee which is meeting cannot sit at the dais, make any comment, or ask or answer any questions. Only committee members may vote during the committee meeting.

The Board's legal counsel works with the Executive Officer to assure that all meetings meet the requirements for a public meeting and are properly noticed.

Whenever possible, the Board's legal counsel shall attend committee meetings.

CHAPTER 5. General Operating Procedures

Board Member Addresses
(Board Policy)

Board Member addresses and telephone numbers are confidential and shall not be released to the public without expressed authority of the individual Board Member. A roster of Board Members is maintained for public distribution on the Board's web site using the Board's address and telephone number.

Request for DMV Confidential Status may be submitted on the completed DMV form to the Executive Officer, who will sign the form

Board Member Written Correspondence and Mailings
(Board Policy)

All correspondence, press releases, articles, memoranda or any other communication written by any Board Member in his or her official capacity must be approved by the Board Chair and Executive Officer. The Executive Officer will reproduce and distribute the document and a copy in a chronological file.

Request to Access Licensee or Applicant Records
(Board Policy)

Board Member shall not access a licensee's, or applicant's file without the Executive Officer's knowledge and approval. Records or copies of records shall not be removed from the Board's office at any time.

Communications with Other Organizations & Individuals
(Board Policy)

The Board has an "Ambassador at Large" program allowing Board Members to speak at public or private functions.

All communications relating to any Board action or policy to any individual or organization shall be made only by the Chair of the Board, his or her designee, or the Executive Officer.

Any Board Member who is contacted by any of the above should inform the Board Chair or Executive Officer of the contact immediately.

All correspondence shall be issued on the Board's standard letterhead and will be disseminated by the Executive Officer.

Press Statements and Contacts
(Board Policy)

Members shall direct press inquiries to the Executive Officer who will work in conjunction with DCA Public Affairs Office to respond. Only the Board Chair or Executive Officer are authorized to publically represent the Board to the press or news agents, reporters or agencies.

Business Cards
(Board Policy)

Business cards will be provided to each Board Member with the Board Member's name and official BCE e-mail address. The business cards will provide the Board office address, telephone and fax numbers, and website address.

Board Members' personal business cards shall not reference or list their appointment as a BCE Member.

BCE Identification Cards
(Board Policy)

BCE Members shall be issued an identification card from BCE that list they are appointed and commissioned and duly sworn, and if an officer of the BCE, that shall be stated.

CHAPTER 6. Board Administration & Staff

Executive Officer
(§3 Initiative Act)

The Board employs an Executive Officer and establishes his/her salary in accordance with the State law.

The Executive Officer is responsible for the financial operations and integrity of the Board, and is the official custodian of records. The Executive Officer is an "exempt" employee, who serves at the pleasure of the Board, and may be terminated, in accordance with the provisions of the Bagley-Keene Open Meeting Act.

Executive Officer Evaluation
(Board Policy)

At the first Board meeting of each fiscal year or at any time thereafter as determined by the Board, the Board evaluation of the Executive Officer is presented by the Board Chair, or his/her Board Member designee, during a closed session. Board Members provide information to the Chair on the Executive Officer's performance in advance of this meeting. If the Board members have concerns with an Executive Officer's performance, the Board members should consult with the Deputy Director of DCA's Legal Affairs Office.

Board Administration
(Board Policy)

Strategies for the day-to-day management of programs and staff shall be the responsibility of the Executive Officer as an instrument of the Board. The Executive Officer supervises and administers the staff. Board Members shall not directly discipline, reprimand, or otherwise supervise staff.

Board Staff
(§4 Initiative Act)

Employees of the Board, with the exception of the Executive Officer, are civil service employees. Their employment, pay, benefits, discipline, termination, and conditions of employment are governed by myriad civil service laws and regulations and often by collective bargaining labor agreements.

Because of this complexity, the Board delegates this authority and responsibility for management of the civil service staff to the Executive Officer as an instrument of the Board.

Board Members may express any staff concerns to the Executive Officer but shall refrain from involvement in any civil service matters. Board Members shall not become involved in the personnel issues of any state employee.

Board Budget
(Board Policy)

One member of the Board, designated by the Board Chair, and the Executive Officer or the Executive Officer's designee will attend and testify at legislative budget hearings to communicate all budget issues to the Administration and Legislature. The Executive Officer or his/her designee shall communicate regularly with DCA's Budget Office and report all issues to the Board.

Strategic Planning
(Board Policy)

The Board must develop a strategic plan once every three years, beginning in 2013. The Government Affairs Committee shall have overall responsibility for the Board's strategic planning process and shall assist staff in the monitoring and reporting of the strategic plan to the Board.

CHAPTER 7. Other Policies & Procedures

Various Other Tasks and Responsibilities
(Board Policy)

Promotion of public safety is enhanced with goal orientation and focus. The Board shall also assign Board Members and/or staff to serve as liaison to the following entities:

- FCLB
- NBCE
- Continuing Education Audits
- Ambassador at Large Presentations
- Lectures
- Attend Meetings of Other Regulatory Boards
- Meetings with EO, Colleges, and Associations

This process shall be overseen by the Vice-Chair in consultation with the Chair.

Board Member Disciplinary Actions
(Board Policy)

If a Board Member violates any provision of the Administrative Procedure Manual, the Chair will either telephone or write to that Member identifying the concern. If the matter is not resolved, the Chair may agendize the matter at the next Board meeting.

If the violation concerns the Chair's conduct, the Vice-Chair will handle the matter until it is resolved.

Terms and Removal of Board Members
(§2 Initiative Act)

The Governor shall appoint the Members of the Board. Each appointment shall be for the term of four years, except that an appointment to fill a vacancy shall be for the unexpired term only. Each Member shall serve until his successor has been appointed and qualified or until one year has elapsed since the expiration of his term whichever first occurs.

No person shall serve more than two consecutive terms on the Board nor be eligible for appointment thereafter until the expiration of four years from the expiration of such second consecutive term, effective January 2, 1974. The Governor may remove a Member from the Board after receiving sufficient proof of the inability or misconduct of said Member.

Resignation of Board Members
(Government Code Section 1750 (b))

In the event that a Board Member chooses to resign, a letter shall be sent to the Governor's Office with the effective date of the resignation. Written notification is required by state law. A copy of this letter shall also be sent to the Board Chair and the Executive Officer.

Conflict of Interest
(Government Code Section 87100)

Board Members are responsible for complying with the California Political Reform Act (Government Code Sections 81000-91014).

Board Members must file a Statement of Economic Interest (Form 700) upon appointment to office, upon leaving office, and on an annual basis in between.

No Board Member may make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest.

Any Board Member who has a financial interest shall disqualify him or herself from making or attempting to use his or her official position to influence the decision.

Any Board Member who feels he or she is entering into a situation where there is a potential for a conflict of interest should immediately consult the Executive Officer or the Board's legal counsel.

Contact with Licensees and Applicants
(Board Policy)

Board Members shall not intervene on behalf of a licensee or applicant for licensure for any reason. They should forward all correspondence, contacts or inquiries to the Executive Officer.

Contact with Respondents
(Board Policy)

Board Members should not directly participate in complaint handling and resolution or investigations. To do so would subject the Board Member to disqualification in any future disciplinary action against the licensee.

Board Members should not discuss pending disciplinary matters with any parties to such matters, including the respondent, his/her attorney, BCE enforcement staff, and DAGs. If a Board Member is contacted by a party to a disciplinary matter, the Board Member should refer the individual to the

Executive Officer. When in doubt, the Board Member should seek advice from the Executive Officer or the Board's Legal Counsel.

Service of Legal Documents
(Board Policy)

If a Board Member is personally served as a party in any legal proceeding related to his or her capacity as a Board Member, he or she must contact the Executive Officer immediately.

