State of California
Edmund G. Brown Jr., Governor

Agenda Item 9
October 14, 2016

Review, Discussion and Possible Action on the Draft Sunset Review Report

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Purpose of the item

This agenda item has been included to provide the Board with an opportunity to review the draft Sunset Review Report.

Action(s) requested

The Board will be asked to review and discuss the draft Sunset Review Report and provided edits as necessary.

Background

The Sunset Review process allows the Legislature to review the laws and regulations pertaining to a board and evaluate its programs and policies, to determine whether the board operates and enforces its regulatory responsibilities and is carrying out its statutory duties to protect California consumers.

Recommendation(s)

Staff recommends the Board review the draft report for accuracy and consistency with the Board policies and objectives.

Next Step

Staff will incorporate the Board's recommended revisions and submit the final report to the legislature on or before December 1, 2016.

Attachment(s)

- Draft 2016 Sunset Review Report

Board of Chiropractic Examiners
BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM
As of June 30, 2016

Section 1 – Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the board.[1] Describe the occupations/profession that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).

The Board of Chiropractic Examiners (BCE) was created on December 21, 1922, through an initiative measure approved by the electors of California on November 7, 1922. The BCE regulates the chiropractic profession in California. The BCE is committed to consumer protection and protects Californians from licensed and unlicensed individuals who engage in the fraudulent, negligent, or incompetent practice of chiropractic. The BCE oversees approximately 13,800 licensees and 19 chiropractic schools and colleges located throughout the United States and Canada.

Governed by a seven member BCE appointed by the Governor, the BCE is comprised of five licensed doctors of chiropractic and two members who represent the public. BCE members serve four-year terms.

The BCE is comprised of three units. The Administrative/Licensing Unit is responsible for licensee application and renewal processing, continuing education, administrative, and policy functions for the BCE. The two units within the BCE, which are primarily responsible for enforcement, are the Compliance Unit (CU) and the Field Investigations Unit (FIU). The CU handles complaint intake, conducts administrative investigations, recommends case dispositions to the executive officer and/or the compliance manager including those to be forwarded to the Attorney General for disciplinary action, issues letters of admonishment as well as citation and fines. The CU also serves as probation monitor to chiropractors whose licenses are on probation due to prior disciplinary action. The CU continues to refer approximately a quarter of its complaints received to the FIU. The FIU are non-sworn investigators and they conduct a field administrative investigation to complete the case.

1. Describe the make-up and functions of each of the board's committees (cf., Section 12, Attachment B).

The BCE has three standing committees. Each of these committees is comprised of at least three BCE members and staff, who provide technical and administrative input and support. The BCE Chair designates one member of each committee as the committee's chairperson. The chairperson

[1] The term "board" in this document refers to a board, bureau, commission, committee, department, division, program, or agency, as applicable. Please change the term "board" throughout this document to appropriately refer to the entity being reviewed.

coordinates the committee's work, ensures progress toward the BCE's priorities, and presents reports at each BCE meeting.

Licensing, Continuing Education, & Public Relations 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.

Enforcement & 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 BCE's enforcement activities. The Committee reviews and proposes positions on scope of practice issues.

Government Affairs & Strategic Planning Committee

The Committee 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 BCE. Oversees all administrative issues regarding BCE operations. Develops draft strategic plans and monitors the BCE's progress in achieving goals and objectives.

Table 1a. Attendance			
Frederick Lerner, D.C.			
Date Appointed:	2007		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	July 21, 2011	Los Angeles	Y
Board Meeting	September 15, 2011	Sacramento	Y
Board Meeting	November 17, 2011	Glendale	Y
Special Board Meeting	January 5, 2012	Sacramento	Y
Board Meeting	January 19, 2012	Sacramento	Y

Table 1a. Attendance			
Hugh Lubkin, D.C.			
Date Appointed	2007		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	July 21, 2011	Los Angeles	Y
Board Meeting	September 15, 2011	Sacramento	Y
Board Meeting	November 17, 2011	Glendale	Y
Special Board Meeting	January 5, 2012	Sacramento	Y
Board Meeting	January 19, 2012	Sacramento	Y
Board Meeting	March 22, 2012	Ontario	Y
Special Board Meeting	May 1, 2012	Sacramento	Y
Board Meeting	May 24, 2012	Sacramento	Y

Enforcement Committee Meeting	July 14, 2012	Sacramento	Y
Board Meeting	July 19, 2012	Sacramento	Y
Government Affairs Committee Meeting	August 30, 2012	Sacramento	Y
Enforcement Committee Meeting	August 30, 2012	Sacramento	Y
Board Meeting	September 20, 2012	Los Angeles	Y
Board Meeting	December 6, 2012	Sacramento	Y
Government Affairs Committee Meeting	January 10, 2013	Sacramento	Y
Government Affairs Committee Meeting	January 24, 2013	Sacramento	Y
Enforcement Committee Meeting	January 30, 2013	Sacramento	Y
Board Meeting	January 31, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	April 11, 2013	Sacramento	Y
Enforcement Committee Meeting	April 18, 2013	Sacramento	Y
Board Meeting	May 9, 2013	Burbank	N
Enforcement Committee Meeting	July 2, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	July 18, 2013	Sacramento	Y
Board Meeting	July 25, 2013	Sacramento	Y
Strategic Planning Meeting	July 25-26, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	August 22, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	October 3, 2013	Sacramento	Y
Enforcement Committee Meeting	October 24, 2013	Sacramento	Y
Board Meeting	October 29, 2013	Los Angeles	Y
Special Board Meeting	November 19, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	November 21, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	January 9, 2014	Sacramento	Y
Board Meeting	January 16, 2014	Sacramento	Y
Enforcement Committee Meeting	February 12, 2014	Sacramento	Y

Table 1a. Attendance			
Francesco Columbu, D.C.			
Date Appointed	2006		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	July 21, 2011	Los Angeles	Y
Board Meeting	September 15, 2011	Sacramento	N
Board Meeting	November 17, 2011	Glendale	Y
Special Board Meeting	January 5, 2012	Sacramento	Y
Board Meeting	January 19, 2012	Sacramento	Y
Board Meeting	March 22, 2012	Ontario	Y
Special Board Meeting	May 1, 2012	Sacramento	Y
Board Meeting	May 24, 2012	Sacramento	Y
Enforcement Committee Meeting	July 14, 2012	Sacramento	Y
Board Meeting	July 19, 2012	Sacramento	Y

Enforcement Committee Meeting	August 30, 2012	Sacramento	Y
Board Meeting	September 20, 2012	Los Angeles	Y
Board Meeting	December 6, 2012	Sacramento	N
Enforcement Committee Meeting	January 30, 2013	Sacramento	Y
Board Meeting	January 31, 2013	Sacramento	Y
Enforcement Committee Meeting	April 18, 2013	Sacramento	Y
Board Meeting	May 9, 2013	Burbank	Y
Enforcement Committee Meeting	July 2, 2013	Sacramento	Y
Board Meeting	July 25, 2013	Sacramento	Y
Strategic Planning Meeting	July 25-26, 2013	Sacramento	Y
Enforcement Committee Meeting	October 24, 2013	Sacramento	Y
Board Meeting	October 29, 2013	Los Angeles	Y
Special Board Meeting	November 19, 2013	Sacramento	Y
Board Meeting	January 16, 2014	Sacramento	Y

Table 1a. Attendance			
Jeffrey Steinhardt, D.C.			
Date Appointed	2009		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	July 21, 2011	Los Angeles	Y
Board Meeting	September 15, 2011	Sacramento	Y
Board Meeting	November 17, 2011	Glendale	Y
Special Board Meeting	January 5, 2012	Sacramento	Y
Board Meeting	January 19, 2012	Sacramento	Y
Board Meeting	March 22, 2012	Ontario	Y
Special Board Meeting	May 1, 2012	Sacramento	Y

Table 1a. Attendance			
Richard Tyler, D.C.			
Date Appointed	2004		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	July 21, 2011	Los Angeles	Y
Board Meeting	September 15, 2011	Sacramento	Y
Board Meeting	November 17, 2011	Glendale	Y
Board Meeting	January 5, 2012	Sacramento	Y
Board Meeting	January 19, 2012	Sacramento	Y
Board Meeting	March 22, 2012	Ontario	Y
Special Board Meeting	May 1, 2012	Sacramento	Y
Table 1a. Attendance			

Julie Elginer, DrPH			
Date Appointed	2012		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	May 24, 2012	Sacramento	Y
Board Meeting	July 19, 2012	Sacramento	Y
Government Affairs Committee Meeting	August 30, 2012	Sacramento	Y
Board Meeting	September 20, 2012	Los Angeles	Y
Board Meeting	December 6, 2012	Sacramento	Y
Government Affairs Committee Meeting	January 10, 2013	Sacramento	Y
Government Affairs Committee Meeting	January 24, 2013	Sacramento	Y
Board Meeting	January 31, 2013	Sacramento	Y
Government Affairs Committee Meeting	April 5, 2013	Sacramento	Y
Government Affairs Committee Meeting	May 7, 2013	Sacramento	Y
Board Meeting	May 9, 2013	Burbank	Y
Government Affairs Committee Meeting	June 11, 2013	Sacramento	Y
Board Meeting	July 25, 2013	Sacramento	Y
Strategic Planning Meeting	July 25-26, 2013	Sacramento	Y
Government Affairs Committee Meeting	October 15, 2013	Sacramento	Y
Board Meeting	October 29, 2013	Los Angeles	Y
Special Board Meeting	November 19, 2013	Sacramento	Y
Board Meeting	January 16, 2014	Sacramento	Y
Enforcement Committee Meeting	February 12, 2014	Sacramento	Y
Government Affairs Committee Meeting	February 20, 2014	Sacramento	Y
Government Affairs Committee Meeting	April 8, 2014	Van Nuys	Y
Board Meeting	April 29, 2014	Whittier	Y
Government Affairs Committee Meeting	May 22, 2014	Sacramento	Y
Special Board Meeting	June 26, 2014	Sacramento	Y
Government Affairs Committee Meeting	July 1, 2014	Sacramento	Y
Board Meeting	July 17, 2014	Hayward	N
Special Board Meeting	September 25, 2014	Sacramento	Y
Government Affairs Committee Meeting	October 1, 2014	Sacramento	Y
Board Meeting	October 28, 2014	San Diego	Y
Government Affairs Committee Meeting	January 23, 2015	Sacramento	Y
Special Board Meeting	January 27, 2015	Sacramento	Y
Board Meeting	February 12, 2015	San Jose	Y
Government Affairs Committee Meeting	March 26, 2015	Sacramento	Y
Board Meeting	April 16, 2015	San Diego	Y
Government Affairs Committee Meeting	April 30, 2015	Sacramento	N
Government Affairs Committee Meeting	June 11, 2015	Sacramento	Y
Special Board Meeting	June 22, 2015	Sacramento	N
Government Affairs Committee Meeting	July 16, 2015	Sacramento	Y
Board Meeting	July 30, 2015	Sacramento	Y

Government Affairs Committee Meeting	October 22, 2015	Sacramento	Y
Board Meeting	October 27, 2015	Los Angeles	Y
Government Affairs Committee Meeting	January 14, 2016	Sacramento	Y
Board Meeting	January 28, 2016	Sacramento	Y
Government Affairs Committee Meeting	March 10, 2016	Sacramento	Y
Special Board Meeting	March 17, 2016	Sacramento	Y
Government Affairs Committee Meeting	April 7, 2016	Sacramento	Y
Government Affairs Committee Meeting	May 12, 2016	Sacramento	Y
Board Meeting	May 19, 2016	Whittier	Y
Government Affairs Committee Meeting	June 9, 2016	Sacramento	Y

Table 1a. Attendance			
Sergio Azzolino, D.C.			
Date Appointed	2012		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	May 24, 2012	Sacramento	Y
Enforcement Committee Meeting	July 14, 2012	Sacramento	Y
Board Meeting	July 19, 2012	Sacramento	Y
Enforcement Committee Meeting	August 30, 2012	Sacramento	Y
Board Meeting	September 20, 2012	Los Angeles	Y
Board Meeting	December 6, 2012	Sacramento	Y
Enforcement Committee Meeting	January 30, 2013	Sacramento	Y
Board Meeting	January 31, 2013	Sacramento	Y
Enforcement Committee Meeting	April 18, 2013	Sacramento	Y
Board Meeting	May 9, 2013	Burbank	Y
Enforcement Committee Meeting	July 2, 2013	Sacramento	Y
Board Meeting	July 25, 2013	Sacramento	Y
Strategic Planning Meeting	July 25-26, 2013	Sacramento	Y
Enforcement Committee Meeting	October 24, 2013	Sacramento	Y
Board Meeting	October 29, 2013	Los Angeles	Y
Special Board Meeting	November 19, 2013	Sacramento	Y
Board Meeting	January 16, 2014	Sacramento	Y
Enforcement Committee Meeting	February 12, 2014	Sacramento	Y
Enforcement Committee Meeting	April 29, 2014	Whittier	Y
Board Meeting	April 29, 2014	Whittier	Y
Enforcement Committee Meeting	June 26, 2014	Sacramento	Y
Special Board Meeting	June 26, 2014	Sacramento	Y
Board Meeting	July 17, 2014	Hayward	Y
Special Board Meeting	September 25, 2014	Sacramento	Y
Government Affairs Committee Meeting	October 1, 2014	Sacramento	Y

Board Meeting	October 28, 2014	San Diego	Y
Enforcement Committee Meeting	October 28, 2014	San Diego	Y
Special Board Meeting	January 27, 2015	Sacramento	Y
Enforcement Committee Meeting	January 27, 2015	Sacramento	Y
Board Meeting	February 12, 2015	San Jose	Y
Enforcement Committee Meeting	March 13, 2015	Sacramento	Y
Board Meeting	April 16, 2015	San Diego	Y
Enforcement Committee Meeting	May 12, 2015	Sacramento	Y
Special Board Meeting	June 22, 2015	Sacramento	Y
Board Meeting	July 30, 2015	Sacramento	Y
Board Meeting	October 27, 2015	Los Angeles	Y
Enforcement Committee Meeting	January 12, 2016	Sacramento	Y
Board Meeting	January 28, 2016	Sacramento	Y
Special Board Meeting	March 17, 2016	Sacramento	Y
Board Meeting	May 19, 2016	Whittier	Y

Table 1a. Attendance			
Heather Dehn, D.C.			
Date Appointed	2012		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	May 24, 2012	Sacramento	Y
Board Meeting	July 19, 2012	Sacramento	Y
Government Affairs Committee Meeting	August 30, 2012	Sacramento	Y
Board Meeting	September 20, 2012	Los Angeles	Y
Board Meeting	December 6, 2012	Sacramento	Y
Government Affairs Committee Meeting	January 10, 2013	Sacramento	Y
Government Affairs Committee Meeting	January 24, 2013	Sacramento	Y
Board Meeting	January 31, 2013	Sacramento	Y
Government Affairs Committee Meeting	April 5, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	April 11, 2013	Sacramento	Y
Government Affairs Committee Meeting	May 7, 2013	Sacramento	Y
Board Meeting	May 9, 2013	Burbank	Y
Government Affairs Committee Meeting	June 11, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	July 18, 2013	Sacramento	Y
Board Meeting	July 25, 2013	Sacramento	Y
Strategic Planning Meeting	July 25-26, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	August 22, 2013	Sacramento	N
Licensing/CE/PR Committee Meeting	October 3, 2013	Sacramento	Y
Government Affairs Committee Meeting	October 15, 2013	Sacramento	Y
Board Meeting	October 29, 2013	Los Angeles	Y

Special Board Meeting	November 19, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	November 21, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	January 9, 2014	Sacramento	Y
Board Meeting	January 16, 2014	Sacramento	Y
Government Affairs Committee Meeting	February 20, 2014	Sacramento	Y
Licensing/CE/PR Committee Meeting	March 27, 2014	Sacramento	Y
Licensing/CE/PR Committee Meeting	April 17, 2014	Sacramento	Y
Enforcement Committee Meeting	April 29, 2014	Whittier	Y
Board Meeting	April 29, 2014	Whittier	Y
Licensing/CE/PR Committee Meeting	June 26, 2014	Sacramento	Y
Enforcement Committee Meeting	June 26, 2014	Sacramento	Y
Special Board Meeting	June 26, 2014	Sacramento	Y
Board Meeting	July 17, 2014	Hayward	Y
Licensing/CE/PR Committee Meeting	August 21, 2014	Sacramento	Y
Special Board Meeting	September 25, 2014	Sacramento	Y
Licensing/CE/PR Committee Meeting	October 2, 2014	Sacramento	Y
Board Meeting	October 28, 2014	San Diego	Y
Enforcement Committee Meeting	October 28, 2014	San Diego	Y
Licensing/CE/PR Committee Meeting	January 22, 2015	Sacramento	Y
Special Board Meeting	January 27, 2015	Sacramento	Y
Enforcement Committee Meeting	January 27, 2015	Sacramento	Y
Board Meeting	February 12, 2015	San Jose	Y
Licensing/CE/PR Committee Meeting	February 26, 2015	Sacramento	Y
Enforcement Committee Meeting	March 13, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	March 19, 2015	Sacramento	Y
Board Meeting	April 16, 2015	San Diego	Y
Enforcement Committee Meeting	May 12, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	May 14, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	June 18, 2015	Sacramento	Y
Special Board Meeting	June 22, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	July 7, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	July 15, 2015	Sacramento	Y
Board Meeting	July 30, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	August 26, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	October 19, 2015	Sacramento	Y
Board Meeting	October 27, 2015	Los Angeles	Y
Enforcement Committee Meeting	January 12, 2016	Sacramento	Y
Licensing/CE/PR Committee Meeting	January 19, 2016	Sacramento	Y
Board Meeting	January 28, 2016	Sacramento	Y
Special Board Meeting	March 17, 2016	Sacramento	Y
Licensing/CE/PR Committee Meeting	March 30, 2016	Sacramento	Y
Licensing/CE/PR Committee Meeting	April 18, 2016	Sacramento	Y