Serving as an Expert Witness
(Executive Order 66.2)

Pursuant to Executive Order 66-2, no employment, activity, or enterprise shall be engaged in by any gubernatorial appointee which might result in, or create the appearance of resulting in any of the following:

1. Using the prestige or influence of a State office for the appointee's private gain or advantage.

2. Using state time, facilities, equipment, or supplies for the appointee's private gain or advantage, or the private gain or advantage of another.

3. Using confidential information acquired by virtue of State involvement for the appointees private gain or advantage, or the private gain or advantage of another.

4. Receiving or accepting money or any other consideration from anyone other than the State for the performance of an act which the appointee would be required or expected to render in the regular course of hours of his or her State employment or as a part of the appointee's duties as a State officer.

Request for Grants
(Board Policy)

All requests for funding allocations to Board specific projects shall be approved by the Board during a regularly scheduled meeting.

Any requests for grants outside of Board business or projects must be made by the Executive Officer at the Chair's direction. If a Board Member makes an individual request, a copy of the request shall be forwarded to the Executive Officer as soon as possible.

The mechanism for receipt, management, and dispersal of funds shall be pre-arranged and approved by the Board.

Gifts from Licensees and Applicants
(Board Policy)

Gifts of any kind create potential obligations or conflicts of interest and should therefore be declined or reported pursuant to the California Political Reform Act.

Ex Parte Communications
(Government Code Section 11430.10 et seq.)

The Government Code contains provisions prohibiting ex parte communications. An "ex parte" communication is a communication to the decision-maker made by one party to an enforcement action without participation by the other party. While there are specified exceptions to the general prohibition, the key provision is found in subdivision (a) of section 11430.10, which states:

> "While the proceeding is pending, there shall be no communication, direct or indirect, regarding any issue in the proceeding to the presiding officer from an employee or representative of an agency that is a party or from an interested person outside the agency, without notice and an opportunity for all parties to participate in the communication."

Board Members are prohibited from an ex parte communication with Board enforcement staff, a licensee or a respondent while a proceeding is pending.

Occasionally, an applicant who is being formally denied licensure, or a licensee against whom disciplinary action is being taken, will attempt to directly contact Board Members. If the communication is written, the person should read only far enough to determine the nature of the communication. Once he or she realizes it is from a person against whom an action is pending, they should reseal the documents and send them to the Executive Officer.

If a Board Member receives a telephone call from an applicant under any circumstances or licensee against whom an action is pending, he or she should immediately tell the person they cannot speak to them about the matter and inform the Executive Officer and the Board's legal counsel.

If the person insists on discussing the case, he or she should be told that the Board Member will be required to recuse him or herself from any participation in the matter. Therefore, continued discussion is of no benefit to the applicant or licensee.

If a Board Member believes that he or she has received an unlawful ex parte communication, he or she should contact the Executive Officer and the Board's legal counsel.

The Honoraria Prohibition
(Government Code Section 89503)
(FPPC Regulations, Title 2, Division 6)

As a general rule, Members of the Board should decline honoraria for speaking at, or otherwise participating in, professional association conferences and meetings. A Member of a state Board is precluded from accepting an honorarium from any source, if the Member would be required to report the receipt of income or gifts from that source on his or her statement of economic interest.

Board Members are required to report income from, among other entities, professional associations and continuing education providers. Therefore, a Board Member should decline all offers for honoraria for speaking or appearing before such entities.

There are limited exceptions to the honoraria prohibition. The acceptance of an honorarium is not prohibited under the following circumstances:
(1) when a honorarium is returned to the donor (unused) within 30 days; (2) when an honorarium is delivered to the State Controller within thirty days for donation to the General Fund (for which a tax deduction is not claimed); and (3) when an honorarium is not delivered to the Board Member, but is donated directly to a bona fide charitable, educational, civic, religious, or similar tax exempt, non-profit organization.

In light of this prohibition, Members should report all offers of honoraria to the Board Chair so that he or she, in consultation with the Executive Officer and staff counsel, may determine whether the potential for conflict of interest exists.

Board Member Orientation
(Business & Professions Code Section 453 and Board Policy)

B&P Section 453 requires every newly appointed Board Member, within one year of assuming office, to complete a training and orientation program offered by DCA regarding, among other things, his or her functions, responsibilities, and obligations as a Member of a Board.

It is the BCE's policy that new Board Members shall, to the extent possible complete the orientation training within six months of assuming office. Additional training shall be provided at the request of the Board or individual Board Members.

Ethics Training
(Government Code Section 11146)

California law requires all appointees to take an ethics orientation within the first six months of their appointment and to repeat this ethics orientation every two years throughout their term.

Sexual Harassment Prevention Training
(Government Code Section 12950.1)

Board Members are required to undergo sexual harassment prevention training and education once every two years. Staff will coordinate the training.

Injury to a Board Member
(Labor Code Section 4600)

If you are or believe you may have been injured, notify the Executive Officer. Injuries are required to be reported and this assists the Executive Officer in remaining compliant with the Labor Code Rules and Regulations. The reported injury will be reviewed by State Compensation Insurance Fund. They have the option to either accept or deny that claim. If the claim is denied, and you believe you have a legitimate claim, you should consult with an attorney. If the claim of injury is accepted by the insurance carrier, then treatment is provided in accordance with the California Labor Code (L.C.). Specifically: L.C. 4600(a) Medical, surgical, chiropractic, acupuncture, and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches, and apparatuses, including orthotic and prosthetic devices and services, that is reasonably required to cure or relieve the injured worker from the effects of his or her injury shall be provided by the employer.

If You Have Additional Questions: Ask the Executive Officer or Staff Counsel. You can also call the Department of Industrial Relations, Division of Workers Compensation at (800) 736-7401 or go to the DWC web site at http://www.dir.ca.gov/dwc.

Addendums

Applicable provisions of the following:

- Executive Order 66-2
- Government Code
- State Administrative Manual
- Bagley-Keene Open Meeting Act
- Business and Professions Code
- Initiative Act
- Labor Code

Agenda Item

#6

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Agenda Item 6
January 14, 2016

Review of the BCE Legislative Bill Tracking Manual

Purpose of the item

Committee members will receive and review the updated Legislative Bill Tracking Manual. In order to prepare for the upcoming 2016 legislative session, the Committee members have been provided an updated manual.

Action(s) requested

Committee members will be asked to review the manual and provide comments and edits if necessary.

Background

The purpose of this manual is to provide Board Members with a comprehensive framework to understand the legislative process and their part in it. The manual will provide Board Members with the tools necessary to understand a BCE bill analysis.

Recommendation(s)

Staff has no recommendations at this time.

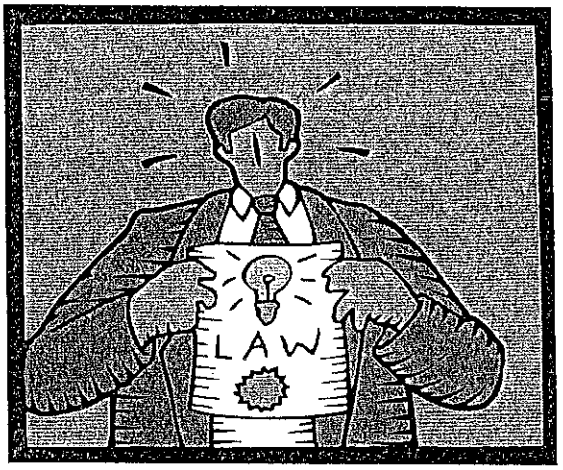
Next Step

N/A

Attachment(s)

- BCE Legislative Bill Tracking Manual
- Updated BCE Legislative Bill Tracking Manual

Legislative Bill Tracking



Board of Chiropractic Examiners

January 2014

- The Official California Legislative Information websites are: (http://www.leginfo.legislature.ca.gov) – legislative sessions beginning 1999 to present or (http://www.leginfo.ca.gov) – legislative sessions prior to 1999, maintained by the Office of Legislative Counsel, provides bill language, status, history, votes, analyses and a bill subscription service to help track specific bills. Using keywords such as chiropractor, chiropractic, manipulation, healing arts, etc., will aid in locating bills specific to the chiropractic profession.
- A Legislative Index and a Table of Sections Affected (http://www.leginfo.ca.gov/legpubs.html) allows a bill to be searched by subject matter and California Codes.
- The Department of Consumer Affairs' (DCA) Budget Office frequently contacts the BCE to obtain information on the fiscal impact of bills upon the BCE. Oftentimes, these bills affect multiple regulatory boards such as those related to health care, healing arts, etc. It is important to note whether these bills pertain to the BCE and whether the bill conflicts with the BCE's Initiative Act. (i.e. legislation requires a temporary or special license)
- Professional associations, such as the California Chiropractic Association (CCA) and the International Chiropractors Association of California (ICAC) track legislative bills that affect the profession and provide a list of bills and their position on their websites.
    1. CCA - http://capwiz.com/calchiroassn/issues/bills/
    2. ICAC - http://www.icacweb.com/
- The Governor's web page (http://www.governor.ca.gov/state/govsite/gov_homepage.jsp) contains bill signing and bill veto messages.
- Legislative Committees that hear legislation relevant to the BCE.
    1. The Senate Business and Professions Committee and Economic Development (http://sbp.senate.ca.gov/)
    2. The Assembly Business and Professions and Consumer Protection Committee (http://abp.assembly.ca.gov/)
    3. The Senate Health Committee (http://shea.senate.ca.gov/)
    4. The Assembly Health Committee (http://ahea.assembly.ca.gov/)
    5. The Senate Committee on Appropriations (http://sapro.senate.ca.gov/)
    6. The Assembly Committee on Appropriations (http://apro.assembly.ca.gov/)

3.0 Legislative Bill Analyses:

This section illustrates how to read and analyze a bill using the following steps:

- Understanding the anatomy of a bill.

- Identifying intent.
- Indentifying the prohibition, permission, or requirement statements.
- Understanding the bill's context.
- Identifying changes in existing law.
- Estimating impact.
- Developing recommendations.

This section includes a description of the choices for positions on legislation and other considerations for inclusion in the bill analysis. (An, analysis checklist, and sample bill analysis are included as Attachments at the end of this document.) The bill analysis may also contain key components which assist the Board members in deciding the appropriate action to take on a bill.

3.1 Anatomy of a Bill:

Understanding the components of a bill will help in identifying key information quickly. The first page of a bill, as shown on the Anatomy of a Bill attachment, contains the date of introduction, the date of each amendment, including the last amendment, the added or amended code sections, the vote requirement, the bill's fiscal implications, and whether there is any State-mandated local cost. Bill analyses should always be based on the most current version of the bill. Additionally, the "PDF" format should be used, rather than the "HTML" format, as it will provide an exact copy of the document as officially printed.

3.2 Bill Analysis:

A bill impact assessment checklist and a sample BCE bill analysis are provided as attachments at the end of this document. The key components of a bill analysis are:

- **Bill Number -**
- **Author**
- **Bill Version (Date)**
- **Subject** – Title of Bill
- **Sponsor**
- **Status of Bill** – Did it pass from one committee to another? Provide the date and results of the most recent vote and by whom and where the bill was referred following the vote.
- **Summary** – Brief summary of the purpose of bill.
- **Existing Law** – Specific provisions affected by the bill and their current purpose
- **This Bill Would:** – Summary of how the bill changes current law, the bill's intent and major provisions. (Does the bill impose reporting requirements, change

existing programs, implement a new program, or require coordinated implementation with multiple agencies?)

- **Background** – Brief description of the purpose of the bill addresses and how it addresses the issues(s).
- **Fiscal Impact** – Specifies the bill's operational and fiscal impact on the BCE (and other significant stakeholders). Defines whether the bill will increase revenue, change/impose fines or penalties, repeal/ reduce/add fees, and identifies resources needed by affected parties and the BCE to implement and comply with the provisions in the bill.
- **Support/Opposition** – List of parties/interested persons/organizations who have taken a formal position on the bill.
- **Arguments** (Pro/Con) – This portion should contain the BCE's arguments based on the bill's effect and the fiscal impact.
- **Staff Recommended Position** – The recommendation should be based on all the arguments discussed with the Executive Officer prior distribution to the Board members for a vote.

Analyses may be required numerous times throughout the life of a bill as the content can change significantly from one draft to the next. Furthermore, spot bills may be introduced which may not have any significant effect upon its inception and become highly controversial as the content is changed throughout its life. The California Legislative Information website allows the user to subscribe to bills of interest and receive e-mail notification whenever there is legislative action on a subscribed bill for the current session. It is also advisable to periodically contact the author and/or sponsor of a bill to enquire about the status of the bill and whether any amendments are forthcoming.

4.0 Board Action on Bills:

As part of the normal legislative cycle, the Board Members take positions on specific bills that address issues within the BCE's purview or that would have a fiscal or programmatic impact on the BCE. Legislation affecting the chiropractic scope, consumer safety or BCE funding, resources and workload are of particular interest to the BCE. For time sensitive legislation, the Government Affairs Committee reserves the right to call an emergency meeting if action is required.

4.1 Board Motions:

An analysis, bill impact assessment checklist and complete text of a bill should be presented to the Board for consideration at a Government Affairs Committee meeting. The Committee will present their recommendations for a vote at a Board meeting to take one of the following positions:

- **Support** – This bill has favorable fiscal or operation impact upon the BCE and is consistent with the laws, regulations or policies.
- **Support if Amended** – This bill is generally beneficial, but would be improved if amended. The bill analysis and letter to author should include recommended amendments.
- **Oppose** – The bill mandates unjustified costs, interferes with efficient administration or operation of the BCE, is in conflict with the policies, laws or regulations of the BCE.
- **Oppose Unless Amended** – This bill is undesirable as written, but can be made palatable by amendment. The bill analysis and letter to author should included recommended amendments.
- **Neutral** - The bill has no significant effect on the BCE; however this bill may be of interest to the board members. A letter to the author is not needed in this case.
- **Watch** – The bill has no significant effect on the BCE; however, there may be components which are likely to change and may impact the BCE in the future. This is not a formal position; therefore, a letter to the author is not needed at this time.

4.2 Board Position Letters:

Once the full board has taken a formal position on a legislative bill, the Executive Officer or staff should draft a letter to the author of the bill for the Executive Officer or Board Chair's signature. The letter should identify the version of the bill and explain the BCE's position, including a summary of the reasons which led to the position and specific changes if amendments are recommended. A letter should also be sent to the Chair and Members of each legislative committee in which the bill will be subsequently heard.

THE ANATOMY OF A BILL

Date noted each time Bill is amended. →

AMENDED IN SENATE APRIL 20, 2005

Indicates house of origin. →

SENATE BILL No. 861

← Bills are introduced in sequential order

Author(s) → Co-authors listed here.

Introduced by Senator Speier

February 22, 2005

← Date introduced

Code Section being added or amended. →

An act to amend Section 14105.7 of the Welfare and Institutions Code, relating to Medi-Cal.

Legislative Counsel drafts legislation and writes a summary. ←

LEGISLATIVE COUNSEL'S DIGEST

SB861, as amended, Speier. Medi-Cal: allowable drug product prices: updates.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services and under which qualified low-income persons receive health care benefits. Existing law requires the director to update allowable drug product prices no less often than every 30 days, with these updates to include any prior change in drug product price of which the director has received notice.

Italics indicate amending language. ~~Strikeouts~~ show deletion.