Board Meeting	May 19, 2016	Whittier	Y
Licensing/CE/PR Committee Meeting	June 7, 2016	Sacramento	Y

Table 1a. Attendance			
Frank Ruffino			
Date Appointed	2012		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	January 31, 2013	Sacramento	Y
Government Affairs Committee Meeting	April 5, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	April 11, 2013	Sacramento	Y
Government Affairs Committee Meeting	May 7, 2013	Sacramento	Y
Board Meeting	May 9, 2013	Burbank	Y
Government Affairs Committee Meeting	June 11, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	July 18, 2013	Sacramento	Y
Board Meeting	July 25, 2013	Sacramento	Y
Strategic Planning Meeting	July 25-26, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	August 22, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	October 3, 2013	Sacramento	Y
Government Affairs Committee Meeting	October 15, 2013	Sacramento	Y
Board Meeting	October 29, 2013	Los Angeles	Y
Special Board Meeting	November 19, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	November 21, 2013	Sacramento	Y
Licensing/CE/PR Committee Meeting	January 9, 2014	Sacramento	Y
Board Meeting	January 16, 2014	Sacramento	Y
Government Affairs Committee Meeting	February 20, 2014	Sacramento	Y
Licensing/CE/PR Committee Meeting	March 27, 2014	Sacramento	Y
Government Affairs Committee Meeting	April 8, 2014	Van Nuys	Y
Enforcement Committee Meeting	April 29, 2014	Whittier	Y
Board Meeting	April 29, 2014	Whittier	Y
Government Affairs Committee Meeting	May 22, 2014	Sacramento	Y
Enforcement Committee Meeting	June 26, 2014	Sacramento	Y
Special Board Meeting	June 26, 2014	Sacramento	Y
Government Affairs Committee Meeting	July 1, 2014	Sacramento	Y
Board Meeting	July 17, 2014	Hayward	Y
Special Board Meeting	September 25, 2014	Sacramento	Y
Government Affairs Committee Meeting	October 1, 2014	Sacramento	Y
Board Meeting	October 28, 2014	San Diego	Y
Enforcement Committee Meeting	October 28, 2014	San Diego	Y
Government Affairs Committee Meeting	January 23, 2015	Sacramento	Y
Special Board Meeting	January 27, 2015	Sacramento	Y

Enforcement Committee Meeting	January 27, 2015	Sacramento	N
Board Meeting	February 12, 2015	San Jose	Y
Enforcement Committee Meeting	March 13, 2015	Sacramento	Y
Government Affairs Committee Meeting	March 26, 2015	Sacramento	Y
Board Meeting	April 16, 2015	San Diego	N
Government Affairs Committee Meeting	April 30, 2015	Sacramento	N
Enforcement Committee Meeting	May 12, 2015	Sacramento	Y
Government Affairs Committee Meeting	June 11, 2015	Sacramento	Y
Special Board Meeting	June 22, 2015	Sacramento	Y
Government Affairs Committee Meeting	July 16, 2015	Sacramento	Y
Board Meeting	July 30, 2015	Sacramento	Y
Government Affairs Committee Meeting	October 22, 2015	Sacramento	Y
Board Meeting	October 27, 2015	Los Angeles	Y
Enforcement Committee	January 12, 2016	Sacramento	Y
Government Affairs Committee Meeting	January 14, 2016	Sacramento	Y
Board Meeting	January 28, 2016	Sacramento	Y
Government Affairs Committee Meeting	March 10, 2016	Sacramento	Y
Special Board Meeting	March 17, 2016	Sacramento	Y
Government Affairs Committee Meeting	April 7, 2016	Sacramento	Y
Government Affairs Committee Meeting	May 12, 2016	Sacramento	Y
Board Meeting	May 19, 2016	Whittier	Y
Government Affairs Committee Meeting	June 9, 2016	Sacramento	Y

Table 1a. Attendance			
John Roza, D.C.			
Date Appointed	2014		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Licensing/CE/PR Committee Meeting	March 27, 2014	Sacramento	Y
Licensing/CE/PR Committee Meeting	April 17, 2014	Sacramento	Y
Board Meeting	April 29, 2014	Whittier	Y
Licensing/CE/PR Committee Meeting	May 22, 2014	Sacramento	Y
Licensing/CE/PR Committee Meeting	June 26, 2014	Sacramento	Y
Special Board Meeting	June 26, 2014	Sacramento	Y
Board Meeting	July 17, 2014	Hayward	Y
Licensing/CE/PR Committee Meeting	August 21, 2014	Sacramento	Y
Special Board Meeting	September 25, 2014	Sacramento	N
Licensing/CE/PR Committee Meeting	October 2, 2014	Sacramento	Y
Board Meeting	October 28, 2014	San Diego	Y
Licensing/CE/PR Committee Meeting	January 22, 2015	Sacramento	Y
Special Board Meeting	January 27, 2015	Sacramento	Y
Board Meeting	February 12, 2015	San Jose	Y

Licensing/CE/PR Committee Meeting	February 26, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	March 19, 2015	Sacramento	Y
Board Meeting	April 16, 2015	San Diego	Y
Licensing/CE/PR Committee Meeting	May 14, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	June 18, 2015	Sacramento	Y
Special Board Meeting	June 22, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	July 7, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	July 15, 2015	Sacramento	Y
Board Meeting	July 30, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	August 26, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	October 19, 2015	Sacramento	Y
Board Meeting	October 27, 2015	Los Angeles	Y
Licensing/CE/PR Committee Meeting	January 19, 2016	Sacramento	Y
Board Meeting	January 28, 2016	Sacramento	Y
Special Board Meeting	March 17, 2016	Sacramento	Y
Government Affairs Committee Meeting	April 7, 2016	Sacramento	Y
Government Affairs Committee Meeting	May 12, 2016	Sacramento	Y
Board Meeting	May 19, 2016	Whittier	Y
Government Affairs Committee Meeting	June 9, 2016	Sacramento	Y

Table 1a. Attendance			
Dionne McClain, D.C.			
Date Appointed	2014		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Government Affairs Committee Meeting	April 8, 2014	Van Nuys	Y
Board Meeting	April 29, 2014	Whittier	Y
Government Affairs Committee Meeting	May 22, 2014	Sacramento	Y
Special Board Meeting	June 26, 2014	Sacramento	N
Government Affairs Committee Meeting	July 1, 2014	Sacramento	Y
Board Meeting	July 17, 2014	Hayward	N
Special Board Meeting	September 25, 2014	Sacramento	N
Government Affairs Committee Meeting	October 1, 2014	Sacramento	Y
Board Meeting	October 28, 2014	San Diego	Y
Government Affairs Committee Meeting	January 23, 2015	Sacramento	Y
Special Board Meeting	January 27, 2015	Sacramento	N
Board Meeting	February 12, 2015	San Jose	Y
Government Affairs Committee Meeting	March 26, 2015	Sacramento	Y
Board Meeting	April 16, 2015	San Diego	Y
Government Affairs Committee Meeting	April 30, 2015	Sacramento	Y
Government Affairs Committee Meeting	June 11, 2015	Sacramento	Y
Special Board Meeting	June 22, 2015	Sacramento	Y

Government Affairs Committee Meeting	July 16, 2015	Sacramento	Y
Board Meeting	July 30, 2015	Sacramento	Y
Government Affairs Committee Meeting	October 22, 2015	Sacramento	Y
Board Meeting	October 27, 2015	Los Angeles	Y
Government Affairs Committee Meeting	January 14, 2016	Sacramento	Y
Board Meeting	January 28, 2016	Sacramento	Y
Government Affairs Committee Meeting	March 10, 2016	Sacramento	Y
Special Board Meeting	March 17, 2016	Sacramento	Y
Licensing/CE/PR Committee Meeting	March 30, 2016	Sacramento	Y
Licensing/CE/PR Committee Meeting	April 18, 2016	Sacramento	Y
Board Meeting	May 19, 2016	Whittier	Y
Licensing/CE/PR Committee Meeting	June 7, 2016	Sacramento	Y

Table 1a. Attendance			
Corey Lichtman, D.C.			
Date Appointed	2014		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Licensing/CE/PR Committee Meeting	April 17, 2014	Sacramento	N
Board Meeting	April 29, 2014	Whittier	Y
Licensing/CE/PR Committee Meeting	May 22, 2014	Sacramento	Y
Licensing/CE/PR Committee Meeting	June 26, 2014	Sacramento	Y
Special Board Meeting	June 26, 2014	Sacramento	Y
Board Meeting	July 17, 2014	Hayward	Y
Licensing/CE/PR Committee Meeting	August 21, 2014	Sacramento	Y
Special Board Meeting	September 25, 2014	Sacramento	N
Licensing/CE/PR Committee Meeting	October 2, 2014	Sacramento	Y
Board Meeting	October 28, 2014	San Diego	Y
Licensing/CE/PR Committee Meeting	January 22, 2015	Sacramento	Y
Special Board Meeting	January 27, 2015	Sacramento	Y
Board Meeting	February 12, 2015	San Jose	Y
Licensing/CE/PR Committee Meeting	February 26, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	March 19, 2015	Sacramento	Y
Board Meeting	April 16, 2015	San Diego	Y
Licensing/CE/PR Committee Meeting	May 14, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	June 18, 2015	Sacramento	Y
Special Board Meeting	June 22, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	July 7, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	July 15, 2015	Sacramento	Y
Board Meeting	July 30, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	August 26, 2015	Sacramento	Y
Licensing/CE/PR Committee Meeting	October 19, 2015	Sacramento	Y

Board Meeting	October 27, 2015	Los Angeles	Y
Licensing/CE/PR Committee Meeting	January 19, 2016	Sacramento	Y
Board Meeting	January 28, 2016	Sacramento	Y
Special Board Meeting	March 17, 2016	Sacramento	Y
Licensing/CE/PR Committee Meeting	March 30, 2016	Sacramento	Y
Licensing/CE/PR Committee Meeting	April 18, 2016	Sacramento	Y
Board Meeting	May 19, 2016	Whittier	Y
Licensing/CE/PR Committee Meeting	June 7, 2016	Sacramento	Y

Table 1b. Board/Committee Member Roster

Member Name (Include Vacancies)	Date First Appointed	Date Re-appointed	Date Term Expires	Appointing Authority	Type (public or professional)
Frederick Lerner, D.C.	2007		2011	Governor	Professional
Hugh Lubkin, D.C.	2007	2010	2014	Governor	Professional
Francesco Columbu, D.C.	2006	2010	2014	Governor	Professional
Jeffrey Steinhardt, D.C.	2009		2012	Governor	Professional
Richard H. Tyler, D.C.	2004	2008	2012	Governor	Professional
Julie Elginer, DrPH	2012	2012	2016	Governor	Public
Sergio Azzolino, D.C.	2012	2016	2020	Governor	Professional
Heather Dehn, D.C.	2012	2016	2020	Governor	Professional
Frank Ruffino	2012		2016	Governor	Public
John Roza, D.C.	2014		2018	Governor	Professional
Dionne McClain, D.C.	2014		2018	Governor	Professional
Corey Lichtman, D.C.	2014	2015	2019	Governor	Professional

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

   No.

3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:

   Since the BCE's last sunset review in 2011, the following internal changes have occurred:

   Appointment of New BCE Members

   - The Governor appointed seven new BCE members and four have been reappointed.

   Office Relocation

   - Following the Governor's Reorganization Plan No. 2 of 2012, which moved the BCE under the umbrella of the Department of Consumer Affairs, the BCE office relocated from North Sacramento to its current location in Downtown Sacramento.

New Assistant Executive Officer Position and Appointment

- In 2015, the BCE reclassified its vacant Supervising Special Investigator position to a Staff Services Manager II position. Subsequent to the creation of the Field Investigations Unit in 2008, the BCE has eliminated its enforcement backlog and implemented internal controls to ensure timely processing of complaints and investigations. These improvements to the process and the resulting elimination of one of our special investigator positions, allowed the BCE to cut its vacant Supervising Special Investigator position. The Assistant Executive Officer position was established to execute specific enforcement actions and office operational functions in order to expedite the business of the BCE and to increase the health, safety, and welfare of consumers. This change had the dual benefit of increasing efficiency while having no fiscal impact to the BCE, as the Supervising Special Investigator & Staff Services Manager II classifications have similar pay scales.

Strategic Plan 2017-2020

- The BCE completes a Strategic Plan every three years. On July 28, 2016, the BCE, with the help the Department of Consumer Affairs (DCA), Office of Strategic Organization, Leadership & Individual Development (SOLID), conducted a strategic planning session. The BCE will finalize its completed 2017 – 2020 Strategic Plan in October 2016.
- The BCE created the 2014-2017 Strategic Plan in 2013 and has completed over 90% of the tasks included.

Consumer Protection Brochures

- With assistance from DCA's Office of Publications, Design and Editing, the Board Members, Executive Officer, BCE staff, and stakeholders worked collaboratively to reinstitute the BCE's newsletter and develop "A Consumer's Guide to Chiropractic Care" and a brochure about the practice of chiropractic and regulation of the profession by the BCE. These brochures were created to fulfill the BCE's Strategic Plan public outreach goal related to the education of consumers about chiropractic services. The Brochures are available in English and Spanish. They can be obtained by contacting the BCE office or downloaded from the BCE's website.

Administrative Procedures Manual

- The Board Member Administrative Procedures Manual (manual) was created in 2007. Since 2013, annually, the BCE has revised and adopted the Member Administrative Procedures Manual. The manual was created to serve as a reference guide for Board Members regarding the function of the BCE and its committees, roles of Board members, and procedures for Board and committee meetings. The manual also provides general information regarding BCE operating procedures, administration and staff, and other policies and procedures.

Legislative Bill Tracking Manual

- In 2013, Board Members in conjunction with staff, created a legislative bill-tracking manual (manual). The purpose of the manual is to provide Board Members with a comprehensive framework to understand the legislative process and the BCE's part in it. Additionally, the manual provides Board Members with the tools necessary to understand an analysis and take a position on a bill.

Legislation Affecting the BCE Since the Last Sunset Review

AB 2396, Bonta (Chapter 737, Statutes of 2014)

- This bill prohibits a board within DCA from denying a license based solely on a conviction that has been dismissed pursuant to section 1203.4, 1203.4a, or 1203.41 of the Penal Code and would require an applicant who has a conviction that has been dismissed pursuant to the above provisions to provide proof of the dismissal.

SB 1159, Lara (Chapter 752, Statutes of 2014)

- The bill requires applicants for professional licensure, other than a partnership, to provide a federal taxpayer identification number or social security number on their application for licensure and requires licensing entities to report individuals to the Franchise Tax Board who fail to provide such information.

AB 1588 (Atkins, Chapter 742, Statutes of 2012)

- This bill requires Boards within the DCA, with certain exceptions, to waive the renewal fees, continuing education requirements, and other renewal requirements as determined by the Board, if any are applicable, of any licensee or registrant who is called to active duty as a member of the United States Armed Forces or the California National Guard if certain requirements are met. The bill, except as specified, prohibits a licensee or registrant from engaging in any activities requiring a license while a waiver is in effect. The bill requires a licensee or registrant to meet certain renewal requirements within a specified time period after being discharged from active duty service prior to engaging in any activity requiring a license. The bill requires a licensee or registrant to notify the Board of his or her discharge from active duty within a specified time period.

Regulations Promulgated by the BCE:

Patient Records (Amended CCR Section 318 – Effective April 8, 2012)

- This regulation establishes the BCE's current 5-year record retention requirement as a minimum requirement if no other state or federal laws require a longer period of retention. The amendments to this section would also incorporate the informed consent requirements into the patient record requirements.

Use of Lasers (Added Section 302.5 – Effective July 14, 2012):

- This regulation establishes standards for the safe and appropriate use of lasers by chiropractors and their employers. This regulation prohibits the use of that are not approved by the U.S. Food and Drug Administration (FDA) or for treatments that are not consistent with the

FDA's approval. The regulation also prohibits the use of lasers outside the chiropractic scope of practice, including the laser treatment of allergies.

Name of Corporation (Deleted Section 367.7 – Effective October 1, 2013)

- The regulation repealed CCR Section 367.7 due to duplication of BPC Section 1054 and a conflicting requirement.