This bill would, instead, require the director to update allowable drug product prices within ~~48 hours~~ 7 days of receiving notice of a drug product price change.

Most bills require a majority vote. An urgency or fiscal measure requires a 2/3rds vote. → State mandated local cost. →

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the Sate of California do enact as follows:

Bills which affect State spending are "appropriation" measures and require 2/3rds vote.

1 SECTION 1. Section 14105.7 of the Welfare and Institutions
2 Code is amended to read:
3 14105.7. (a) In order to fairly reimburse pharmacies for the
4 furnishing of prescription drugs to Medi-Cal beneficiaries, the
5 director shall update allowable drug product prices within ~~48~~

↑

This is actual language which would have become part of the Welfare and Institutions Code had the bill not been amended several more times before being enacted. The rest of the bill language continued on subsequent pages. The text of the bill could contain "intent" or "statutory" language.

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

BILL IMPACT ASSESSMENT CHECKLIST

Bill Number: _____ Author: _____ Version (Date): _____
Recommended Position:
_____ Analyst: _____

BACKGROUND

☐ Previously introduced ☐ Similar to other current bills ☐ New Bill
☐ Clean-up ☐ Extends or repeals sunset ☐ Has Urgency Clause
☐ Amends Existing Law: Code and Section Reference _____

IMPACT OF DEPARTMENT

☐ Consistent w/Department's mission ☐ Acts on strategic issue
☐ Changes or repeals existing programs ☐ Implements new program
☐ Enhances protection efforts ☐ Weakens protection efforts

FISCAL IMPACT

☐ UNFUNDED MANDATE
☐ Added Revenue ☐ Cost savings ☐ Additional costs ☐ Neutral
☐ Changes fines/penalties ☐ Proposes new or increased fees to offset costs
☐ Repeals or reduces fees ☐ Includes appropriation
☐ Funding source: _____

REPORTING REQUIREMENTS

☐ Requires one-time report ☐ Requires annual report
☐ Requires new operating procedures ☐ Requires new forms
☐ Requires change to existing procedures ☐ Requires amended forms
☐ Requires new or amended contract ☐ Requires new study

LEGAL/ENFORCEMENT IMPLICATIONS

☐ Consistent w/Department's mission ☐ Acts on strategic issue
☐ Changes or repeals existing programs ☐ Implements new program
☐ Enhances protection efforts ☐ Weakens protection efforts

COORDINATING REQUIREMENTS

☐ Requires coordinated implementation with other boards and/or state agencies:

RECOMMENDATIONS

☐ Amendments Proposed

T (916) 263-5355
F (916) 263-5369
TT/TDD (800) 735-2929
Consumer Complaint Hotline
(866) 543-1311

Board of Chiropractic Examiners
2525 Natomas Park Drive, Suite 260
Sacramento, California 95833-2931
www.chiro.ca.gov

Board of Chiropractic Examiners

Sample Bill Analysis

Bill Number: SB 541

Author: Senator Curren Price

Bill Version: Amended April 13, 2011

Subject: Contractors' State License Regulatory boards: expert consultants

Sponsor: Contractors State License Board

Medical Board of California

STATUS OF BILL: Passed Senate Committee on B. P. & E.D (8-0), referred to Committee on Appropriations.

SUMMARY:

This bill would allow boards and bureaus within the Department of Consumer Affairs, the State Board of Chiropractic Examiners and the Osteopathic Medical Board of California to utilize expert reviewers, without going through a formal contracting process.

EXISTING LAW:

- Provides for the licensure and regulation of various professions and businesses within the Department of Consumer Affairs
- The Chiropractic Initiative Act of California provides for the licensure and regulation of the chiropractors.
- The Osteopathic Act provides for the licensure and regulation of osteopathic physicians and surgeons.
- Requires persons who apply for licensure under the various licensing acts to pass an examination approved by the board/bureau and investigate complaints and violations of the law, as well as take disciplinary action against licensees for violations of the law.
- Establishes standards relating to personal service contracts in state employment.

THIS BILL WOULD:

- Authorize these boards and bureaus to enter into an agreement with an expert consultant, subject to the standards regarding personal service contracts, to provide enforcement and examination assistance.
- Require each board/bureau to establish policies and procedures for the selection of these consultants.
- Declare that it is an urgency statute and is to take effect immediately.

BACKGROUND:

According to the sponsors, Public Contract Code requires state agencies to go through the formal contracting process for utilization of consultants. The boards and bureaus named in this bill utilize consultants for critical components of their regulatory authority including enforcement and examinations. Going through the formal contracting process would create a backlog for the boards and bureaus which would significantly impact the time required to complete the initial review and investigate complaints filed with boards/bureaus. This process would severely limit a board's/bureau's ability to take disciplinary actions against licensees and the delay imposed by this process could also result in losing cases due to expiration of the statute of limitations.

FISCAL IMPACT:

This bill will have a positive fiscal impact upon our Board, if any. The number of cases referred to experts and the amount paid to experts would not change as a result of this bill. However, if this bill does not take effect, the board will have to start entering into formal contracts with the 35 consultants it utilizes. Some of these consultants are only utilized on rare occasion due to their geographical location and/or area of expertise. Nonetheless, the board would have to spend significant time and resources preparing and executing a formal contract. If this bill is not enacted, the board will likely need additional funding and staff to absorb the increased workload.

SUPPORT & OPPOSITION:

Support:

Contractors State License Board

Medical Board of California

Court Reporters Board of California

Opposition:

None on record

ARGUMENTS:

Pro:

The proponents argue that:

- This bill will enable licensing and regulatory boards/bureaus to continue enlisting the expertise of their licensees to assist with evaluation of investigation documents, applications, educational and examination materials on an as-needed basis, primarily based on an hourly fee for services rendered.
- This bill will exempt specific boards and bureaus from formal contract requirements, which are laborious, cumbersome and time-consuming to execute.
- This bill will protect consumers by reducing the delays in enforcement cases by allowing these boards/bureaus to enter into an agreement directly with the consultant.
- Consultants are utilized for various purposes which depend greatly upon their area of expertise and the types of enforcement cases; therefore, it is difficult for a board/bureau to estimate a dollar amount for execution of a contract for each consultant.
- It is difficult to anticipate the extent to which the board will utilize an individual expert, and, therefore, the contract amount for each expert may not meet the board's needs. Under current law, the board will need to enter into a contract for a specified dollar amount with each expert without yet knowing the frequency with which we'll need the expert or the difficulty of the cases that will be referred to the expert. If the board underestimates the contract amount, we will have to cease utilizing an individual expert or go through the time-consuming process of amending the contract. If the board overestimates the contract, we will be encumbering funds that are needed for other essential board functions.

Con:

None

STAFF RECOMMENDED POSITION: SUPPORT (As Introduced/Amended on _____)

BCE Committee Recommended position of SUPPORT on _____

Full Board Voted to Take Position of SUPPORT on _____

- **Also include the text of the bill with the Bill Analysis**

Legislative Bill Tracking Manual

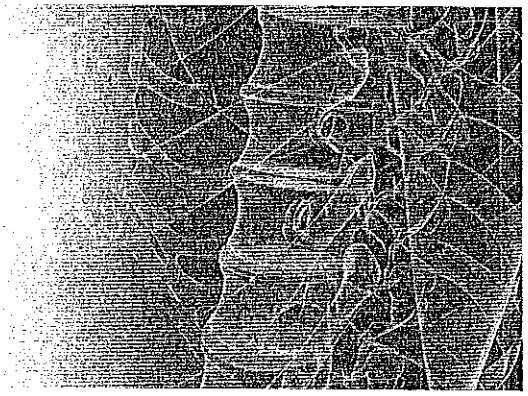
Board of Chiropractic Examiners
December 2015

Purpose of this Manual:

The purpose of this manual is to provide Board Members with a comprehensive framework to understand the legislative process and their part in it. The manual will provide Board Members with the tools necessary to understand a BCE bill analysis.