Sponsored Free Healthcare (Adopt Article 1.5, Added Sections 309, 309.1, 309.2, 309.3, 309.4 - Effective October 1, 2015) – *Mandated by the Legislature*

- This rulemaking establishes the requirements and procedures to allow out-of-state chiropractors with valid, current, and active licenses to practice chiropractic in sponsored free health care events in California.

Proposed Regulations:

Application for Licensure (CCR Section 321 & 364) – *Mandated by the Legislature*

- The regulation would amend the BCE application for licensure to comply with new legislation. The revision will assist the BCE in identifying past or present members of the military and their spouses in order to expedite the licensure process for these individuals. Additionally, the regulation would amend the continuing education (CE) regulations for consistency with the provisions of BPC section 114.3 to waive renewal fees, CE requirements, and other requirements for active duty members of the U.S. military. In addition, the regulation would allow the BCE to award up to 16 hours of CE credit to licensees who participate in the review and revision of the California Law and Professional Practices Examination. The BCE anticipates submitting the package to the Office of Administrative Law for approval in October 2016.

Consumer Protection Enforcement Initiative (CPEI):

- The regulation would add or amend eleven sections to the California Code of Regulations (CCR) to provide the BCE with greater enforcement authority to monitor licensees and applicants in order to protect chiropractic consumers. This package will be noticed in Q2 FY 2016-2017.

Uniform Standards Related to Substance Abuse and Disciplinary Guidelines and Model Disciplinary Orders – *Mandated by the Legislature*

- The uniform standards establish guidelines for monitoring licensees determined to be "Substance Abusing Licensees". The BCE's Disciplinary Guidelines will be revised to streamline the enforcement process, update references to reflect changes in statute and regulation and provide greater protection to consumers. The BCE anticipates noticing the package in Q3 2017.

4. Describe any major studies conducted by the board.

Revised the California Law and Professional Practice Examination

The BCE completed the review and revision of the California Law and Professional Practice Examination, which was in need of updating due to recent legislation and changes relevant to regulation of the profession. This examination promotes consumer protection by ensuring that

applicants for a chiropractic license With assistance from DCA's Strategic Planning and Development Unit, the Board Members, Executive Officer, BCE staff, and stakeholders worked collaboratively to update the BCE's Strategic Plan for 2014-17 and continually assures all goals objectives action planning are met

Occupational Analysis

March 2016, the BCE commenced work with DCA's Office of Professional Examination Services on an Occupational Analysis (OA). The OA will help define the practice of chiropractic in California in terms of actual job tasks that newly licensed chiropractors must be able to perform safely and competently at the time of licensure. The results of the OA, which is anticipated to be completed in the spring 2017, will serve as the basis for the development of any new chiropractic licensing examination in California.

5. List the status of all national associations to which the board belongs.

    - Federation of Chiropractic Licensing Boards
    - National Board of Chiropractic Examiners
    - Association of Chiropractic Board Administrators

- Does the BCE membership include voting privileges?

  Yes.

- List committees, workshops, working groups, task forces, etc., on which board participates.

  The BCE is a member of the Federation of Chiropractic Licensing Boards, the National Board of Chiropractic Examiners, and the Association of Chiropractic Board Administrators.

- How many meetings did board representative(s) attend? When and where?

  The BCE's Vice Chair was able to attend the 2016 California Chiropractic Association (CCA) Convention in San Diego. Her attendance at the Conference enabled her to observe the continuing education courses offered interact with instructors and attendees can provide invaluable insights that the BCE can consider when promulgating continuing education regulations.

  The BCEs Vice Chair was able to attend the 2016 National Board of Chiropractic Examiners (NBCE) and the Federation of Chiropractic Licensing Board meeting in Phoenix, AZ.

- If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?

  BCE Board Members are actively involved in the development of various phases of the national examination testing process. Board members also participate in the administration of the test, as testers, to assure that the test offered meets the goals and desires of the BCE to promote public safety and quality education.

  The BCE's Board members served on the Part IV test committee in February 2016 and was invited to be part of the Part III test committee. They were an integral part of the Ethics and Boundaries testing development.

  The national exam is psychometrically developed to assure quality testing, uniform testing, elimination of tester bias, and provide a structured, standardized fair and proven testing

process to help assure the promotion of public safety. Board members also take part in the annual National Board of Chiropractic Examiners (NBCE) convention, which provides the BCE with oversight and input in the process and goals of the national exam, and Board Members can participate as officers in the NBCE structure, participate in a wide variety of subjects that collectively make up the NBCE as one of the top standardized and structured testing entities in the US.

Section 2 – Performance Measures and Customer Satisfaction Surveys

6. Provide each quarterly and annual performance measure report for the board as published on the DCA website.

   Data is collected quarterly and reported on the Department's website at: http://www.dca.ca.gov/about_dca/cpei/index.shtml

7. Provide results for each question in the BCE customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.

   FY 2014/2015

   RESULTS: Over 70% of consumers found out about the BCE through an internet search and 40% of consumers initially contacted the BCE about their complaint via our website. Over 66% of consumers strongly agreed or somewhat agreed that the BCE's service was courteous. Understandably, complaints closed for insufficient evidence or without merit are more likely to result in consumer dissatisfaction. As a result, this survey indicates that 80% of consumers were dissatisfied with how their complaint was handled by the BCE.

   FY 2015/2016

   RESULTS: 100% of consumers found out about the BCE through an internet search. However, 100% of consumers initially contacted the BCE about their complaint by regular mail. These results appear to indicate that consumers were able to locate the BCE's website and then navigate to our Consumer Complaint Form for use in filing a complaint. 100% of consumers somewhat agreed that the Board's service was courteous. Understandably, complaints closed for insufficient evidence or without merit are more likely to result in consumer dissatisfaction. As a result, this survey indicates that 100% of consumers were dissatisfied with how their complaint was handled by the BCE.

   Total surveys sent out to consumers:

   FY 2013/2014

   No specific date is available for this fiscal year. However, CAS report shows.

Survey Letters Sent	146
Surveys Submitted by Consumers	19

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FY 2014/2015

Survey Letters Sent	117
Surveys Submitted by Consumers	10

FY 2015/2016

Survey Letters Sent	117
Surveys Submitted by Consumers	10

Below are the results for FY 2014/15 thru FY 2015/16 Enforcement Survey.

1. Please enter your complaint number listed on your letter you recently received.

2013/14	Year 2014/15	Year 2015/16
0	10	5

2. How did the complainant find out about the Board?

Response Choices	Response Volume		
	2013/14	2014/15	2015/16
Websearch	0	5	2
Friend or relative	0	1	0
Medical Provider	0	1	0
Other government agency	0	0	0
Total	0	7	2

3. How did the complainant initially contacted the Board regarding their complaint?

Response Choices	Response Volume		
	2013/14	2014/15	2015/16
Phone	0	3	0
In person	0	0	0
Regular Mail	0	3	2
Website	0	4	0
No Response	0	0	0
Total	0	10	2

4. Was the Board's service courteous?

Response Choices	Response Volume		
	2013/14	2014/15	2015/16
Yes, strongly agree	0	3	0
Somewhat agree	0	3	2
Somewhat disagree	0	1	0
No, strongly agree	0	2	0
Total	0	9	2

5. How satisfied they were with the time it took for the Board to resolve their complaint?

Response Choices	Response Volume		
	2013/14	2014/15	2015/16
Very Satisfied	0	2	0
Somewhat Satisfied	0	0	0
Somewhat dissatisfied	0	1	0
Very dissatisfied	0	7	2
Total	0	10	2

6. Overall, how satisfied were you with the way in which we handled your complaint?

Response Choices	Response Volume		
	2013/14	2014/15	2015/16
Very Satisfied	0	2	0
Somewhat Satisfied	0	0	0
Somewhat dissatisfied	0	0	0
Very dissatisfied	0	8	2
Total	0	10	2

7. Would you contact us again for a similar situation?

Response Choices	Response Volume		
	2013/14	2014/15	2015/16
Definitely	0	1	0
Probably	0	1	0
Probably not	0	2	1
Absolutely	0	4	1
Total	0	8	2

8. Asked the complainant to provide any comments they wished to provide.

Response Choices	Response Volume		
	2013/14	2014/15	2015/16
Comments received	0	8	2
Total	0	8	2

Section 3 – Fiscal and Staff

Fiscal Issues

8. Is the board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.

   No.

9. Describe the board's current reserve level, spending, and if a statutory reserve level exists.

   Currently, the BCE has a total of $ 3 million program expenditures with $ 2 million reserve and no statutory reserve level exists.

10. Describe if/when a deficit is projected to occur and if/when fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.

    The BCE has a healthy reserve and does not anticipate a deficit in the foreseeable future.

Table 2. Fund Condition

(Dollars in Thousands)	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18
Beginning Balance						
Revenues and Transfers						
Total Revenue	$	$	$	$	$	$
Budget Authority						
Expenditures						
Loans to General Fund						
Accrued Interest, Loans to General Fund						
Loans Repaid From General Fund						
Fund Balance	$	$	$	$	$	$
Months in Reserve						

11. Describe the history of general fund loans. When were the loans made? When have payments been made to the board? Has interest been paid? What is the remaining balance?

No.

12. Describe the amounts and percentages of expenditures by program component. Use *Table 3. Expenditures by Program Component* to provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

Table 3. Expenditures by Program Component (list dollars in thousands)

	FY 2012/13		FY 2013/14		FY 2014/15		FY 2015/16	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	1,195,231	1,468.881	1,043,687	775,461	1,180,327	781,461	1,207,200	921,812
Examination	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Licensing	341,494	419,678	298,194	221,560	337,236	223,272	344,914	263,374
Administration *	170,747	209,839	149,097	110,780	168,618	111,636	172,457	131,687
DCA Pro Rata	N/A	66,820	N/A	431,646	N/A	376,618	N/A	439,104
Diversion (if applicable)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TOTALS	$1,707,472	$2,165,218	$1,490,978	$ 1,539,447	$ 1,686,181	$ 1,492,987	$ 1,724,571	$ 1,755,977

*Administration includes costs for executive staff, board, administrative support, and fiscal services.

13. Describe the amount the board has contributed to the BreEZe program. What are the anticipated BreEZe costs the board has received from DCA?

14. Describe license renewal cycles and history of fee changes in the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citation) for each fee charged by the board.

Renewal cycles are annual. Assembly Bill 1996 (Hill 2010) increased the annual license renewal fee from $150.00 to $250.00 in 2011. BCE's fee authority is the Chiropractic Initiative Act of California section 12 and the California Code of Regulation section 370.

Table 4. Fee Schedule and Revenue (list revenue dollars in thousands)

Fee	Current Fee Amount	Statutory Limit	FY 2012/13 Revenue	FY 2013/14 Revenue	FY 2014/15 Revenue	FY 2015/16 Revenue	% of Total Revenue
Renewal Chiro License Fee	$250.00	$250.00	$,3,187,750.00	$3,363,000.00	$3,264,250.00	$3,214,500.00	89.8%
Forfeiture Fee	$250.00	$250.00	$51,500.00	$53,000.00	$49,500.00	$37,500.00	1.05%
Renewal Satellite Certificate	$5.00		$10,270.00	$12,680.00	$12,955.00	$13,755.00	.38%
Renewal Corp Registration	$10.00		$12,020.00	$12,660.00	$13,060.00	$13,570.00	.38%
Application Fee	$100.00	$100.00	$35,600.00	$35,600.00	$36,200.00	$33,000.00	.92%
Licensure Fee	$100.00	$100.00	$31,700.00	$32,100.00	$34,700.00	$30,200.00	.84%
Corporation	$100.00	$100.00	$9,600.00	$11,300.00	$11,300.00	$9,900.00	.28%

Application							
Reciprocity Application	$25.00	$25.00	$350.00	$325.00	$250.00	$300.00	.008%
Referral Service Registration	$25.00	$25.00	$0	$25.00	$25.00	$25.00	.001%
Continuing Education Provider Application	$75.00	$75.00	$5,025.00	$4,050.00	$4,350.00	$2,325.00	.06%
Continuing Education Application	$50.00	$50.00	$58,150.00	$72,400.00	$75,950.00	$72,250.00	2.02%
Dup/Replacement License Fee	$25.00		$6,925.00	$7,925.00	$9,225.00	$8,750.00	.2%
Satellite Application Fee	$5.00		$8,220.00	$6,695.00	$6,490.00	$7,625.00	.2%
Fingerprint Reimbursements	Various	Various	$4,590.00				
Miscellaneous	Various	Various	$4,138.50	$1,495.22	$3,258.61	$330.00	.001%
Cost Recovery	Various	Various	$151,128.94	$138,618.70	$144,963.61	$119,320.60	3.33%
Dishonored Check Fee	$25.00	$25.00	$775.00	$925.00	$975.00	$850	.02%
Cite and Fine	Various	Various	$23,440.12	$17,872.59	$13,882.00	$9,412.50	.26%

15. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

Table 5. Budget Change Proposals (BCPs) NONE

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	$ Requested	$ Approved	$ Requested	$ Approved
NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA
NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA
NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA

Staffing Issues

16. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

    The BCE promotes succession planning and will continue in-house leadership and back-up training to develop leaders and back-up staff who can contribute to principle functions, understand organizational principles and practices, embrace and manage changes, and make sound decisions. The BCE continues to back fill vacancies proactively.

17. Describe the board's staff development efforts and how much is spent annually on staff development (cf., Section 12, Attachment D).

    The BCE spends approximately $3,000 annually on staff training. The BCE provides its employees the resources/tools for upward mobility. The BCE's management provides coaching

and mentoring for our employees in hope that the employee will demonstrate a desire to gain new knowledge, skills, and abilities in work to seek out the opportunities for upward mobility. The BCE encourages each employee to utilize the Department of Consumer Affairs' Training and Development Upward Mobility Program.

Section 4 – Licensing Program

18. What are the board's performance targets/expectations for its licensing[2] program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

    The BCE has no regulations stipulating the application processing time frame. The BCE has targets/expectations of 3 - 5 months to process new applications. The BCE is meeting the targets/expectations with a 3½ months average processing time- frame of new applications.

19. Describe any increase or decrease in the board's average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications?

    No.

    If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

    The BCE is meeting the target expectations with an of 3 ½ months average processing time frame of new applications.

20. How many licenses or registrations does the board issue each year? How many renewals does the board issue each year?

Table 6. Licensee Population

		FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Doctor of Chiropractic	Active	13,427	13,402	13,337	13,262
	Out-of-State	941	932	910	877
	Out-of-Country	103	98	99	97
	Delinquent	1,377	1,207	1,068	1,050
Corporation	Active	1,320	1,361	1,399	1,402
	Out-of-State	3	2	1	2
	Out-of-Country	793	838	882	942
	Delinquent	3,774	3,612	3,829	3,955
Satellite Office	Active	0	0	0	0
	Out-of-State	0	0	0	0
	Out-of-Country	3,263	3,668	4,133	4,637
	Delinquent	33	32	33	34
Referral Service	Active	0	0	0	0
	Out-of-State	0	0	0	0
	Out-of-Country	0	0	0	0

[2] The term "license" in this document includes a license certificate or registration.

	Delinquent	0	0	0	0

Table 7a. Licensing Data by Type

	Application Type	Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
						Total (Close of FY)	Outside Board control*	Within Board control*	Complete Apps	Incomplete Apps	combined, IF unable to separate out
FY 2013/14	(Exam)	356	332	20	N/A	108	NDA	NDA	16	129	
	(License)	321	321	25	321	0	NDA	NDA	71	84	
	(Renewal)	13,452	11,246	n/a	11,246	NDA	NDA	NDA	NDA	NDA	
FY 2014/15	(Exam)	362	359	21	N/A	98	NDA	NDA	17	154	
	(License)	347	347	18	347	0	NDA	NDA	37	110	
	(Renewal)	13,057	13,003	n/a	13,003	NDA	NDA	NDA	NDA	NDA	
FY 2015/16	(Exam)	330	324	17	N/A	111	NDA	NDA	15	119	
	(License)	302	302	15	302	0	NDA	NDA	31	78	
	(Renewal)	12,858	13,071	20	N/A	108	NDA	NDA	16	129	

* Optional. List if tracked by the board.

Table 7b. Total Licensing Data

	FY 2013/14	FY 2014/15	FY 2015/16
Initial Licensing Data:			
Initial License/Initial Exam Applications Received	356	365	330
Initial License/Initial Exam Applications Approved	322	341	306
Initial License/Initial Exam Applications Closed	322	341	306
License Issued	322	341	306
Initial License/Initial Exam Pending Application Data:			
Pending Applications (total at close of FY)	108	98	111
Pending Applications (outside of board control)*	NDA	NDA	NDA
Pending Applications (within the board control)*	NDA	NDA	NDA
Initial License/Initial Exam Cycle Time Data (WEIGHTED AVERAGE):			
Average Days to Application Approval (All - Complete/Incomplete)	72.5	85.5	67
Average Days to Application Approval (incomplete applications)*	129	154	119
Average Days to Application Approval (complete applications)*	16	17	15
License Renewal Data:			
License Renewed	11,246	13,003	13,071

* Optional. List if tracked by the board.