BOARD *of* CHIROPRACTIC EXAMINERS

STATE OF CALIFORNIA



Section 1: Overview Of Legislative Process[1]

The process of government by which bills are considered and laws enacted is commonly referred to as the Legislative Process. The California State Legislature is made up of two houses: the Senate and the Assembly. There are 40 Senators and 80 Assembly Members representing the people of the State of California. The Legislature has a legislative calendar containing important dates of activities during its two-year session.

Idea

All legislation begins as an idea or concept. Ideas and concepts can come from a variety of sources. The process begins when a Senator or Assembly Member decides to author a bill.

The Author

A Legislator sends the idea for the bill to the Legislative Counsel where it is drafted into the actual bill. The draft of the bill is returned to the Legislator for introduction. If the author is a Senator, the bill is introduced in the Senate. If the author is an Assembly Member, the bill is introduced in the Assembly.

First Reading/Introduction

A bill is introduced or read the first time when the bill number, the name of the author, and the descriptive title of the bill is read on the floor of the house. The bill is then sent to the Office of State Printing. No bill may be acted upon until 30 days has passed from the date of its introduction.

Committee Hearings

The bill then goes to the Rules Committee of the house of origin where it is assigned to the appropriate policy committee for its first hearing. Bills are assigned to policy committees according to subject area of the bill. For example, a Senate bill dealing with health care facilities would first be assigned to the Senate Health and Human Services Committee for policy review. Bills that require the expenditure of funds must also be heard in the fiscal committees: Senate Appropriations or Assembly Appropriations. Each house has a number of policy committees and a fiscal committee. Each committee is made up of a specified number of Senators or Assembly Members.

During the committee hearing the author presents the bill to the committee and testimony can be heard in support of or opposition to the bill. The committee then votes by passing the bill, passing the bill as amended, or defeating the bill. Bills can be amended several times. Letters of support or opposition are important and should be mailed to the author and committee members before the bill is scheduled to be heard in committee. It takes a majority vote of the full committee membership for a bill to be passed by the committee.

Each house maintains a schedule of legislative committee hearings. Prior to a bill's hearing, a bill analysis is prepared that explains current law, what the bill is intended to do, and some background information. Typically the analysis also lists organizations that support or oppose the bill.

Reference that Committee staff produce a bill analyses of most bills that are available for public consumption.

[1] http://www.leginfo.ca.gov/bil2lawx.html

Second and Third Reading
Bills passed by committees are read a second time on the floor in the house of origin and then assigned to third reading. Bill analyses are also prepared prior to third reading. When a bill is read the third time it is explained by the author, discussed by the Members and voted on by a roll call vote. Bills that require an appropriation or that take effect immediately, generally require 27 votes in the Senate and 54 votes in the Assembly to be passed. Other bills generally require 21 votes in the Senate and 41 votes in the Assembly. If a bill is defeated, the Member may seek reconsideration and another vote.

Repeat Process in other House
Once the bill has been approved by the house of origin it proceeds to the other house where the procedure is repeated.

Resolution of Differences
If a bill is amended in the second house, it must go back to the house of origin for concurrence, which is agreement on the amendments. If agreement cannot be reached, the bill is referred to a two house conference committee to resolve differences. Three members of the committee are from the Senate and three are from the Assembly. If a compromise is reached, the bill is returned to both houses for a vote.

Governor
If both houses approve a bill, it then goes to the Governor. The Governor has three choices. The Governor can sign the bill into law, allow it to become law without his or her signature, or veto it. A governor's veto can be overridden by a two thirds vote in both houses. Most bills go into effect on the first day of January of the next year. Urgency measures take effect immediately after they are signed or allowed to become law without signature.

California Law
Bills that are passed by the Legislature and approved by the Governor are assigned a chapter number by the Secretary of State. These Chaptered Bills (also referred to as Statutes of the year they were enacted) then become part of the California Codes. The California Codes are a comprehensive collection of laws grouped by subject matter.

The California Constitution sets forth the fundamental laws by which the State of California is governed. All amendments to the Constitution come about as a result of constitutional amendments presented to the people for their approval.

Section 2 – Understanding a Legislative Bill:

This section illustrates the various components of a Legislative Bill. Understanding the components of a bill will help to identify key information quickly. The first page of a bill, as shown on the Anatomy of a Bill attachment, contains the amendment date of the bill, the bills house of origin, bill number, bill author/s, and the bill's date of introduction. The first page will usually identify the date the bill was introduced, code section being added or amended, Legislative Counsel written bill summary, the vote requirement, the bill's fiscal implications, and whether there is any State-mandated local cost. Finally, the bill text is included at the end.

2.1 Anatomy of a Bill:

THE ANATOMY OF A BILL

Date noted each time Bill is amended. →

AMENDED IN SENATE APRIL 20, 2005

Indicates house of origin. →

SENATE BILL No. 861

==========

← Bills are introduced in sequential order

Author(s) → Co-authors listed here.

Introduced by Senator Speier

February 22, 2005

← Date introduced

==========

Code Section being added or amended. →

An act to amend Section 14105.7 of the Welfare and Institutions Code, relating to Medi-Cal.

Legislative Counsel drafts legislation and writes a summary. ←

LEGISLATIVE COUNSEL'S DIGEST

SB861, as amended, Speier. Medi-Cal: allowable drug product prices: updates.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services and under which qualified low-income persons receive health care benefits. Existing law requires the director to update allowable drug product prices no less often than every 30 days, with these updates to include any prior change in drug product price of which the director has received notice.

Most bills require a majority vote. An urgency or fiscal measure requires a 2/3rds vote. → State mandated local cost. →

This bill would, instead, require the director to update allowable drug product prices within ~~48 hours~~ 7 days of receiving notice of a drug product price change.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

Italics indicate amending language. ~~Strikeouts~~ show deletion.

The people of the Sate of California do enact as follows:

1 SECTION 1. Section 14105.7 of the Welfare and Institutions
2 Code is amended to read:
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4 furnishing of prescription drugs to Medi-Cal beneficiaries, the
5 director shall update allowable drug product prices within ~~48~~

Bills which affect State spending are "appropriation" measures and require 2/3rds vote.

↑

This is actual language which would have become part of the Welfare and Institutions Code had the bill not been amended several more times before being enacted. The rest of the bill language continued on subsequent pages. The text of the bill could contain "intent" or "statutory" language.

2.3 Identifying Bills that Impact BCE

Staff gathers information from various places in order to identify bills that may impact BCE. First, staff searches a variety of sources such as the internet and legislative databases using keywords related to chiropractic and the healing arts professions. Next, staff periodically meet with and discuss current and possible legislation with staff from the Chiropractic Associations.

Further, staff communicates with DCA about pending and possible legislation. Throughout the legislative session, the Department provides Board's with updated lists of bills they are tracking. The Department also provides monthly legislative alters to the Boards and hosts legislative roundtables with the Board and Bureaus to provide an open forum to discuss legislation, including fiscal, legal, and information technology impacts bills may have on the various programs.

Finally, staff monitors other resources such as local and statewide newspapers and other multi-media publications for information regarding current, pending, or future legislation.

Section 3: Legislative Bill Analyses Process:

This section includes a brief description of the various sections of a bill analysis, descriptions of the different positions Board members may take on legislation and other considerations for inclusion in the bill analysis. (An analysis checklist and sample bill analysis has been included for review)

BCE staff produce bill analyses in order to evaluate the impact proposed legislation might have on the chiropractic profession, the public, and Board operations and staff. The analyses are necessary to identify the necessity of the bill or why the change in law is useful, to assess the fiscal impact a bill could have on the Board, and may provide suggestions to improve current or pending legislation. Additionally, a bill analysis may contain key components which assist the Board members in deciding the appropriate action to take on a bill.