21. How does the board verify information provided by the applicant?

The BCE carefully reviews the official pre-chiropractic hours form from all BCE approved chiropractic colleges, attended by licensing applicants to ensure that all pre-chiropractic coursework has been completed prior to enrollment in their chiropractic college. In addition, we send our Chiropractic College Certificate to the chiropractic college attended by the applicant and require the college to fill in the number of hours completed in each required educational subject.

a. What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant?

The BCE requires all applicants to submit criminal background checks at the State and Federal levels.

b. Does the board fingerprint all applicants?

Yes.

c. Have all current licensees been fingerprinted? If not, explain.

The BCE adopted regulations effective January 14, 2011 requiring electronic criminal background checks for all licensees. If licensees were initially licensed prior to January 1, 1997 or if the BCE does not already have a record of an electronic submission, they must submit their fingerprints via Live Scan.

d. Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?

Yes, there is the National Practitioner Data Bank. No, the Board does not check the National Data Bank prior to issuing a license. However, the board requires an applicant to disclose all disciplinary actions prior to issuing a license. A licensee is required to report any disciplinary actions on their annual renewal form.

The Board previously attempted to promulgate regulations containing provisions requiring the BCE to annually check the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank prior to the issuance of a license or a renewal. However, the Department of Finance informed the BCE staff that it would not approve the proposed regulations because the cost of conducting the data bank checks would be $46,391, initially, and $90,350, ongoing, which cannot be absorbed within the BCE's existing budget appropriation. Therefore, the BCE withdrew this provision from the Omnibus Consumer Protection Regulations package and will pursue this authority in a separate regulation if we are able to get sufficient additional appropriation authority.

e. Does the board require primary source documentation?

Yes.

22. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

Through the BCE's Act and Regulations, the BCE provides for reciprocal licensure for candidates licensed in other states. The candidate must have graduated from a BCE approved chiropractic college with the completion of the minimum number of hours and subjects as required by California law at the time the candidate's license was issued. Equivalent successful examination in each of the subjects examined in California in the same year as the candidate was issued a

licensed in the state from which they are applying. They must hold a valid and up-to-date license from the state from which they are reciprocating. The state from which they are licensed must offer reciprocal licensure to California chiropractors. The candidate must have five (5) years of chiropractic practice.

The BCE does not have the authority to grant reciprocal licensure to applicants who are licensed in another country.

23. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

    a. Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?

       The BCE expects to be compliant by October of 2016 when the regulation for Application for Licensure (CCR Section 321) goes into effect. The Board is currently requesting information from existing chiropractors whether or not they currently serve or have served in the military.

    b. How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?

       None.

    c. What regulatory changes has the board made to bring it into conformance with BPC § 35?

       The BCE has taken various actions to reduce barriers to entering the chiropractic profession for military veterans. The BCE has promulgated a regulation that would require applicants to identify if they have ever served in the U.S. Military or are a spouse or domestic partner of an active duty U.S. service member. Additionally, the BCE has implemented a process to expedite the processing of licensing applications from military veterans.

       However, with regard to considering military education, training, and experience for licensure, the BCE has thus far taken no action. The requirements for chiropractic licensure are established in the Chiropractic Initiative Act. The stated qualifications are specific and provide the BCE with little to no discretion over what experience or education can be accepted. In the Chiropractic Initiative Act, there is no specific statute in place that addresses the acceptance of military training or experience for the purposes of licensure. Additionally, the military does not appear to offer training in or have a job classification relating to the practice of chiropractic.

    d. How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?

       The board has waived one license fee, which had a $100 impact on BCE's revenues, which was insignificant and absorbable.

    e. How many applications has the board expedited pursuant to BPC § 115.5?

       None.

24. Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

    Yes, the Board notifies DOJ on an ongoing basis of no longer interested in receiving notifications.

Examinations

Table 8. Examination Data						
California Examination (include multiple language) if any:						
	License Type	Doctor of Chiropractic				
	Exam Title	California Law & Professional Practice Exam				
FY 2012/13	# of 1st Time Candidates	319				
	Pass %	66%				
FY 2013/14	# of 1st Time Candidates	331				
	Pass %	67%				
FY 2014/15	# of 1st Time Candidates	342				
	Pass %	73%				
FY 2015/16	# of 1st time Candidates	313				
	Pass %	69%				
	Date of Last OA	2004				
	Name of OA Developer	HZ Assessments				
	Target OA Date	2012				
National Examination (include multiple language) if any:						
	License Type	Chiropractor	Chiropractor	Chiropractor	Chiropractor	Chiropractor
	Exam Title	**Part I**	**Part II**	**Part III**	**Part IV**	**Physiotherapy**
FY 2012/13	# of 1st Time Candidates	2490	2406	2262	2217	2298
	Pass %	72.98%	71.74%	81.17%	89.58 %	89.96%
FY 2013/14	# of 1st Time Candidates	2472	2444	2450	2378	2394
	Pass %	74.56%	71.77%	81.31%	89.74 %	86.97%
FY 2014/15	# of 1st Time Candidates	2496	2327	2292	2257	2218
	Pass %	75.64%	72.97%	81.37%	89.46%	89.63%
FY 2015/16	# of 1st time Candidates	2647	2426	2421	2298	2499
	Pass %	72.77%	70.90%	79.68%	89.03%	88.12 %
	Date of Last OA	2015				
	Name of OA Developer	NBCE				
	Target OA Date	2020				

25. Describe the examinations required for licensure. Both National Boards and California law exam is required. Is a national examination used?

    Yes. Is a California specific examination required? Yes. Are examinations offered in a language other than English? No.

26. What are pass rates for first time vs. retakes in the past 4 fiscal years? *(Refer to Table 8: Examination Data)* Are pass rates collected for examinations offered in a language other than English?

    The California specific examination does not capture retake statistics, only provides first time candidates pass and fails. No the other language is available.

27. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?

    BCE utilizes computer based testing for its California specific examination, which is available throughout the year in various locations throughout the US. The National exam is not computer based and is administered in Spring and Fall each year at various locations throughout the US. It is offered at three sites in California: Whittier, San Jose and Hayward.

28. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

    No.

School approvals

29. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?

    The BCE regulations define the requirements needed to approve schools. Schools need to demonstrate that they meet the following requirements: supervision, financial management, records, catalog, calendar, faculty, student faculty ratio, faculty organization, scholastic regulations, curriculum, physical facilities, and quality of instruction. BPPE does not play a role in approving the BCE schools. BCE's regulation states that no school shall be approved until it has been inspected by the Council of Chiropractic Education (CCE). The CCE is the agency recognized by the U.S. Secretary of Education for accreditation of programs and institutions offering the doctor of chiropractic degree.

30. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?

    The BCE has 20 BCE approved schools. The BCE regulation provides for reviews and inspections to be conducted by the CCE. CCE has established requirements to inspect/review schools on an eight-year cycle for established schools and four-year cycle for schools gaining initial accreditations. Typically, established schools site visits occur at the four-year mark, halfway through the cycle.

31. What are the board's legal requirements regarding approval of international schools?

    No school shall be approved, within the United State or internationally, until it has been in operation for at least two years, meets all regulatory requirements and is inspected by the CCE

Continuing Education/Competency Requirements

32. Describe the board's continuing education/competency requirements, if any. Describe any changes made by the board since the last review.

    No changes made since the last review.

Pursuant to CCR Section 361(e) Continuing Education Requirements, 24 hours are required as follows:

- 2 hours must be completed in: Ethics and Law
- 4 hours must be completed in any one of, or combination of the following subject categories:
  - History Taking and Physical Examination Procedures, OR
  - Chiropractic Adjustive Techniques, OR
  - Chiropractic Manipulation Techniques, OR
  - Ethical Billing and Coding
- 18 hours may be completed in General Subject Categories
- maximum of twelve (12) continuing education hours may be completed through distance learning

a. How does the board verify CE or other competency requirements?

The BCE relies on yearly renewal slip self-certification and has regulatory authority to conduct random audits to verify compliance.

b. Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.

The BCE has regulatory authority to conduct random audits to verify compliance. Regulations provide that a licensee shall retain documents of completion of continuing education courses for a period of four years and shall provide proof upon the BCE's request. The BCE conducts approximately 900 – 1,000 random audits per year.

c. What are consequences for failing a CE audit?

If a licensee furnishes false/misleading information or fails to complete the required continuing education requirements, they will be subject to disciplinary action, which would range from an educational letter, citation and fine, and/or the most severe, administrative discipline.

d. How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?

Fiscal 2012-2013 No specific data is available for this fiscal year.

Fiscal 2013-2014 473 audits 56 failed which is 12%

Fiscal 2014-2015 539 audits 97 failed which is 18%

Fiscal 2015-2016 572 audits so far and 93 failures so far which is 16%

e. What is the board's course approval policy?

The BCE regulations require each course application to include four documentations to be submitted: an hourly breakdown of the continuing education course; a final copy of the syllabus/course schedule with specifics included; a copy of the course brochure and all other promotional material to be used; and, curriculum vitae of each instructor. Staff will review, verify and analyze all documentation. Once complete, course applications will be submitted to the manager for review, approval/denial. Once approved, a notification letter is sent to the provider.

f. Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?

Continuing Education provider applications are reviewed then approved by BCE staff for completeness. The full Board will ratify any provider application approvals granted by staff at a subsequent Board meeting.

g. How many applications for CE providers and CE courses were received? How many were approved?

Fiscal Year	Application Type	Received	Approved
2011/12	CE Providers	45	10
2012/13	CE Providers	67	73
2013/14	CE Providers	54	24
2014/15	CE Providers	58	26
2015/16	CE Providers	31	5

Fiscal Year	Application Type	Received	Approved
2011/12	CE Courses	981	1,014
2012/13	CE Courses	1,163	1,140
2013/14	CE Courses	1,448	1,431
2014/15	CE Courses	1,519	1,484
215/16	CE Courses	1,445	1, 421

h. Does the board audit CE providers? If so, describe the board's policy and process.

Continuing education courses and providers are selected for an audit on a random basis or as a result of a compliance complaint. An expert reviewer or a designee appointed by the BCE shall have the right to inspect or audit any approved continuing education course or provider. The continuing education audit guidelines and requirements are followed during the audit. A report is generated detailing the findings of the audit. If violations are alleged, a complaint is opened and investigated.

i. Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee's continuing competence.

The BCE has regulatory authority to conduct random audits to verify compliance and consequences for failing would range from an educational letter, citation and fine, and/or the most severe, administrative discipline.

BCE has not implemented continuing education competence assessments since the profession is specialized.

33. What are the board's performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

To ensure that DCA and its stakeholders can review DCA's progress in meeting its enforcement goals and targets, DCA has developed an easy- to-understand, transparent system of accountability – performance measures. The performance measures are critical, particularly during the current climate of budget constraint and economic downturn, for demonstrating that DCA is making and will continue to make the most efficient and effective use possible of its resources. Performance measures are linked directly to an agency's mission and vision, strategic objectives, and strategic initiatives.

DCA's measures for enforcement are based on the macro enforcement process. This will allow DCA to report on our progress with a consistent set of definitions.

Yes, BCE is meeting those expectations.

34. Explain trends in enforcement data and the board's efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

The BCE's complaint intake statistics reflect an increase of 88 complaints received over the past four fiscal years as compared to the last review. The number of complaint cases pending at the close of each fiscal year averaged less than 100 cases, as compared to an average of 250 cases pending in the last review. This reflects a decrease of over 60% in pending cases at the close of each fiscal year as compared to the last review. This trend demonstrates management and staff's commitment to continuously improve the processing timeframes from complaint intake to case closure.

Working with the Department of Consumer Affairs, SOLID Training and Planning Solutions in 2014, BCE staff assisted in the development and implementation of an online consumer satisfaction survey in order to help improve customer service and provide feedback for staff. Prior to the online survey, the BCE enclosed a survey form with case closure letters to encourage complainants to return the completed surveys back to the BCE. However, the process had no value because the data was not being analyzed and we lacked a place/process to document the ratings and comments. Therefore, our case closure letters to complainants were updated to include a survey monkey link. The survey results are gathered by SOLID and reported to the board quarterly. The reports identify the number of responses received and a statistical breakdown for each question on the survey.

In 2015, the BCE conducted a mandatory expert consultant training to ensure continued quality review of our complaint and disciplinary cases. The expert consultant's role is extremely important in identifying whether a deviation from the chiropractic standard of care or unprofessional conduct has occurred, as well as testifying as a subject matter expert at our administrative hearings. The expert consultant's report is a critical resource in establishing violations by licensees or eliminating cases that do not warrant disciplinary action. Therefore, the BCE conducts training periodically to define the expectations of the expert review. Training

sessions were held in northern and southern California to accommodate applicants throughout the state.

Table 9a. Enforcement Statistics			
	FY 2013/14	*FY 2014/15*	*FY 2015/16*
COMPLAINT			
Intake			
Received	619	596	544
Closed	475	458	546
Referred to INV	89	86	82
Average Time to Close	100	363	303
Pending (close of FY)	161	60	44
Source of Complaint			
Public	266	234	181
Licensee/Professional Groups	50	25	27
Governmental Agencies	42	14	40
Other	261	323	296
Conviction / Arrest			
CONV Received	117	64	67
CONV Closed	116	64	70
Average Time to Close	5	17	73
CONV Pending (close of FY)	3	3	0
LICENSE DENIAL			
License Applications Denied	2	1	0
SOIs Filed	6	2	0
SOIs Withdrawn	2	1	0
SOIs Dismissed	0	0	0
SOIs Declined	0	0	0
Average Days SOI	298	676	0
ACCUSATION			
Accusations Filed	28	23	31
Accusations Withdrawn	3	3	2
Accusations Dismissed	1	0	0
Accusations Declined	1	1	4
Average Days Accusations	870	924	391
Pending (close of FY)	64	65	66

Table 9b. Enforcement Statistics (continued)			
	FY 2013/14	FY 2014/15	FY 2015/16
DISCIPLINE			
Disciplinary Actions			
Proposed/Default Decisions	13	9	4
Stipulations	10	3	25

Average Days to Complete	1389	741	391
AG Cases Initiated	30	41	44
AG Cases Pending (close of FY)	64	65	66
Disciplinary Outcomes			
Revocation	13	9	4
Voluntary Surrender	8	9	9
Suspension	1	0	0
Probation with Suspension	4	2	4
Probation	20	17	15
Probationary License Issued	16	11	13
Other	0	2	4
PROBATION			
New Probationers	19	16	16
Probations Successfully Completed	17	23	27
Probationers (close of FY)	118	120	113
Petitions to Revoke Probation	10	6	8
Probations Revoked	5	2	1
Probations Modified	0	1	1
Probations Extended	0	1	4
Probationers Subject to Drug Testing	28	28	25
Drug Tests Ordered	503	531	469
Positive Drug Tests	6	29	16
Petition for Reinstatement Granted	1	0	1
DIVERSION			
New Participants	n/a	n/a	n/a
Successful Completions	n/a	n/a	n/a
Participants (close of FY)	n/a	n/a	n/a
Terminations	n/a	n/a	n/a
Terminations for Public Threat	n/a	n/a	n/a
Drug Tests Ordered	n/a	n/a	n/a
Positive Drug Tests	n/a	n/a	n/a

Table 9c. Enforcement Statistics (continued)			
	FY 2013/14	FY 2014/15	FY 2015/16
INVESTIGATION			
All Investigations			
First Assigned	612	596	554
Closed	565	545	629
Average days to close	133	204	173
Pending (close of FY)	225	276	201
Desk Investigations			
Closed	488	455	531
Average days to close	100	173	149
Pending (close of FY)	161	216	157
Non-Sworn Investigation			
Closed	77	90	98
Average days to close	341	363	303
Pending (close of FY)	64	60	44
Sworn Investigation			
Closed	n/a	n/a	n/a
Average days to close	n/a	n/a	n/a
Pending (close of FY)	n/a	n/a	n/a
COMPLIANCE ACTION			
ISO & TRO Issued	1	1	1
PC 23 Orders Requested	3	5	2
Other Suspension Orders	0	0	0
Public Letter of Reprimand	0	0	0
Cease & Desist/Warning	5	3	4
Referred for Diversion	n/a	n/a	n/a
Compel Examination	0	0	0
CITATION AND FINE			
Citations Issued	31	28	18
Average Days to Complete	242	289	178
Amount of Fines Assessed	$27,600.00	$30,900.00	$21,950.00
Reduced, Withdrawn, Dismissed	9	8	9
Amount Collected	$22,137.59	$19,587.50	$16,137.50
CRIMINAL ACTION			
Referred for Criminal Prosecution	0	0	0

Table 10. Enforcement Aging						
	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	Cases Closed	Average %
Attorney General Cases (Average %)						
Closed Within:						
1 Year	17	8	8	13	46	24%
2 Years	23	12	14	22	71	36%
3 Years	13	12	7	5	37	19%
4 Years	5	4	4	0	13	66%
Over 4 Years	11	7	7	3	28	14%
Total Cases Closed	69	43	40	43	195	159%
Investigations (Average %)						
Closed Within:						
90 Days	3	12	8	14	37	11%
180 Days	12	13	21	18	64	19%
1 Year	42	33	25	37	137	41%
2 Years	13	13	32	23	81	24%
3 Years	2	2	1	4	9	3%
Over 3 Years	1	4	3	2	10	3%
Total Cases Closed	73	77	90	98	338	101%

35. What do overall statistics show as to increases or decreases in disciplinary action since last review?

Compared to the last review, statistics show a decrease of 53% in disciplinary cases, which resulted in proposed or default decisions. Disciplinary cases that resulted in stipulated decisions decreased by 41% compared to the last review.

There was a decrease of 56% in accusations referred to the Attorney General's office over the last three fiscal years as compared to the last review.

The cycle time from the date a case was received as a complaint to the date when the disciplinary order was issued reflects a decrease of 31%.

The total count of pending disciplinary cases at the close of the last three fiscal years as compared to the last review indicates a decrease of 49%.

36. How are cases prioritized? What is the board's compliant prioritization policy? Is it different from DCA's *Complaint Prioritization Guidelines for Health Care Agencies* (August 31, 2009)? If so, explain why.

Within five (5) business days of receipt, the complaint is reviewed by the Complaint Intake Analyst to determine the following:

1.) Urgent – open and assign within five (5) business days

2.) High or Routine – open and assign within ten (10) business days

37. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?

Yes. Business and Professions Code (B&P) Section 801 requires Insurers to report settlements over $3,000.00. B&P Section 802 requires licensees to report settlement awards over $3,000.00. B&P Section 803 requires courts to report judgments in excess of $30,000.00. The board is not aware of any problems receiving these reports as we receive them on a routine basis.

a. What is the dollar threshold for settlement reports received by the board?

The dollar "threshold" for malpractice settlement reports received by the BCE is $3,000.

b. What is the average dollar amount of settlements reported to the board?

FY 2013/2014: $78,558

FY 2014/2015: $205,789

FY 2015/2016 $104,947

38. Describe settlements the BCE, and Office of the Attorney General on behalf of the board enter into with licensees.

In lieu of an administrative hearing, the board and a licensee may enter into an agreement called a Stipulated Settlement and Disciplinary Order. This action usually results in probation with applicable terms and conditions placed on the license.

As an alternative to an administrative hearing or board probation, some licensees elect to voluntarily surrender their license. This agreement between the BCE and a licensee is called a Stipulated Surrender of License and Disciplinary Order.

a. What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?

The BCE does not enter into stipulated settlements before an accusation has been served upon a licensee (pre-accusation). Over the past four years, 38 disciplinary cases proceeded to administrative hearings.

b. What is the number of cases, post-accusation, that the board settled for the past four years, compare?

The BCE entered into an agreement with the licensee in 123 stipulated settlement cases over the past four years. 38 disciplinary cases proceeded to an administrative hearing over the past four years.

c. What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?

Of the overall disciplinary cases that settled or preceded to hearing (161), 76% were stipulated settlements as compared to 24%, which proceeded to administrative hearings.

39. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?

No. BCE does not have a statute of limitations; however, California Code of Regulations Section 318(a) only requires chiropractors to maintain patient records for five (5) years from the last treatment date.

40. Describe the board's efforts to address unlicensed activity and the underground economy.
The BCE is authorized to impose citations and fines upon any individuals found to be in violation of any law or regulation governing the practice of chiropractic in California.

The BCE is authorized to impose citations and fines upon any individuals found to be in violation of any law or regulation governing the practice of chiropractic in California.

Cite and Fine

41. Discuss the extent to which the board has used it's cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the $5,000 statutory limit?

The BCE regulations allow the ability to attach fines to issued citations with the maximum fine of $5,000. An order of abatement is attached with the issued citation to educate, require and monitor compliance.

If citation fines are unpaid, the BCE has the ability to utilize the Interagency Intercept Collections Program (Intercept). This program is administered by the Franchise Tax Board (FTB) and works directly with the State Controllers Office (SCO) to deliver the funds to the participating agencies. The monies are intercepted from the debtors, via lottery winnings and tax refunds. The BCE will allow for a repayment plan in extenuating circumstances.

42. How is cite and fine used? What types of violations are the basis for citation and fine?

The BCE is authorized to impose citations and fines upon any individuals found to be in violation of any law or regulation governing the practice of chiropractic in California. A citation or citation with fine is used to address less serious violations that are technical or minor in nature.

43. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?

The board conducted 43 informal citation/fine conferences in the last four fiscal years. There were a total of four citation/fine-administrative hearings in the last four fiscal years.

44. What are the 5 most common violations for which citations are issued?

The five most common violations are; failure to maintain records, failure to provide records, failure to comply with a continuing education audit, failure to file current practice address with the BCE, and unlicensed practice.

45. What is average fine pre- and post- appeal?

The average fine pre-appeal for the last four fiscal years is $743.00. The average fine post-appeal is $677.00.

46. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines.

Monies which are due to the BCE are sometimes left unpaid and become delinquent. To assist with the collection process of these funds, the BCE utilizes the Intercept program. This program is administered by the FTB and works directly with the SCO to deliver the funds to the participating agencies. The monies are intercepted from the debtors, via lottery winnings and tax refunds.

Cost Recovery and Restitution

47. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.

Many accusation cases that conclude in revocation/probation require cost recovery funds as part of the order, in addition there are often citations issued that have fines attached to them. These monies which are due to the BCE are sometimes left unpaid and become delinquent.

Since the last review, to assist with the collection process of these funds the BCE utilizes the Intercept program. This program is administered by the FTB and works directly with the SCO to deliver the funds to the participating agencies. The monies are intercepted from the debtors, via lottery winnings and tax refunds.

48. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.

Table 11 demonstrates the number and amounts ordered for cost recovery. In some circumstances, the BCE will allow for a repayment plan to pay cost recovery.

The chart reveals that the citations are currently collectable.

49. Are there cases for which the board does not seek cost recovery? Why?

The BCE always seeks cost recovery when pursuing formal discipline against a licensee. However, if a case goes to an administrative hearing, the Administrative Law Judge may reduce or eliminate the cost recovery as part of his/her order. Also, when settling a case prior to hearing, the BCE may agree to reduce the amount of cost recovery upon a showing of financial hardship or if the licensee agrees to pay restitution to the patient/complainant.

50. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery.

Many accusation cases that conclude in revocation result in cost recovery funds associated with them, in addition there are often citations issued that have fines attached to them. These monies which are due to the BCE are sometimes left unpaid and become delinquent.

To assist with the collection process of these funds, the BCE utilizes the Interagency Intercept Collections Program (Intercept). This program is administered by the Franchise Tax Board (FTB) and works directly with the State Controller's Office (SCO) to deliver the funds to the participating agencies. The monies are intercepted from the debtors, via lottery winnings and tax refunds.

51. Describe the board's efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

The BCE's Disciplinary Guidelines include a term and condition of probation for consumer restitution. Since the majority of cases where restitution would be a factor are a result of a

criminal conviction for insurance fraud or sexual misconduct, the licensee is typically required to provide consumer restitution through the criminal justice system.

Table 11. Cost Recovery				(list dollars in thousands)
	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Total Enforcement Expenditures	2,664,112	1,819,148	1,961,788	2,129,012
Potential Cases for Recovery *	34	30	41	44
Cases Recovery Ordered	34	17	12	17
Amount of Cost Recovery Ordered	$167,630.81	$121,228.00	$86,405.81	$75,782.50
Amount Collected	$137,733.28	$123,437.10	$108,714.56	$89,544.28

* "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.

Table 12. Restitution				(list dollars in thousands)
	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Amount Ordered	NDA	NDA	NDA	NDA
Amount Collected	NDA	NDA	NDA	NDA

Section 6 – Public Information Policies

52. How does the board use the internet to keep the public informed of board activities? Does the board post board meeting materials online? When are they posted? How long do they remain on the board's website? When are draft meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?

    All board meetings are recorded and when technology is available they are live webcast. The BCE does not post draft meeting minutes but will post final minutes following the approval of the minutes after a board meeting. This information will stay on the website indefinitely. Additionally, the BCE utilizes Twitter, Facebook and email subscription to relay important updates.

53. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long to webcast meetings remain available online?

    Yes, the BCE webcast all its board and committee meetings. All meeting dates are posted in January of each year.

54. Does the board establish an annual meeting calendar, and post it on the board's web site?

    Yes, it is posted on the website.

55. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*? Does the board post accusations and disciplinary actions consistent with DCA's *Web Site Posting of Accusations and Disciplinary Actions* (May 21, 2010)?

    Yes.

56. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

The BCE's web site is continually being updated. The consumer can verify license status and check disciplinary actions or citations on-line, as well as access consumer complaint processing information. All of the BCE's forms are available on the web site. The BCE releases licensee information to the public pursuant to the Public Records Act; i.e., date of licensure, primary place of practice, license status and disciplinary action, if any. This same information can be obtained via the BCE's web site. The BCE has no requirements that licensees provide information pertaining to awards, certificates, certifications or specialty areas.

57. What methods are used by the board to provide consumer outreach and education?

The BCE continues to utilize its website to provide pertinent information, forms/applications, laws and regulations, proposed regulations, board meeting materials and minutes, board and committee meeting webcasts, newsletters, and other important notices for the public.

The BCE has an Ambassador Program that allows individuals to request speakers to discuss consumer and professional topics at meetings and events throughout the state. The Ambassador Program Request form is located on our website.

Additionally, the BCE utilizes Twitter, Facebook and email subscription to the BCE group email notification to relay important updates.

The BCE created the follow on-line publications:

- A Guide to the Chiropractic Profession-
  http://www.chiro.ca.gov/publications/15-332_Licensee_Guide_Web.pdf
- A Guide to the Chiropractic Profession- Spanish
  http://www.chiro.ca.gov/publications/15-332_Licensee_Guide_Final_ES.pdf
- About Us Pamphlet
  http://www.chiro.ca.gov/publications/about_board_pub.pdf
- About Us Pamphlet- Spanish
  http://www.chiro.ca.gov/publications/about_board_span_pub.pdf
- A Consumer's Guide to Chiropractic Care
  http://www.chiro.ca.gov/publications/chiro_consumer_guide.pdf
- A Consumer's Guide to Chiropractic Care- Spanish
  http://www.chiro.ca.gov/publications/chiro_consumer_guide_span.pdf
- Newsletters
  http://www.chiro.ca.gov/about_us/newsletters.shtml
- Strategic Plan 2014-2017
  http://www.chiro.ca.gov/about_us/strat_plan_2014.pdf

Section 7 – Online Practice Issues

58. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the board regulate online practice? Does the board have any plans to regulate internet business practices or believe there is a need to do so?

    Online practice is not prevalent. Pursuant to Business & Profession Code 686, all Chiropractors practicing telehealth are subject to adhere the Chiropractic Initiative Act of California and California Code of Regulations.

Section 8 – Workforce Development and Job Creation

59. What actions has the board taken in terms of workforce development?

    The BCE is not mandated in terms of workforce development. However, the BCE has assessed no impact of licensing delays for job creations in the chiropractic field. Completed applications take an average of 23 days to process with incomplete applications averaging 300 days. Typically, applications are processed within 3 ½ months.

60. Describe any assessment the board has conducted on the impact of licensing delays.

    The BCE has assessed no impact of licensing delays for job creations in the chiropractic field. Completed applications take an average of 23 days to process with incomplete applications averaging 300 days. Typically, applications are processed within 3 ½ months.

61. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.

    BCE board members are involved in speaking engagements at various chiropractic schools. The audiences they address are students and graduates. They convey issues surrounding the chiropractic field and relay pertinent information regarding the BCE that will assist the graduates when pursuing licensure with the BCE. BCE has made an effort to have public board meetings at chiropractic colleges.

62. Describe any barriers to licensure and/or employment the board believes exist.

    The BCE is unaware of any barriers.

63. Provide any workforce development data collected by the board, such as:

    a. Workforce shortages
    b. Successful training programs.

    The BCE has noticed a slight drop in the number of licensed chiropractors. This may be due to retirement or the economy. However, the BCE is unaware of any workforce shortages in the field of chiropractic medicine.

Section 9 – Current Issues

64. What is the status of the board's implementation of the Uniform Standards for Substance Abusing Licensees?

    The regulation to implement the Uniform Standards is currently under development at the Board. The BCE anticipates noticing the package in Q3 of fiscal year 2016-2017.

65. What is the status of the board's implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?

    The regulation package is currently under review at the Department of Consumer Affairs in anticipation of noticing it for a 45-day comment period. Board anticipates noticing the packing in Q2 of fiscal year 2016-2017.

66. Describe how the board is participating in development of BreEZe and any other secondary IT issues affecting the board.

    a. Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board's change requests?

       No, the BCE is not currently utilizing the BreEZe system.

    b. If the board is not utilizing BreEZe, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? What is the board's understanding of Release 3 boards? Is the board currently using a bridge or workaround system?

       The BCE is not currently utilizing the BreEZe system. However, the BCE has been working with DCA's Executive Office and Office of Information Services to find a solution to satisfy the BCE's IT needs. BCE staff has met with DCA's Office of Information Services and has agreed to develop a plan that would place the BCE on a track to procure an IT system that fits its IT needs. The BCE anticipates commencing this process to replace the current IT platform in Q2 2016-2017.

       Background and the proposed process to procure a new IT platform can be found below:

       All programs formerly included in Release 3 will, based on current Department strategy, follow the below steps to determine the near term road map for an IT platform replacement effort:

       1. Per BSA 2014 findings, all programs will perform thorough business planning to determine and document a platform's functional requirements specific to each program, and not from a departmental perspective. The business planning will include:
          a. Inventory all business processes
          b. Document Business Process Diagrams (BPD) for each business process
          c. Document use cases for each BPD
          d. Develop a functional requirement specification

2. Follow the Project Approval Lifecycle (PAL) required by the CA Department of Technology (CDT) for all IT efforts. The PAL process includes four stages outlined by SIMM 19. The PAL process will navigate business justification, cost benefit analysis, alternatives analysis, and fiscal analysis. This effort will facilitate the decisions around the program's IT platform choice.

3. Execute an IT project per the details and approvals resulting from the PAL process, and implement the chosen IT platform.

Section 10 – Board Action and Response to Prior Sunset Issues

Include the following:

1. Background information concerning the issue as it pertains to the board.

Consumer Protection Enforcement Initiative (CPEI)

The BCE CPEI regulatory proposal would make changes to enhance the BCE's enforcement and administrative processes by defining terms in regulation, establishing reporting and disclosure requirements, and amending regulations specific to its disciplinary guidelines and applicant requirements. The BCE is proposing these changes in order to increase the BCE's enforcement authority and access to critical information for use in investigations to improve efficiency in enforcement processes and procedures for enhanced consumer protection.

However, the BCE has been unsuccessful in completing the regulation package. Since January 2013, the package has been under development in the BCE Enforcement Committee and has come to the full BCE multiple times to review and discuss complicated policy issues that have been raised. The process has been prolonged due to various issues such as BCE Member concerns with specific provisions, the Governor's Reorganization Plan, changing legal counsel and opinions on policy issues, staffing and workload concerns, and the prioritization of legislatively mandated regulations.

Following guidance from the AG's office and DCA's Office of Legal Affairs, the BCE has moved forward in efforts to promulgate this regulation. The package is under review with the DCA and the BCE hopes to notice the regulation package in Q2 of fiscal year 2016-2017.

Uniform Standards for Substance Abusing Licensee

Since the 2013 Sunset Hearing, the BCE had been developing a regulation that would incorporate the Uniform Standards for Substance Abusing Licensees into the Disciplinary Guidelines. The Uniform Standards have been subject to delays related to completing the CPEI package and a recommendation from legal counsel to cease work on the Uniform Standards until the DCA received an Attorney General opinion regarding the implementation of the Uniform Standards for Substance Abusing Licensees.

The DCA received the AG opinion in February 2016 and provided guidance to its programs on how to proceed with the regulation package shortly thereafter. Therefore, the BCE has not promulgated a regulation to incorporate by reference the Uniform Standards into the Disciplinary Guidelines. However, the BCE would like to promulgate a regulation regarding this topic in Q3 of fiscal year 2016/2017.

Governor's Reorganization

Effective July 1, 2013, the Governor's Reorganization Plan moved the BCE under the oversight of the Department of Consumer Affairs. Since then, the BCE has had a relatively seamless transition to the DCA. Many of the practices and procedures of the BCE were in line with how things were done at the Department. The BCE worked with the Department to ensure accounting, payroll, human resources and other fiscal components transitioned smoothly. The BCE has since utilized DCA's SOLID Training & Planning Solutions to complete two strategic plans and worked with various programs and units within the Department to complete multiple projects.

BPC 114.3 (Waiving Renewal Fees and other requirements)

The BCE has promulgated a regulation package titled Application for Licensure and Continuing Education. The package amends the Application for Licensure and Continuing Education Requirements. The proposal seeks to amend the BCE application form, incorporated by reference, to include recent statutory changes that would provide an exemption from Continuing Education for licensees on active duty in the military or the California National Guard.

The package is under review with the DCA and the BCE anticipates the submission of the package to the Office of Administrative Law for approval in Q2 of fiscal year 2016/2017.