3.1: Components of a Bill Analysis:

The key components of a bill analysis are as follows:

- **Bill Number**
- **Author**
- **Bill Version (Date)**
- **Subject** – Title of Bill
- **Sponsor**
- **Status of Bill** – Did the bill pass from one committee to another? The date and results of the most recent vote and by whom and where the bill was referred following the vote is included.
- **Summary** – Brief summary of the purpose of bill.
- **Existing Law** – Specific provisions affected by the bill and their current purpose
- **This Bill Would:** – Summary of how the bill changes current law, the bill's intent and major provisions. (Does the bill impose reporting requirements, change existing programs, implement a new program, or require coordinated implementation with multiple agencies?)
- **Background** – Brief description of the need for the bill and how it proposes to address the issue(s).
- **Fiscal Impact** – Specifies the bill's operational and fiscal impact on the BCE (and other stakeholders). Defines whether the bill will increase revenue, change/impose fines or penalties, repeal/reduce/add fees, and identifies resources needed by affected parties and the BCE to implement and comply with the provisions in the bill.
- **Support/Opposition** – List of parties/interested persons/organizations who have taken a formal position on the bill.
- **Arguments** (Pro/Con) – This portion should contain arguments raised by both support and opposition the bill, as well as arguments made by the Board.
- **Staff Recommended Position** – The recommendation will be based on all the arguments discussed with the Executive Officer prior to distribution to the Board members for a vote.

3.2: Purpose of an Analysis

- A bill analysis should provide Board members with a deeper understanding of the bill and the author's intent.
- Reading through a bill analysis should allow Board members to determine the following:
  - The bill's intent
  - How the bill changes existing law
  - Estimated fiscal impact
  - Recommendations

Board of Chiropractic Examiners
Sample Bill Analysis

Bill Number: SB 541
Author: Senator Curren Price
Bill Version: Amended April 13, 2011
Subject: Contractors' State License Regulatory boards: expert consultants
Sponsor: Contractors State License Board
Medical Board of California

STATUS OF BILL: Passed Senate Committee on B. P. & E.D (8-0), referred to Committee on Appropriations.

SUMMARY:
This bill would allow boards and bureaus within the Department of Consumer Affairs, the State Board of Chiropractic Examiners and the Osteopathic Medical Board of California to utilize expert reviewers, without going through a formal contracting process.

EXISTING LAW:
- Provides for the licensure and regulation of various professions and businesses within the Department of Consumer Affairs
- The Chiropractic Initiative Act of California provides for the licensure and regulation of the chiropractors.
- The Osteopathic Act provides for the licensure and regulation of osteopathic physicians and surgeons.
- Requires persons who apply for licensure under the various licensing acts to pass an examination approved by the board/bureau and investigate complaints and violations of the law, as well as take disciplinary action against licensees for violations of the law.
- Establishes standards relating to personal service contracts in state employment.

THIS BILL WOULD:
- Authorize these boards and bureaus to enter into an agreement with an expert consultant, subject to the standards regarding personal service contracts, to provide enforcement and examination assistance.
- Require each board/bureau to establish policies and procedures for the selection of these consultants.
- Declare that it is an urgency statute and is to take effect immediately.

BACKGROUND:
According to the sponsors, Public Contract Code requires state agencies to go through the formal contracting process for utilization of consultants. The boards and bureaus named in this bill utilize consultants for critical components of their regulatory authority including enforcement and examinations. Going through the formal contracting process would create a backlog for the boards and bureaus which would significantly impact the time required to complete the initial review and investigate complaints filed with boards/bureaus. This process would severely limit a board's/bureau's ability to take disciplinary actions against licensees and the delay imposed by this process could also result in losing cases due to expiration of the statute of limitations.

FISCAL IMPACT:

This bill will have a positive fiscal impact upon our Board, if any. The number of cases referred to experts and the amount paid to experts would not change as a result of this bill. However, if this bill does not take effect, the board will have to start entering into formal contracts with the 35 consultants it utilizes. Some of these consultants are only utilized on rare occasion due to their geographical location and/or area of expertise. Nonetheless, the board would have to spend significant time and resources preparing and executing a formal contract. If this bill is not enacted, the board will likely need additional funding and staff to absorb the increased workload.

SUPPORT & OPPOSITION:

Support:

Contractors State License Board
Medical Board of California
Court Reporters Board of California

Opposition:

None on record

ARGUMENTS:

Pro:

The proponents argue that:

- This bill will enable licensing and regulatory boards/bureaus to continue enlisting the expertise of their licensees to assist with evaluation of investigation documents, applications, educational and examination materials on an as-needed basis, primarily based on an hourly fee for services rendered.
- This bill will exempt specific boards and bureaus from formal contract requirements, which are laborious, cumbersome and time-consuming to execute.
- This bill will protect consumers by reducing the delays in enforcement cases by allowing these boards/bureaus to enter into an agreement directly with the consultant.
- Consultants are utilized for various purposes which depend greatly upon their area of expertise and the types of enforcement cases; therefore, it is difficult for a board/bureau to estimate a dollar amount for execution of a contract for each consultant.
- It is difficult to anticipate the extent to which the board will utilize an individual expert, and, therefore, the contract amount for each expert may not meet the board's needs. Under current law, the board will need to enter into a contract for a specified dollar amount with each expert without yet knowing the frequency with which we'll need the expert or the difficulty of the cases that will be referred to the expert. If the board underestimates the contract amount, we will have to cease utilizing an individual expert or go through the time-consuming process of amending the contract. If the board overestimates the contract, we will be encumbering funds that are needed for other essential board functions.

Con:

None

STAFF RECOMMENDED POSITION: SUPPORT (As Introduced/Amended on _____)

BCE Committee Recommended position of SUPPORT on _____
Full Board Voted to Take Position of SUPPORT on _____

Also include the text of the bill with the

- **Bill Analysis**

Section 4 – Possible Board Action on Bills:

This section includes a description of the positions Board members can take on legislation and other actions the Board may take in regard to legislation.

As part of the normal legislative cycle, the Board members take positions on specific bills that address issues within the BCE's purview or that would have a fiscal or programmatic impact on the BCE. Legislation affecting the chiropractic scope, consumer safety or BCE funding, resources and workload are of particular interest to the BCE. For time sensitive legislation, the Government Affairs Committee reserves the right to call an emergency meeting if action is required.

In order to ensure the positions and concerns of the Board are heard throughout the legislative session, the Board has a letter writing process to inform the Legislature and Governor's Office of positions the Board has taken.

4.1 Board Motions:

In order to make an informed decision on a legislative bill, staff should provide the Board with multiple pieces of information. An analysis, bill impact assessment checklist and complete text of a bill should be presented to the Board for consideration at a Government Affairs Committee meeting. The Committee will present their recommendations for a vote at a Board meeting to take one of the following positions:

- **Support** – This bill has favorable fiscal or operation impact upon the BCE and is consistent with the Board's laws, regulations or policies.
- **Support if Amended** – This bill is generally beneficial, but would be improved if amended. The bill analysis and letter to author should include recommended amendments.
- **Oppose** – The bill mandates unjustified costs, interferes with efficient administration or operation of the BCE, or is in conflict with the policies, laws or regulations of the BCE.
- **Oppose Unless Amended** – This bill is undesirable as written, but can be made palatable by amendment. The bill analysis and letter to author should included recommended amendments.
- **Neutral** – The bill has no significant effect on the BCE; however this bill may be of interest to the board members. A letter to the author is not needed in this case.
- **Watch** – The bill has no significant effect on the BCE; however, there may be components which are likely to change and may impact the BCE in the future. This is not a formal position; therefore, a letter to the author is not needed at this time.