BPC 115.5 (Expedite Licensure for Military Spouses)

The Application for Licensure and Continuing Education regulation package would amend the BCE application form, to include recent statutory changes that assist past and present members of the U.S. military and their spouses or domestic partners who have professional or occupational licenses to obtain licensure in California. The Application for Licensure and Continuing Education regulation package would establish a process for identifying past and present members of the U.S. military and their spouses or domestic partners, thereby enabling the BCE to expedite the processing of their applications.

The package is under review with the DCA and the BCE hopes to submit the package to the Office of Administrative Law for approval in Q2 of fiscal year 2016/2017

Administrative Procedures Manual

The Board Member Administrative Procedures Manual (manual) was created in 2007. Since 2013, annually, the BCE has revised annually and adopted the manual. The manual was created to serve as a reference guide for Board Members regarding the function of the BCE and its committees, roles of BCE members, and procedures for BCE and committee meetings. The manual also provides general information regarding BCE operating procedures, administration and staff, and other policies and procedures.

Consumer Satisfaction Survey

Traditionally, the BCE has mailed a survey out to consumers following the closure of a complaint. However, very few are returned. Since the last Sunset Review, the BCE has developed and deployed an electronic survey that makes it easier for consumers to complete and return.

Increase the size of the BCE by two public members

The BCE's position on this issue remains unchanged. The BCE is open to the idea of increasing the public representation on this BCE. The BCE embraces the perspective gained by non-licensee members on the issues that face consumers and the profession. However, the fiscal concerns related to amending the Chiropractic Initiative Act have not changed. The Act can only be amended by the voters of California through the ballot initiative process. Our last estimate in 2005 placed the cost of putting a measure on the ballot over $200,000. The fiscal and political realities become a deterrent to the addition of public members to the BCE.

2. Short discussion of recommendations made by the Committees during prior sunset review.

Consumer Protection Enforcement Initiative (CPEI)

The Committee's recommendation was to provide a plan informing the Committee on how the BCE would move forward with the CPEI regulations and how its then proposed Omnibus Consumer Protection Regulations compared to the DCA-wide CPEI regulations.

Governor's Reorganization

The Committee recommended the BCE provide a written plan stating how it would work with DCA to handle the reorganization and integration into the DCA.

Administrative Procedures Manual

The Committee recommended the BCE establish an Administrative Procedures Manual revision process, create an updated manual, and place the updated manual on the BCE's website.

Consumer Satisfaction Survey

The Committee requested any available customer satisfaction data from the BCE.

Increase the size of the BCE by two public members

The Committee's recommendation was that the Chiropractic Initiative Act could be amended to allow for two additional members, one appointed by the Assembly Business and Professions Committee and one from the Senate Business and Professions Committee.

3. What action the board took in response to the recommendation or findings made under prior sunset review.

Consumer Protection Enforcement Initiative (CPEI)

The BCE has continued to work on the CPEI regulation. As it currently stands, the package is very similar to the regulation packages the Office of Administrative Law (OAL) has approved on the topic. Unfortunately, there have been various issues that have sprung up over time that have prevented the BCE from promulgating this package. Currently, the package is under review with the DCA and the BCE hopes to notice the regulation package in Q2 of fiscal year 2016-2017.

Governor's Reorganization

The BCE transitioned smoothly to the oversight on the Department of Consumer Affairs. Prior to the Governor's Reorganization, the BCE contracted with the Department to provide it with various administrative services. This prior relationship helped ensure that the reorganization

would have minimal impact on BCE operations and the quality of services provided to consumers and licensees.

Administrative Procedures Manual
Since 2013, annually, the BCE has revised and adopted the BCE Member Administrative Procedures Manual.

Consumer Satisfaction Survey

The BCE has developed and deployed an electronic survey that makes it easier for consumers to complete and return.

Increase the size of the BCE by two public members

The BCE has made no progress on the addition of BCE Members. The concerns regarding cost and process associated with placing a measure on the ballot for voters have not changed. These mitigating factors remain a powerful deterrent to increasing the size of the BCE.

4. Any recommendations the board has for dealing with the issue, if appropriate.

   The BCE has taken many steps to remedy the concerns expressed above. The steps taken have been described in detail.

Section 11 – New Issues

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board's recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

1. Issues that were raised under prior Sunset Review that have not been addressed.

   The BCE has made great effort to address the issues raised in the previous Sunset Review. Although the CPEI and Uniform Standards have not been completed, the BCE has made significant progress in the face of many obstacles. The BCE anticipates the regulation packages will be noticed for public comment in the very near future.

2. New issues that are identified by the board in this report.

   At this time, there are no issues for the BCE to report to the Committees. The BCE is running optimally. Processing times for licensing and enforcement are well under the DCA established performance measure targets. Administratively, the BCE has remained efficient and annually the BCE returns resources back into the BCE Fund. Finally, the Governor has maintained the appointment of all seven BCE Members to ensure the continuity and direction of the BCE.

The BCE will remain vigilant and should any new issues arise the BCE will duly notify the Committees of the issues and possible solutions.

3. New issues not previously discussed in this report.(cf. Section 12, Attachment D)

Student Athlete Pre-Participation Physicals

Under current California law, certain health care providers, including Doctors of Chiropractic (DC), are precluded from providing a service for which they are trained and qualified. Performing athletic physicals is well within the scope, knowledge, and ability of the chiropractic profession. Furthermore, DCs are already authorized under state and federal law to perform examinations more rigorous than athletic physicals to screen patients for a variety of other purposes, such as driving commercial vehicles and school buses. However, due to an omission in existing law, many school districts are hesitant to allow DCs to provide this service to student athletes.

Currently, Section 49458 of the Education Code authorizes Medical Doctors (MD) and Physician Assistants (PA) to perform pre-participation physicals for student athletes.

The California Interscholastic Federation (CIF) is the governing body for interscholastic sports in the State of California. CIF bylaws, state that California high schools must require student athletes to receive an annual physical examination conducted by a medical practitioner certifying that the student is physically fit to participate in athletics. This statement must be on a form approved by each school board and be for the current school year. Additionally, CIF provides school districts with a sample pre-participation physical examination form to customize to fit their individual requirements.

The controversy is that the CIF form specifies that a MD or Doctor of Osteopathic Medicine (DO) is to sign off on the form. The omission of other qualified health care providers on the CIF form has caused school liability insurance companies such as Schools Insurance Authority (SIA) to take the position that DCs are not allowed to perform these physicals.

The CIF informed representatives of the California Chiropractic Association (CCA) that other health professions are not specified on the form because the Education Code only authorizes MDs and PAs to conduct the pre-participation physicals. In order to address this omission, the CCA sponsored AB 1992 (Jones) during the 2016 legislative cycle. AB 1992 would have closed this perceived loophole in the in the Education Code. The bill would have added doctors of chiropractic, naturopathic doctors, and nurse practitioners to the list of health care professionals authorized to perform a physical examination as a condition of participation in an interscholastic athletic program.

Unfortunately, AB 1992 failed passage in the Assembly Business and Professions Committee.

Chiropractors have been safely performing these physicals for decades; oftentimes travelling to schools to conduct physicals for an entire team for little or no compensation. This greatly increases access to the mandatory physical for low-income students and/or students in remote and underserved areas.

Some school districts continue to accept a Chiropractor's signature on the CIF form despite the discrepancy in the law. However, many districts have opted to only accept forms completed by MDs and DOs, due to liability concerns expressed by their insurers.

Providing pre-participation sports physicals is well within the scope, knowledge, and ability of the chiropractic profession. Doctors of Chiropractic are already authorized under state and federal law to perform examinations more rigorous than athletic physicals to screen patients for a variety of other purposes, such as driving commercial vehicles and school buses. Vehicle Code Section 12517.2 requires applicants to be school bus drivers to submit a report of a medical examination by a licensed healthcare practitioner (including chiropractors).

It's important to note that the pre-participation athletic physical is far more limited than the above-referenced commercial driver physicals. The athletic physical is a basic health screening, not an exhaustive examination. Furthermore, the chiropractor would most likely not be treating a health condition identified during the physical, particularly if the condition requires further examination by a specialist or requires treatment that is outside the Chiropractic scope of practice. In most instances, the DC would recommend that the student be seen by the appropriate health care provider.

4. New issues raised by the Committees.

   There are no new issues to discuss at this time.

Section 12 – Attachments

Please provide the following attachments:

A. Board's administrative manual.

B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).

C. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).

D. Copy of California Interscholastic Federation (CIF) Preparticipation Physical Evaluation form and letter to Schools Insurance Authority .(cf. Section 12, Attachment D)

Section 13 – Board Specific Issues

Diversion

Discuss the board's diversion program, the extent to which it is used, the outcomes of those who participate and the overall costs of the program compared with its successes.

Diversion Evaluation Committees (DEC) (for BRN and Osteo only)

1. DCA contracts with a vendor to perform probation monitoring services for licensees with substance abuse problems, why does the board use DEC? What is the value of a DEC?
2. What is the membership/makeup composition?

3. Did the board have any difficulties with scheduling DEC meetings? If so, describe why and how the difficulties were addressed.
4. Does the DEC comply with the Open Meetings Act?
5. How many meetings held in each of the last three fiscal years?
6. Who appoints the members?
7. How many cases (average) at each meeting?
8. How many pending? Are there backlogs?
9. What is the cost per meeting? Annual cost?
10. How is DEC used? What types of cases are seen by the DECs?
11. How many DEC recommendations have been rejected by the board in the past four fiscal years (broken down by year)?

Section 12 Attachments

A. **Board's administrative manual.**

B. **Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).**

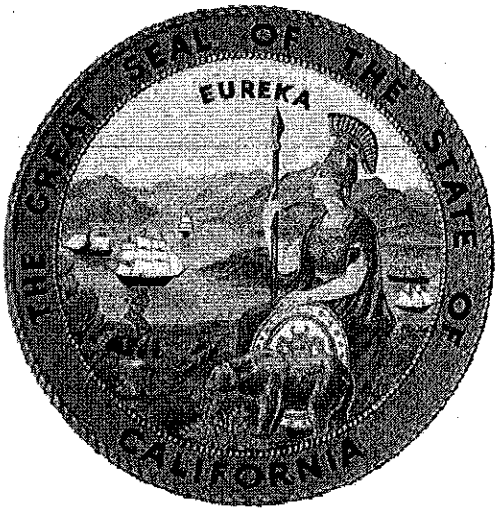
C. **Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).**

D. **Copy of California Interscholastic Federation (CIF) Preparticipation Physical Evaluation form and letter to Schools Insurance Authority .(cf. Section 12, Attachment D)**

State of California

BOARD OF CHIROPRACTIC EXAMINERS
BOARD MEMBER
ADMINISTRATIVE PROCEDURE MANUAL

Adopted October 2007
Revised July 2016



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, DrPH, 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 and meet the vote submission requirement established by the Board.

- 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.

- Board Members shall comply with all State, Department, and Board required trainings.

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.

Board Meeting Locations
(Board Policy – 2013 Strategic Plan)

The Board holds meetings at various geographic locations throughout the state to increase accessibility. It is recommended that at least one meeting per year is held in Sacramento, one in Southern California, and one at a California Chiropractic College. All meeting locations will be scheduled subject to available space and budget limitations.

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.

Board Members are required to submit a vote on no less than 75% of proposed stipulations and decisions provided for review. If a Board Member is unable to meet this minimum requirement, the Board Member may be subject to a conversation from the Board Chair or Vice Chair.

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 Staff Travel 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)

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.

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

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 states they are appointed, 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:

- FCLB
- NBCE
- Ambassador at Large Presentations
- Lectures
- Attend Meetings of Other Regulatory Boards
- Meetings with Colleges and State 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.

Resignation of Board Members
(Board Policy)

In the event that a Board Member chooses to resign, the Board Member or the Executive Officer should notify the Governor's Office of Appointments.

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.

Per DCA Legal Opinion, Board Member Orientation Training is required for newly appointed Board Members and reappointed Board Members as every appointment is considered a new appointment.

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.

Board Member Onboarding and Orientation
(Board Policy - 2013 BCE Strategic Plan)

Within six months of initial appointment, each new Board Member shall travel to the Board office in Sacramento for orientation and onboarding meetings with the Executive Officer and one Board Member (as assigned by the Board Chair). Prior to the orientation, the new Board Member shall review their Board Member binder (provided by Board staff), and prepare questions for discussion. Items to be covered in this meeting include introductions to Board staff, review of staff roles and responsibilities, administrative processes, historical information about the Board, collaboration between staff and Board Members and overall expectations. The Executive Officer shall notify the Board Chair once the meeting has occurred.

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

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Committee Assignments

Revised September 2016

Committee	*Members*	*Responsibilities*
Licensing, Continuing Education, & Public Relations	Heather Dehn, D.C., Chair Dionne McClain, D.C. Corey Lichtman, D.C. *Staff Liaison: Brianna Lauziere*	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	Sergio Azzolino, D.C., Chair Heather Dehn, D.C. Frank Ruffino *Staff Liaison: Beckie Rust*	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	Julie Elginer, Dr.PH, Chair John Roza Jr., D.C. Frank Ruffino *Staff Liaison: Marcus McCarther*	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 BCE operations. Develops draft strategic plans and monitors the Board's progress in achieving goals 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.

T (916) 263-5355
F (916) 327-0039
TT/TDD (800) 735-2929
Consumer Complaint Hotline
(866) 543-1311

Board of Chiropractic Examiners
901 P Street, Suite 142A
Sacramento, California 95814
www.chiro.ca.gov

State Board of Chiropractic Examiners

July 1, 2012

FY 2012-13

PY 19

BOARD MEMBERS (7)

Robert Puleo
Executive Officer
620-110-8862-001

Alfonso Ramirez (RA)
Assoc. Gov. Program Analyst
620-110-5393-907

SSM I
Sandra Walker
Compliance Manager
620-110-4800-006

Supervising Special Investigator I
Keith Powell
Field Investigations Manager
620-110-8549-001

SSM I
Linda Shaw
Admin/Licensing/CE Manager
620-110-4800-008

Compliance Unit

Lavella Matthews
Assoc. Gov. Program Analyst
620-110-5393-002

Christina Bell
Assoc. Gov. Program Analyst
620-110-5393-005

Beckie Rust
Assoc. Gov. Program Analyst
620-110-5393-004

Christina Villanueva
Assoc. Gov. Program Analyst
620-110-5393-800

Julianne Vernon
Staff Services Analyst
620-110-5157-004

Field Operations North

Maria Martinez
Special Investigator
620-110-8612-001

Denise Robertson
Special Investigator
620-110-8612-002

Field Operations South

Yanti Soliman
Special Investigator
620-110-8612-003

Policy/Admin

Dixie Van Allen
Assoc. Gov. Program Analyst
620-110-5393-003

Admin/Licensing

Marlene Valencia
Staff Services Analyst
620-110-5157-008

Tammi Pitto
Staff Services Analyst
620-110-5157-007

Ray Delaney
Management Services Technician
620-110-5278-001

Vacant
Office Technician (T)
620-110-1139-001

Valerie James
Office Technician (T)
620-110-1139-008

Licensing/Continuing Education

Genie Mitsuhara
Staff Services Analyst
620-110-5157-005

Executive Officer _____

Personnel Office _____

Rev. 8/27/12

Department of Consumer Affairs
State Board of Chiropractic Examiners
July 1, 2013

BOARD MEMBERS (7)

CURRENT
FY 2013-14
Authorized Positions: 19
Temporary Positions: 0.4

Robert Puleo
Executive Officer
620-110-8862-001

Alfonso Ramirez (RA)
Assoc. Gov. Program Analyst
620-110-5393-907

SSM I
Sandra Walker
Compliance Manager
620-110-4800-006

Supervising Special Investigator I
Vacant
Field Investigations Manager
620-110-8549-XXX

SSM I
Linda Shaw
Admin/Licensing/CE Manager
620-110-4800-008

Compliance Unit

Lavella Matthews
Assoc. Gov. Program Analyst
620-110-5393-002

Christina Bell
Assoc. Gov. Program Analyst
620-110-5393-005

Beckie Rust
Assoc. Gov. Program Analyst
620-110-5393-004

Christina Villanueva
Assoc. Gov. Program Analyst
620-110-5393-800

Julianne Vernon
Staff Services Analyst
620-110-5157-004

Field Operations North

Maria Martinez
Special Investigator
620-110-8612-005

Denise Robertson
Special Investigator
620-110-8612-002

Field Operations South

Yanti Soliman
Special Investigator
620-110-8612-003

Policy/Admin

Dixie Van Allen
Assoc. Gov. Program Analyst
620-110-5393-003

Admin/Licensing

Marlene Valencia
Staff Services Analyst
620-110-5157-008

Tammi Pitto
Staff Services Analyst
620-110-5157-007

Vacant
Management Services Technician
620-110-5278-001

Nikkia Capizzano
Office Technician (T)
620-110-4687-001

Valerie James
Office Technician (T)
620-110-1139-008

Licensing/Continuing Education

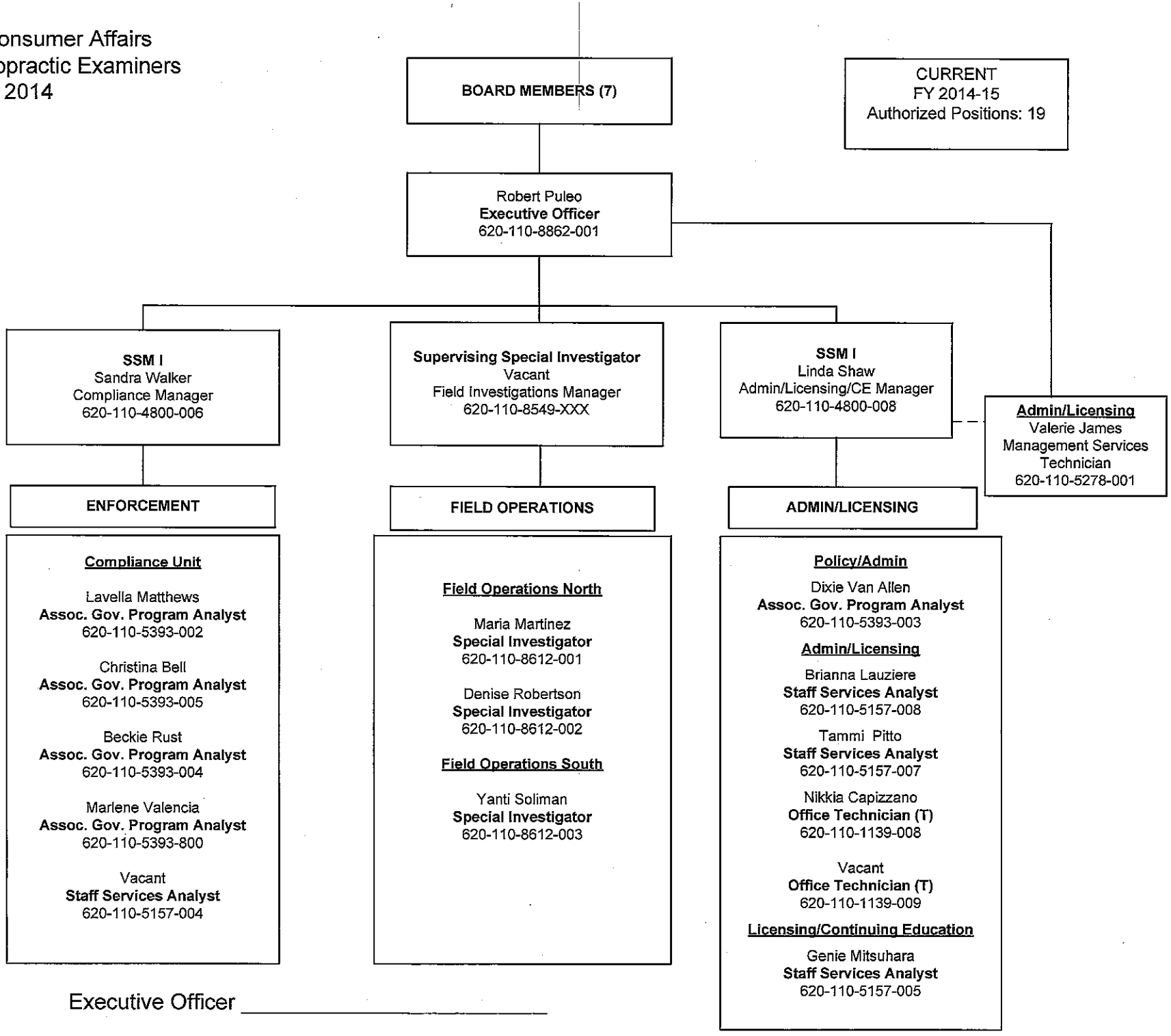
Genie Mitsuhara
Staff Services Analyst
620-110-5157-005

Executive Officer _____

Personnel Office _____

Rev. 09/16/13

Department of Consumer Affairs
State Board of Chiropractic Examiners
July 1, 2014

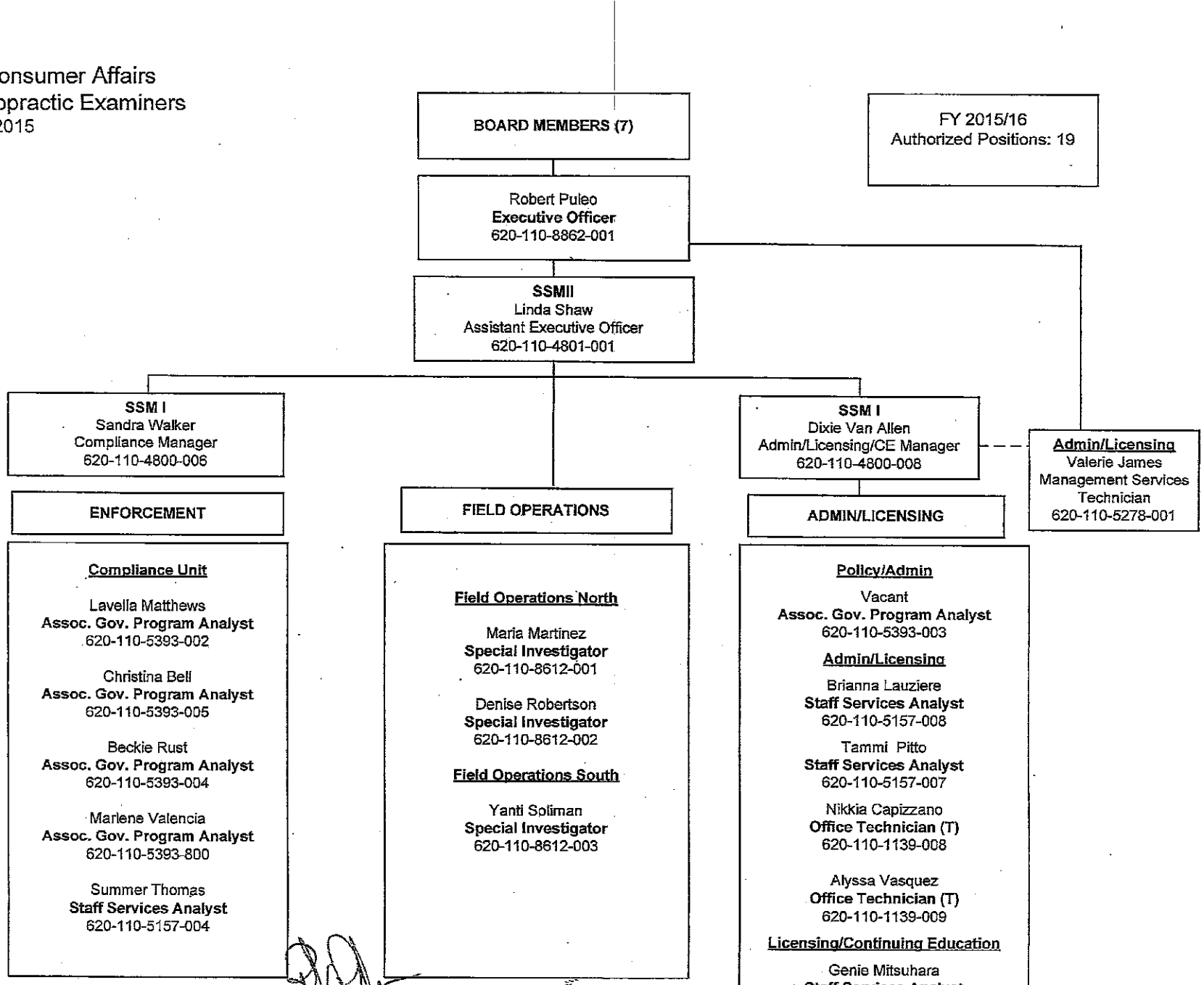


Executive Officer _____

Personnel Office _____

Rev. 07/28/14

Department of Consumer Affairs
State Board of Chiropractic Examiners
July 2015



Executive Officer _____

Personnel Office _____

All positions are designated CORI

Rev. 07/17/15

Revised 7/1/06
Mandatory

Preparticipation Physical Evaluation

HISTORY FORM

Date of Exam _____

Name _____ Sex _____ Age _____ Date of birth _____

Grade _____ School _____ Sport(s) _____

Address _____ Phone _____

Personal Physician _____

In case of emergency, contact:

Name _____ Relationship _____ Phone (H) _____ Phone(W) _____

Explain "Yes" answers below.
Circle questions you don't know the answers to.

	Yes	No
1. Has a doctor ever denied or restricted your participation in sports for any reason?	☐	☐
2. Do you have an ongoing medical condition (like diabetes or asthma)?	☐	☐
3. Are you currently taking any prescription or nonprescription (over-the-counter) medicines or pills?	☐	☐
4. Do you have allergies to medicines, pollens, foods, or stinging insects?	☐	☐
5. Have you ever passed out or nearly passed out DURING exercise?	☐	☐
6. Have you ever passed out or nearly passed out AFTER exercise?	☐	☐
7. Have you ever had discomfort, pain, or pressure in your chest during exercise?	☐	☐
8. Does your heart race or skip beats during exercise?	☐	☐
9. Has a doctor ever told you that you have (check all that apply): ☐ High blood pressure ☐ A heart murmur ☐ High cholesterol ☐ A heart infection		
10. Has a doctor ever ordered a test for your heart? (for example: ECG, echocardiogram)	☐	☐
11. Has anyone in your family died for no apparent reason?	☐	☐
12. Does anyone in your family have a heart problem?	☐	☐
13. Has any family member or relative died of heart problems or of sudden death before age 50?	☐	☐
14. Does anyone in your family have Marfan syndrome?	☐	☐
15. Have you ever spent the night in a hospital?	☐	☐
16. Have you ever had surgery?	☐	☐
17. Have you ever had an injury, like a sprain, muscle or ligament tear, or tendinitis, that caused you to miss a practice or game? If yes, circle affected area below:	☐	☐
18. Have you had any broken or fractured bones or dislocated joints? If yes, circle below:	☐	☐
19. Have you had a bone or joint injury that required x-rays MRI, CT, surgery, injections, rehabilitation, physical therapy, a brace, a cast, or crutches? If yes, circle below:	☐	☐

Head	Neck	Shoulder	Upper Arm	Elbow	Forearm	Hand/ Fingers	Chest
Upper Back	Lower Back	Hip	Thigh	Knee	Calf/ Shin	Ankle	Foot/ Toes

	Yes	No
20. Have you ever had a stress fracture?	☐	☐
21. Have you been told that you have or have you had an x-ray for atlantoaxial (neck) instability?	☐	☐
22. Do you regularly use a brace or assistive device?	☐	☐
23. Has a doctor ever told you that you have asthma or allergies?	☐	☐
24. Do you cough, wheeze, or have difficulty breathing during or after exercise?	☐	☐
25. Is there anyone in your family who has asthma?	☐	☐
26. Have you ever used an inhaler or taken asthma medicine?	☐	☐
27. Were you born without or are you missing a kidney, an eye, a testicle, or any other organ?	☐	☐
28. Have you had infectious mononucleosis (mono) within the last month?	☐	☐
29. Do you have any rashes, pressure sores, or other skin problems?	☐	☐
30. Have you had a herpes skin infection?	☐	☐
31. Have you ever had a head injury or concussion?	☐	☐
32. Have you been hit in the head and been confused or lost your memory?	☐	☐
33. Have you ever had a seizure?	☐	☐
34. Do you have headaches with exercise?	☐	☐
35. Have you ever had numbness, tingling, or weakness in your arms or legs after being hit or falling?	☐	☐
36. Have you ever been unable to move your arms or legs after being hit or falling?	☐	☐
37. When exercising in the heat, do you have severe muscle cramps or become ill?	☐	☐
38. Has a doctor told you that you or someone in your family has sickle cell trait or sickle cell disease?	☐	☐
39. Have you had any problems with your eyes or vision?	☐	☐
40. Do you wear glasses or contact lenses?	☐	☐
41. Do you wear protective eyewear, such as goggles or a face shield?	☐	☐
42. Are you happy with your weight?	☐	☐
43. Are you trying to gain or lose weight?	☐	☐
44. Has anyone recommended you change your weight or eating habits?	☐	☐
45. Do you limit or carefully control what you eat?	☐	☐
46. Do you have any concerns that you would like to discuss with a doctor?	☐	☐
FEMALES ONLY		
47. Have you ever had a menstrual period?	☐	☐

48. How old were you when you had your first menstrual period? _____
49. How many periods have you had in the last 12 months? _____

Explain "Yes" answers here: _____

I hereby state that, to the best of my knowledge, my answers to the above questions are complete and correct.

Signature of Athlete _____ Signature of Parent/Guardian _____ Date _____

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Preparticipation Physical Evaluation

PHYSICAL EXAMINATION FORM

Name _____ Date of Birth _____

Height _____ Weight _____ % Body Fat (optional) _____ Pulse _____ BP ____ / ____ (____ / ____, ____ / ____)

Vision R 20/_____ L 20/_____ Corrected: Y N Pupils: Equal _____ Unequal _____

	NORMAL	ABNORMAL FINDINGS	INITIALS*
MEDICAL			
Appearance			
Eyes/ears/nose/throat			
Hearing			
Lymph nodes			
Heart			
Murmurs			
Pulses			
Lungs			
Abdomen			
Genitourinary (males only)+			
Skin			
MUSCULOSKELETAL			
Neck			
Back			
Shoulder/arm			
Elbow/forearm			
Wrist/hand/fingers			
Hip/thigh			
Knee			
Leg/ankle			
Foot/toes			

*Multiple-examiner set-up only.
+Having a third party present is recommended for the genitourinary examination.

Notes: _____

Name of physician (print/type) _____ Date _____

Address _____ Phone _____

Signature of physician _____, MD or DO

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Preparticipation Physical Evaluation

CLEARANCE FORM

Name_____ Sex_____ Age_____ Date of birth_____

☐ Cleared without restriction
☐ Cleared, with recommendations for further evaluation or treatment for:_____

☐ Not Cleared for ☐ All sports ☐ Certain sports: _____ Reason:_____

Recommendations:_____

EMERGENCY INFORMATION

Allergies _____

Other Information _____

Name of physician (print/type) _____ Date _____

Address _____ Phone _____

Signature of physician _____, MD or DO

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Preparticipation Physical Evaluation

CLEARANCE FORM

Name_____ Sex_____ Age_____ Date of birth_____

☐ Cleared without restriction
☐ Cleared, with recommendations for further evaluation or treatment for:_____

☐ Not Cleared for ☐ All sports ☐ Certain sports: _____ Reason:_____

Recommendations:_____

EMERGENCY INFORMATION

Allergies _____

Other Information _____

Name of physician (print/type) _____ Date _____

Address _____ Phone _____

Signature of physician _____, MD or DO

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BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

November 24, 2014

Martin Brady, Executive Director
Schools Insurance Authority
P.O. Box 276710
Sacramento, CA 95827-6710

Dear Mr. Brady:

I am writing on behalf of the California Board of Chiropractic Examiners (BCE) to share our position regarding chiropractors performing pre-participatory sports physicals.

The BCE is the only California regulatory agency authorized to enforce the Chiropractic Initiative Act and regulate the practice of chiropractic, as well as set standards for chiropractic education and training. It is the BCE's opinion that chiropractors are not only duly authorized to perform sports physicals as part of the chiropractic scope of practice but are also well qualified to do so.

At the core, a sports physical is a screening physical to ensure the safety of the student athlete. The argument is that chiropractors are not able to evaluate certain conditions such as cardiac and pulmonary conditions because we are not authorized to treat such conditions. This logic is deeply flawed. Chiropractors may not treat some of the conditions that they are required to evaluate for a sports physical but that does not mean that Chiropractors are not qualified to identify these conditions. Once an abnormality in one of these areas is identified these athletes can be referred for further evaluation, just as they might by their primary care medical doctor (see Title 16, CCR §317(w)).

Chiropractors are authorized under state and federal law to perform physicals more rigorous than athletic physicals to screen patients for a variety of other purposes. Chiropractors perform physicals to qualify commercial truck drivers for licensure, to examine injured workers under the workers' compensation system, to certify disabilities for insurance purposes and to clear athletes to return to play after a concussion (Education Code §49475). All of these examinations require more sophisticated diagnostic procedures than are required to render a history and physical for student athletics.

- **Commercial driver physicals**
  Both federal (49 CFR Part 300, §390.103) and California (Vehicle Code §12517.2) law authorize chiropractors to perform medical examinations to screen commercial vehicle license applicants for fitness to operate heavy commercial vehicles, such as school buses, trucks over 26,000 pounds, a truck towing more than one vehicle, and vehicles transporting hazardous materials.

T (916) 263-5355
F (916) 327-0039
TT/TDD (800) 735-2929
Consumer Complaint Hotline
(866) 543-1311

Board of Chiropractic Examiners
901 Street, Suite 142A
Sacramento, California 95814
www.chiro.ca.gov

The commercial driver examination is extremely rigorous, more comprehensive both in scope and detail than the athletic evaluation. First, the athletic evaluation is a screening, not a substitute for a comprehensive physical examination. The commercial truck driver examination, by contrast, is a "medical examination," and the California Department of Motor Vehicles ("DMV") has deemed the process "comprehensive." Additionally, the commercial driver examination is governed by a comprehensive and extraordinarily detailed set of federal regulations that specify thirteen elaborate physical qualifications for drivers, eighteen complex components of the examination, and a voluminous health history. Qualifications include visual acuity, cardiac health, blood pressure, and hearing ability among many others. Chiropractors do not treat these conditions but are imminently qualified to evaluate these areas.