4.2 Board Position Letters:

Once the full board has taken a formal position on a legislative bill, the Executive Officer or staff should draft a letter to the author of the bill for the Executive Officer or Board Chair's signature. The letter should identify the version of the bill and explain the BCE's position, including a summary of the reasons which led to the position and specific changes if amendments are recommended. A letter should also be sent to the Chair and Members of each legislative committee in which the bill will be subsequently heard.

4.3 Letters to the Floor

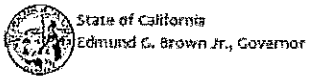
Once a bill of interest has passed out of committee and has been placed one or both legislative floor calendars, the Executive Officer or staff should draft a letter to each member of the legislature for the Executive Officer or Board Chair's signature. Once on the floor, a bill can be passed, defeated, or amended. Timing is critical and any communications should arrive as close to the time of voting as possible. The letter should identify the version of the bill and explain the BCE's position, including a summary of the reasons which led to the position and specific changes if amendments are recommended.

4.4 Sign/Veto letter to the Governor

Once an enrolled bill is sent from the Legislature to the Governor for review, the Executive Officer or staff should draft a letter to the Governor for the Executive Officer or Board Chair's signature. The letter should explain the BCE's position and include a summary of the reasons which led to the position.

Section 5: Bill Impact Assessment Checklist

A bill impact assessment checklist has been included for review.



BILL IMPACT ASSESSMENT CHECKLIST

Bill Number: _____ Author: _____ Version (Date): _____
Recommended Position:
_____ Analyst: _____

BACKGROUND

☐ Previously introduced ☐ Similar to other current bills ☐ New Bill
☐ Clean-up ☐ Extends or repeals sunset ☐ Has Urgency Clause
☐ Amends Existing Law: Code and Section Reference _____

IMPACT OF DEPARTMENT

☐ Consistent w/Department's mission ☐ Acts on strategic issue
☐ Changes or repeals existing programs ☐ Implements new program
☐ Enhances protection efforts ☐ Weakens protection efforts

FISCAL IMPACT ☐ UNFUNDED MANDATE

☐ Added Revenue ☐ Cost savings ☐ Additional costs ☐ Neutral
☐ Changes fines/penalties ☐ Proposes new or increased fees to offset costs
☐ Repeals or reduces fees ☐ Includes appropriation
☐ Funding source: _____

REPORTING REQUIREMENTS

☐ Requires one-time report ☐ Requires annual report
☐ Requires new operating procedures ☐ Requires new forms
☐ Requires change to existing procedures ☐ Requires amended forms
☐ Requires new or amended contract ☐ Requires new study

LEGAL/ENFORCEMENT IMPLICATIONS

☐ Consistent w/Department's mission ☐ Acts on strategic issue
☐ Changes or repeals existing programs ☐ Implements new program
☐ Enhances protection efforts ☐ Weakens protection efforts

COORDINATING REQUIREMENTS

☐ Requires coordinated implementation with other boards and/or state agencies:

RECOMMENDATIONS

☐ Amendments Proposed

Section 6: California Legislative Resources:

- The Official California Legislative Information (Leg Info) websites are:
  - The two websites are maintained by the Office of Legislative Counsel. The website provides bill language, status, history, votes, analyses and a bill subscription service to help track specific bills. Additionally, the Legislature provides access to electronic links to its publications.
  - The California Legislative Information website allows the user to subscribe to bills of interest and receive e-mail notification whenever there is legislative action on a subscribed bill for the current session.
  - When searching the website, using keywords such as chiropractor, chiropractic, manipulation, healing arts, etc., will aid in locating bills specific to the chiropractic profession.
    - (http://www.leginfo.legislature.ca.gov) – Information on legislative sessions beginning 1999 to present
    - (http://www.leginfo.ca.gov) – Information on legislative sessions prior to 1999
    - (http://www.leginfo.ca.gov/legpubs.html) – Links to Legislative publications

- California Legislative Committees
  - These committees have jurisdiction over issues that impact the chiropractic profession. Also, these committees hear legislation relevant to the BCE.
    - The Senate Business and Professions Committee and Economic Development (http://sbp.senate.ca.gov/)
    - The Assembly Business and Professions and Consumer Protection Committee (http://abp.assembly.ca.gov/)
    - The Senate Health Committee (http://shea.senate.ca.gov/)
    - The Assembly Health Committee (http://ahea.assembly.ca.gov/)
    - The Senate Committee on Appropriations (http://sapro.senate.ca.gov/)
    - The Assembly Committee on Appropriations (http://apro.assembly.ca.gov/)

- The Governor's website
  - The website contains bill signing information and bill veto messages.
    - (http://www.governor.ca.gov/state/govsite/gov_homepage.jsp)

- DCA: Division of Legislative and Regulatory Review
  - The Division provides a number of direct legislative and regulatory services to the Boards and Bureaus of the Department. Each board has an analyst assigned to them in the Division who can be contacted for assistance.

- DCA: Budget Office
  - The Budget Office frequently contacts the BCE to obtain information on the fiscal impact of bills upon the BCE. Oftentimes, these bills affect multiple regulatory boards such as those related to health care, healing arts, etc. It is important to note whether these bills pertain to the BCE and whether the bill conflicts with the BCE's Initiative Act. (i.e. legislation requires a temporary or special license)

- *Professional Associations*
  - Professional associations, such as the California Chiropractic Association (CCA) and the International Chiropractors Association of California (ICAC) track legislative bills that affect the profession and provide a list of bills and their position on their websites.
    - CCA - http://capwiz.com/calchiroassn/issues/bills/
    - ICAC - http://www.icacweb.com/

Agenda Item

#7

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Agenda Item 7
January 14, 2016

Review of the 2016 Legislative Calendar

Purpose of the item

This agenda item has been added to remind Committee Members of important dates upcoming on the 2016 Legislative Calendar.

Action(s) requested

No action requested at this time.

Background

The California State Legislature has released its tentative legislative calendar for 2016. Important dates in January include the following:

- January 1, 2016 – New statutes take effect
- January 4, 2016 - Legislature Reconvenes
- January 10, 2016 - Budget bill must be submitted by the Governor
- January 15, 2016 - Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in the odd-numbered year
- January 22, 2016 - Last day for any committee to hear and report to the floor any bills introduced in their house in 2015. Last day to submit bill requests to Legislative Counsel
- January 31, 2016 - Last day for each house to pass bills introduced in that house in the odd-numbered year

Recommendation(s)

No staff recommendation at this time.

Next Step

N/A

Attachment(s)

- 2016 Legislative Calendar

2016 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE

10/7/2015

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

FEBRUARY						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

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

APRIL						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

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

DEADLINES

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

Jan. 4 Legislature **reconvenes** (J.R. 51(a)(4)).

Jan. 10 Budget must be submitted by Governor (Art. IV, Sec. 12 (a)).

Jan. 15 Last day for **policy committees** to hear and report to Fiscal Committees fiscal bills introduced in their house in the odd-numbered year. (J.R. 61(b)(1)).

Jan. 18 Martin Luther King, Jr. Day observed.

Jan. 22 Last day for any committee to hear and report to the **Floor** bills introduced in their house in 2015 (J.R. 61(b)(2)). Last day to submit **bill requests** to the Office of Legislative Counsel.

Jan. 31 Last day for each house to **pass bills introduced in that house in the** odd-numbered year (J.R. 61(b)(3)), (Art. IV, Sec. 10(c)).

Feb. 15 Presidents' day observed.

Feb. 19 Last day for bills to be **introduced** (J.R. 61(b)(4), (J.R. 54(a)).

Mar. 17 **Spring Recess** begins upon adjournment (J.R. 51(b)(1)).

Mar. 28 Legislature reconvenes from **Spring Recess** (J.R. 51(b)(1)).