- **Workers' Compensation Examinations**
  Chiropractors are statutorily authorized to function as independent and qualified medical examiners and disability evaluators in the workers' compensation system (Labor Code §139.2). Both of these functions require far more sophisticated diagnostic skills than are required to render a history and physical for high school athletics.

- **Insurance Evaluations**
  Chiropractors are also statutorily authorized to perform physical examinations to certify disability for state disability or insurance proceedings. Similarly, these examinations require more detailed diagnostic evaluations than the student sports screenings.

Furthermore, chiropractors receive extensive training in chiropractic college regarding how to conduct physical examinations (see Title 16 CCR §331.12.2) and treat conditions in a manner consistent with chiropractic methods and teachings (Title 16 CCR §317). This training prepares them to handle the conditions and injuries that occur most commonly with high school athletes, including:

- **Cardiac Abnormalities**: Chiropractors complete a battery of courses and laboratory clinics designed to provide them with a broad base of knowledge of cardiac conditions, such as anatomy, physiology, and histology covering the dissection of the human heart and study of the human cardiovascular and respiratory systems. Training in this area also includes heart sounds, valve diseases, congenital heart diseases, myocardial infarction, cardiac endocarditis and cardiac myopathies. Chiropractors are also trained in emergency procedures and how to communicate with EMS when needed.

- **Traumatic Brain Injuries**: Significant lecture and laboratory hours in neurology, physiology, anatomy, including dissection of the human brain, and pathology of traumatic brain injuries are routine components of chiropractic education.

- **Exercise-Induced Asthma (EIA)**: Chiropractic training includes the same standard examination procedures (inspection, percussion, palpation and auscultation) that other health care professions are taught, including an investigation for historical clues such as severity of attack, persistence or progression of symptoms, family history of allergies, or known triggers that establish a high index of suspicion.

- **Musculoskeletal Injuries**: Procedures to diagnose, treat, and refer to appropriated health care providers, injuries common to athletics such as sprains and strains, fractures, rotator cuff tears, shoulder impingement syndrome, ankle sprains, ligament and cartilage injuries of the knee, and other acute and overuse injuries are a standard part of chiropractic curricula.

- **Neurology**: Chiropractic students are trained in neurology, common nerve injuries, and appropriate evaluation, diagnosis, treatment, and management of such injuries. Neurology is an integral part of Chiropractic education and practice.

- **Pathology**: Chiropractic students are taught to recognize abnormal conditions by history, signs and symptoms (visible bleeding, wounds, bruises, distention, rigid or tender abdomen, absent bowel sound, etc.) examination (palpation, auscultation, and or laboratory) of visceral, dermatological, and female conditions and make appropriate referral to medical doctors for treatment.

- **Differential Diagnosis**: Chiropractors are trained to evaluate different conditions with similar symptoms, both musculoskeletal and non-musculoskeletal, to render a diagnosis and possible alternate disorders.

- **Eye Injuries**: In conjunction with the anatomy, physiology, and histology coursework, the Eyes, Ears, Nose, & Throat (EENT) course teaches students to recognize and diagnose common EENT conditions and to determine appropriate management and/or collaborative care.

The BCE would welcome the opportunity to meet with representatives from the SIA and CIF to answer any questions and address concerns you may have regarding the scope of authority and qualifications for chiropractors to perform athletic physicals. Please contact our Executive Officer, Robert Puleo, at (916) 263-5359 if you would like to schedule a meeting.

Thank you for considering our comments.

Sincerely,

Sergio F. Azzolino, D.C.
Chairman - California Board of Chiropractic Examiners
Vice President - American Chiropractic Neurology Board
Assistant Professor of Clinical Neurology, Carrick Institute
Fellow American College of Functional Neurology
Diplomate American Academy of Pain Management
Fellow American Board of Childhood Developmental Disorders

State of California
Edmund G. Brown Jr., Governor

Agenda Item 10
October 14, 2016

BCE Licensing, Continuing Education and Public Relations Committee Update

Purpose of the item

The Licensing, Continuing Education and Public Relations Committee Chair will provide the Board with an update from the August 30, 2016 meeting.

Action(s) requested

The Board may take action on any item on the Licensing, Continuing Education and Public Relations Committee meeting agenda. The Board will review and vote on the proposed Licensee Guide for publication.

Background

Agenda items discussed at the August 30, 2016 Licensing, Continuing Education and Public Relations Committee meetings:

- Review and Discussion on Possible Revisions to Sections 361-366 of Title 16 of the California Code of Regulations(CCR)Regarding Continuing Education
- Discussion and Possible Action on Creating a Consumer Publication Related to Chiropractic Training and Education Requirements

Recommendation(s)

N/A

Next Step(s)

The Licensing, Continuing Education and Public Relations Committee will continue to review and discuss possible revisions to Sections 361-366 of the Title 16 of the California Code of Regulations (CCR) regarding continuing education. BCE staff has been gathering information on education requirements and chiropractic training for a new consumer publication. The committee will continue to review and discuss ideas.

Attachment(s)

- Summer/Fall 2016 Newsletter

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

NOTICE OF TELECONFERENCE
LICENSING, CONTINUING EDUCATION & PUBLIC RELATIONS COMMITTEE MEETING

August 30, 2016
12:30 p.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 Licensing, Continuing Education and Public Relations Committee at each teleconference location. The public teleconference sites for this meeting are as follows:

Teleconference Meeting Locations:

901 P Street, Suite 142A
Sacramento, CA 95814
(Board Staff)

Corey Lichtman, DC
538 Stevens Ave.
Solana Beach, CA 92075
(858) 481-1889

Heather Dehn, DC
4616 El Camino Ave, Ste B
Sacramento, CA 95821
(916) 488-0202

Dionne McClain, DC
6360 Wilshire Blvd., Ste 410
Los Angeles, CA 90048
(323) 653-1014

AGENDA

1. **Call to Order & Establishment of a Quorum**

2. **Approval of Minutes**
   July 11, 2016

3. **Review and Discussion on Possible Revisions to Sections 360-366 of Title 16 of the California Code of Regulations Regarding Continuing Education; Possible Recommendation to Full Board**

4. **Review and Discussion on Creating a Consumer Publication Related to Chiropractic Training and Education Requirements**

5. **Public Comment**
   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.

6. **Future Agenda Items**

7. **Adjournment**

LICENSING, CONTINUING EDUCATION
& PUBLIC RELATIONS COMMITTEE

Heather Dehn, D.C., Chair
Dionne McClain., D.C.
Corey Lichtman, D.C.

Meetings of the Board of Chiropractic Examiners' Committee 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 Board's 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@chiro.ca.gov or send a written request to the Board of Chiropractic Examiners, 901 P Street, Suite 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.

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Agenda Item 11
October 14, 2016

BCE Government Affairs & Strategic Planning Committee Update

Purpose of the item

This agenda item has been included to provide the Board with an update on the Government Affairs & Strategic Planning Committee.

Action(s) requested

No action requested at this time.

Background

During the July 28, 2016 Strategic Planning Session facilitated by DCA SOLID, the Board, along with stakeholders, discussed various topics and issues related to the licensing, enforcement, and education of the chiropractic profession.

The Government Affairs & Strategic Planning Committee met on September 22, 2016. The highlights of the meeting included a discussion of the draft 2017-2020 Strategic Plan in which the Committee discussed the overall clarity of the document and recommended that items in section one on licensing be rearranged and changing the template to the one used in the prior Strategic Plan.

Also, the Committee finalized dates for the 2016 Legislative Meet and Greets that will take place in November 2016. These meetings provide the Committee Members an opportunity to meet with legislative, agency, and department staff to inform these stakeholders about the work the BCE does and discuss any issues of importance to the Legislature or the BCE.

Recommendation(s)

Staff does not have any recommendations at this time.

Next Step

N/A

Attachment(s)

N/A

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

September 22, 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:
901 P Street, Suite 142A
Sacramento, CA 95814
(916) 263-5355
(Board Staff)

Julie Elginer, DrPH
Agoura Hills Library
29901 Ladyface Circle
Agoura Hills, CA 91301
(818) 889-2278

John Roza, D.C.
800 Douglas Blvd
Roseville, CA 95678
(916) 786-2267

Frank Ruffino
Department of Veterans Affairs
700 E. Naples Court
Chula Vista, CA 91911
(619) 205-1415

AGENDA

1. **Call to Order**

2. **Approval of Minutes**
   a. July 14, 2016

3. **Review, Discussion and Possible Action on the Draft 2017-2020 Strategic Plan**

4. **Discussion of Dates for Future Committee Meetings**

5. **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.

6. **Future Agenda Items**
   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] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.

7. **Adjournment**

GOVERNMENT AFFAIRS COMMITTEE

Julie Elginer, DrPH, Chair
John Roza, D.C.
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 Valerie James at (916) 263-5355 ext. 5362 or e-mail valerie.james@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.

State of California
Edmund G. Brown Jr., Governor

Agenda Item 12
October 14, 2016

Review, Discussion and Possible Action on the Draft 2017-2020 Strategic Plan

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Purpose of the item

This agenda item has been included to provide the Board with an opportunity to review the draft Strategic Plan.

Action(s) requested

The Board will be asked to review and discuss the draft Strategic Plan and provided edits as necessary.

Background

At the June 9, 2016 Government Affairs Committee meeting, members reviewed the 2014-2017 Strategic Plan. It was determined that most of the previous strategic plan goals had been completed. Additionally, items not completed were consolidated into other goal areas and carried over for discussion at the Strategic Planning session conducted on July 28, 2016.

During the July 28, 2016 Strategic Planning Session facilitated by DCA SOLID, the Board along with stakeholders discussed various topics and issues related to the licensing, enforcement, education of the chiropractic profession.

September 22, 2016, the Government Affairs and Strategic Planning Committee reviewed the draft plan and provided multiple non-substantive edits.

Recommendation(s)

Staff recommends the Board direct staff to make discussed changes to the 2017-2020 Strategic Plan.

Next Step

The Strategic Plan will available for review at the October 14, 2016 Board Meeting. Following the Board Meeting, SOLID will conduct a Strategic Plan, Action Planning Session with BCE management.

Attachment(s)

- 2017-2020 Draft Strategic Plan

Strategic Plan

2017-2020

Adopted:

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Strategic Goals 5
Licensing and Professional Qualification 6
Enforcement 7
Public Relations and Outreach 8
Laws and Regulations 9
Organizational Development 10
Strategic Planning Process 11

Message from the Board Chair

The Board of Chiropractic Examiners is pleased to present its 2017-2020 Strategic Plan. The strategic planning process has been a collaborative effort between BCE members, staff, and the public.

This plan reflects the Board's continued commitment to work closely with stakeholders (chiropractic professionals, professional associations, California chiropractic colleges, and others who expressed interest in the strategic direction of the Board) to meet its mission to protect the health, welfare, and safety of the public through licensure, education, and enforcement in chiropractic care.

We are proud to have accomplished most of the goals from the 2014-2017 Strategic Plan and with this new blueprint we will continue to move forward as an effective and efficient organization. In this document, we have identified key issues, goal areas for which the Board will be accountable, and actions we will take to get there.

As the Board embarks upon this exciting time in the profession's history, we continue to invite all stakeholders to work with us over the next three years to achieve the goals outlined in the strategic plan.

The Board remains committed to providing the highest level of service as we undertake these endeavors.

Sergio Azzolino, D.C

Chair, Board of Chiropractic Examiners

About the Board

The Board of Chiropractic Examiners (BCE) regulates the chiropractic profession in California. We protect Californians from licensed and unlicensed individuals who engage in the fraudulent, negligent, or incompetent practice of chiropractic. The BCE oversees approximately 14,000 licensees and 19 chiropractic schools and colleges located throughout the United States and Canada.

The BCE was created on December 21, 1922, as the result of an initiative measure approved by the people on November 7, 1922. Governed by a seven member board appointed by the Governor, the board is comprised of five licensed doctors of chiropractic and two members who represent the public. Board members serve four year terms. The board employs an executive officer to lead a professional staff responsible for licensing, continuing education, enforcement, administrative, and other regulatory responsibilities. The executive officer serves at the pleasure of the board.

The BCE's annual budget is funded exclusively by the profession through licensing and other regulatory fees. The BCE does not receive any general fund monies. The BCE allocates approximately 70% of its total operating budget to enforcement related activities.

Mission

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

Vision

Excellence in chiropractic care for all Californians.

Values

Consumer Protection Service Innovation Quality

Transparency Efficiency Integrity

Strategic Goals

1

Ensure the continuous competency of all Doctors of Chiropractic by promoting licensing standards, professional conduct and requirements for continuing education.

2

Enforce laws and regulations to ensure consumer protection.

3

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

4

Ensure that statutes and regulations strengthen and support the Board's mandate and mission.

5

Effective utilization of resources to meet goals and objectives.

1

Licensing and Professional Qualification

Ensure the continuous competency of all Doctors of Chiropractic by promoting licensing standards, professional conduct and requirements for continuing education.

1.1 Pursue revising entrance requirements at chiropractic colleges to enhance the quality and caliber of graduates.

1.2 Establish approval standards for continuing education providers to enhance the quality of education being provided.

1.3 Develop and implement an auditing process for continuing education courses to confirm compliance with requirements and conduct quality control of the courses.

1.4 Research and implement possible technological solution(s) that address stakeholders' current inability to utilize online services in order to enhance efficiency and convenience of Board services.

1.5 Interface with the Council on Chiropractic Education regarding the current state of chiropractic education to ensure quality of education.

Action Item: obtain reports from the Council on Chiropractic Education

1.6 Continue to explore updating chiropractic college curriculum requirements to better align them with contemporary health care education.

1.7 Develop and implement a new continuing education course regarding BCE laws.

1.8 Evaluate and make a determination about amending the Chiropractic Practice Act to affirm that the Board's mandate maintains consistency with contemporary practice.

Enforcement

2

Enforce laws and regulations to ensure consumer protection.

2.1 Develop and disseminate educational tools and materials that better inform stakeholders of the enforcement process.

2.2 *Collaborate* with professional associations to establish a code of ethics that promote higher ethical standards for licensees.

2.3 Collaborate with other regulatory entities to increase their awareness of unlicensed practice (i.e., pastoral) and promote increased enforcement efforts to better safeguard the public.

2.4 Educate licensees about enforcement issues related to social media in order to mitigate occurrences of these violations.

3

Public Relations and Outreach

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

3.1 Establish a process to utilize media outlets to strengthen Board relationships with media and to increase public awareness of Board functions.

3.2 Foster relationships with legislators to educate them about the role of the Board in regulating the chiropractic profession.

3.3 Identify and prioritize opportunities for Board member interactions with schools, associations, and CE providers to educate students and licensees about the role of the Board and to better facilitate reciprocal communication.

4

Laws and Regulations

Ensure that statutes and regulations strengthen and support the Board's mandate and mission.

4.1 Create a process in which the Board Chair establishes a two-person committee per regulation proposal that functions to aid in streamlining the time devoted to coordinating regulation packages.

4.2 Explore the feasibility of promulgating a regulation that requires licensees to provide their current email address to the Board to facilitate better outreach and communication.

5

Organizational Development

Effective utilization of resources to meet goals and objectives.

5.1 Explore options for succession planning to better safeguard the Board with continuity of services.

5.2 Implement an annual review of staff duties and procedures to ensure that procedures manuals are current.

5.3 Increase opportunities for team building that's inclusive of Board members and staff to educate staff and maintain team relationships.

5.4 Implement customer service training to better equip staff to meet the needs of stakeholders and the public.

Strategic Planning Process

To understand the environment in which the Board operates and identify factors that could impact the Bureau's success, the California Department of Consumer Affairs' SOLID unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- An online survey sent to stakeholders, comprised of industry professionals, professional associations, California colleges, continuing education providers and others who expressed interest in the strategic direction of the Board. The online survey received 159 responses.
- Telephone interviews with seven Board members in May and June 2016.
- Two focus group discussion with Board staff and managers in May 2016.

STAKEHOLDERS BREAKDOWN

Stakeholder Group	Number	% of Total
Professional Licensees	143	90%
Retired Licensees	2	<1%
Consumer/Member of the Public	0	0%
Professional Associations	6	4%
School or Chiropractic College	4	3%
Continuing Education Provider	4	3%
TOTAL:	159	100%

The most significant themes and trends identified from the environmental scan were discussed by the Board during a strategic planning session facilitated by SOLID on July 28, 2016. This information guided the Board in the review of its mission, vision, and values, while directing the strategic goals and objectives outlined in this 2017 – 2019 strategic plan.

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This strategic plan is based on stakeholder information and discussions facilitated by SOLID for the California Board of Chiropractic Examiners in May, June and July 2016. Subsequent amendments may have been made after Bureau adoption of this plan.