Apr. 1 Cesar Chavez Day Observed.

Apr. 22 Last day for **policy committees** to hear and report to Fiscal Committees **fiscal bills** introduced in their house (J.R. 61(b)(5)).

May 6 Last day for **policy committees** to hear and report to the Floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).

May 13 Last day for **policy committees** to meet prior to June 6 (J.R. 61(b)(7)).

May 27 Last day for **fiscal committees** to hear and report to the Floor bills introduced in their house (J.R. 61 (b)(8)). Last day for **fiscal committees** to meet prior to June 6 (J.R. 61 (b)(9)).

May 30 Memorial Day observed.

May 31 - June 3 **Floor Session only.** No committee may meet for any purpose (J.R. 61(b)(10)).

*Holiday schedule subject to Senate Rules committee approval

2016 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE
10/7/2015

JUNE						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

June 3 Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).

June 6 Committee meetings may resume (J.R. 61(b)(12)).

June 15 Budget Bill must be passed by **midnight** (Art. IV, Sec. 12(c)(3)).

June 30 Last day for a legislative measure to qualify for the Nov. 8 General election ballot (Elections Code Sec. 9040).

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

July 1 Last day for **policy committees** to meet and report bills (J.R. 61(b)(13)). **Summer Recess** begins upon adjournment provided the Budget Bill has been passed (J.R. 51(b)(2)).

July 4 Independence Day observed.

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

Aug. 1 Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).

Aug. 12 Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(14)).

Aug. 15 - 31 **Floor Session only**. No committees may meet for any purpose (J.R. 61(b)(15)).

Aug. 19 Last day to **amend** on the Floor (J.R. 61(b)(16)).

Aug. 31 Last day for **each house to pass bills**, except bills that take effect immediately or bills in Extraordinary Session (Art. IV, Sec. 10(c)), (J.R. 61(b)(17)).
Final Recess begins upon adjournment (J.R. 51(b)(3)).

IMPORTANT DATES OCCURRING DURING FINAL RECESS

2016

Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec.10(b)(2)).

Nov. 8 General Election.

Nov. 30 Adjournment *Sine Die* at midnight (Art. IV, Sec. 3(a)).

Dec. 5 12 Noon convening of the 2017-18 Regular Session (Art. IV, Sec. 3(a)).

2017

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

*Holiday schedule subject to Senate Rules committee approval

Agenda Item

#8

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Agenda Item 8
January 14, 2016

Summary of Legislation of Interest During the 2015 Legislative Session

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Purpose of the item: The Committee will receive an update on legislation of interest from the 2015 Legislative Session.

Action(s) requested: No action required.

Background:

Throughout the 2015 legislative session, staff has tracked several bills that would impact the Board of Chiropractic Examiners and the healing arts boards more generally. The bills that the Board has followed include:

TWO-YEAR & REPURPOSED BILLS:

AB 12 (Cooley) State Government: administrative regulations: review
Summary: This bill would require every state office, agency, department, division, board, bureau and commission to review and revise regulations to eliminate inconsistent, overlapping, duplicative, and outdated provisions. Revisions would be required to be adopted by January 1, 2018, unless a non-substantive Section 100 change is appropriate, and report to the Governor and Legislature on compliance with these provisions. This bill would require the Business, Consumer Services, and Housing Agency, and other state agencies to identify duplicative, overlapping, or inconsistent regulations and notify their departments, programs, and other agencies.
Board Position: Neutral
Status: Two-Year Bill, Held in the Senate Committee on Appropriations

AB 19 (Chang) – Gov. Office of Business and Economic Dev.: small business: regulations
This bill would require review the Governor's Office of Business and Economic Development, in consultation with the Office of Small Business Advocate, to establish a process for the ongoing review of all existing regulations primarily affecting small business that were adopted prior to January 1, 2016.
Board Position: Oppose
Status: Two-Year Bill, Held in the Assembly Committee on Appropriations

AB 41 (Chau) Health care coverage: discrimination
Summary: This bill would codify federal law protections that prohibit health plans from discriminating against any professional category of healthcare provider when making decisions about what type of providers to include in networks or which services to cover
Board Position: Support
Status: Two-Year Bill, Held in the Assembly Committee on Appropriations

AB 611 (Dahle) – Controlled Substances: prescriptions: reporting
Summary: This bill would authorize an individual designated by a board, bureau or program within DCA to request access to the CURES database when probable cause exists for investigating licensees for substance abuse.
Board Position: Watch
Status: Two-Year Bill, Held in the Assembly Committee on Business and Professions

AB 750 (Low) – Business and Professions: licenses
Summary: This bill would authorize programs under the Department of Consumer Affairs to establish by regulation a license category for retired licensees who are not actively engaged in the practice of their profession, unless regulations specifies the criteria for a retired licensee to practice his or her profession
Board Position: Watch
Status: Two-Year Bill, Held in the Assembly Committee on Appropriations

SIGNED BY GOVERNOR

AB 179 (Bonilla) Healing Arts
Summary: This bill provides that sexual abuse and misconduct statute does not apply to consensual relationships betweeh healing arts licensees and their spouses or partners.
Board Position: Neutral
Status: Chapter 510, Statutes of 2015

AB 333 (Melendez) Healing Arts: continuing education
Summary: This bill authorizes specified healing arts licensees to apply units, as defined, of continuing education credit, for attending a course that results in the licensee becoming a certified instructor of cardiopulmonary resuscitation or the proper use of an automated external defibrillator.
Board Position: Neutral
Status: Chapter 360, Statutes of 2015

SB 277 (Pan) Public health: vaccinations
Summary: This bill would remove a personal belief exemption from school immunization law, exempt home-based private schools or students enrolled in independent study programs from existing immunization requirements; allow pupils who have a personal belief exemption on file prior to January 1, 2016 at a private, public, or secondary school or day care to continue enrollment until the next grade span enrollment is required; and permit the Department of Public Health to add diseases to the immunization requirements only if exemptions are allowed for both personal beliefs and medical reasons.
Board Position: Watch
Status: Chapter 35, Statutes of 2015

SB 467 (Hill) Professions and vocations
Summary: This bill requires the Attorney General to annually report performance metrics regarding Department case referral aging. This bill also directs the Division of Investigation to work cooperatively with boards to prioritize complaint and investigative workloads.
Board Position: Neutral
Status: Chapter 656, Statutes of 2015

VETOED BY THE GOVERNOR

AB 85 (Wilk) Open Meetings
Summary: This urgency bill would have revised the Bagley-Keene Open Meeting Act regarding advisory committees by requiring two-member advisory committees to hold open and public meetings if one or more of the members is a member of the larger board, committee, or commission and the advisory committee is supported, in whole or in part, by state funds.
Board Position: Oppose
Status: Vetoed, September 28, 2015

AB 410 (Obernolte) Documents Submitted to Legislative Committees
Summary: This bill would require a state agency to post on its Internet Web site any report it is required by law to submit to a committee of the Legislature, as specified. The bill would specify that a "report" includes a study or audit, or a budget change proposal that has been approved by the Department of Finance and submitted to the Joint Legislative Budget Committee, the Assembly Committee on Budget, or the Senate Committee on Budget and Fiscal Review.
Board Position: Neutral
Status: Vetoed, October 1, 2015

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

AB 1060 (Bonilla) – Professions and Vocations: licensure
Summary: This bill no longer addresses matters related to business and professions. The bill was amended to address issues related to Cancer Clinical Trails and is no longer relevant to the Board.
Board Position: Watch
Status: Vetoed, October 5, 2015

Recommendation(s): No recommendations at this time.

Next Step:

N/A

Attachment(s):

N/A

Agenda Item

#9

Date: January 14, 2016

Notes: Future Agenda / Public Comment

Agenda Item

#10