

MEETING MINUTES

November 7, 2022

8:30 A.M. – 5:00 P.M.

PHYSICIAN ASSISTANT BOARD

Physician Assistant Board Meeting Was Held Via WebEx

1. Call to Order by President

President Armenta called the meeting to order at 8:32 a.m.

2. Roll Call

Staff called the roll. A quorum was present.

Board Members Present: Charles Alexander, PhD
Juan Armenta, Esq.
Jennifer Carlquist, PA-C
Sonya Earley, PA-C
Jed Grant, PA-C
Randy Hawkins, M.D.
Diego Inzunza, PA-C
Vasco Deon Kidd, PA-C

Staff Present: Rozana Khan, Executive Officer
Michael Kanotz, Attorney III
Karen Halbo, Regulatory Counsel, Attorney III
Kristy Voong, Assistant Executive Officer
Jasmine Dhillon, Legislative/Regulatory Specialist
Caldwell, Lead Licensing Analyst
Christina Haydon, Enforcement Analyst
Armando Melendez, Complaint Analyst
Virginia Gerard, Probation Monitor

Julie

3. Consider Approval of August 8, 2022, Board Meeting Minutes

M/ Jed Grant S/ Sonya Earley to:

Approve the August 8, 2022, Meeting Minutes.

Member	Yes	No	Abstain	Absent	Recusal
Charles Alexander	X				
Juan Armenta	X				
Jennifer Carlquist	X				
Sonya Earley	X				
Jed Grant	X				
Diego Inzunza	X				
Vasco Deon Kidd	X				

No public comment.

4. Public Comment on items not on the Agenda

(Note: The Board 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 for a future meeting. [Government Code Sections 11125, 11125.7(a).])

No public comment.

5. Nomination and Election of Physician Assistant Board Officers

Michael Kanotz, legal counsel for the Board, specified that Business and Professions Code (BPC) section 3509.5 states that the board shall elect annually a president and a vice president from among its members. Mr. Kanotz then opened the floor for nominations for President of the Physician Assistant Board. Ms. Earley nominated Mr. Armenta. Dr. Kidd seconded the nomination. Upon closing the nominations, Dr. Hawkins asked to confirm whether Vice President Earley was interested in being President. Ms. Earley thanked Dr. Hawkins and confirmed she did not wish to be nominated presently.

M/ Sonya Earley S/ Vasco Deon Kidd to:

Motion to nominate Juan Armenta for Board President in 2023.

Member	Yes	No	Abstain	Absent	Recusal
Charles Alexander	X				
Juan Armenta	X				
Jennifer Carlquist	X				
Sonya Earley	X				
Jed Grant	X				
Diego Inzunza	X				
Vasco Deon Kidd	X				

Mr. Armenta thanked everyone for their confidence. Mr. Kanotz asked for nominations for Vice President. Mr. Armenta nominated Ms. Earley. The nomination was seconded by Dr. Alexander.

M/ Juan Armenta S/ Charles Alexander to:

Motion to nominate Sonya Earley for Board Vice President in 2023.

Member	Yes	No	Abstain	Absent	Recusal
Charles Alexander	X				
Juan Armenta	X				
Jennifer Carlquist	X				
Sonya Earley	X				
Jed Grant	X				
Diego Inzunza	X				
Vasco Deon Kidd	X				

Ms. Earley also thanked her fellow members for the election.

No public comment.

6. President's Report

Mr. Armenta stated that Executive Board members have continued their bi-weekly meetings with Executive Officer Rozana Khan, who has done a great job navigating the Board. He stated these meetings have kept the Board fully informed of its business and happenings.

Mr. Armenta stated that the Department of Consumer Affairs (DCA) Order waiving restrictions [on healthcare providers with an expired, inactive, or lapsed license ordering and administering COVID-19 vaccines] shall end at the end of February [2023]. He further stated that the Governor's Order calling for virtual meetings will lift July [2023] and that it may be anticipated that the Board will meet in person after the order has been lifted.

No public comment.

7. Executive Officer's Report

Ms. Khan reported the following information:

A. Office Operations

The Board is managing ongoing telework for staff while continuing to balance office operations.

B. Personnel

On September 12, 2022, Administrative Analyst Ariel Gompers accepted a promotional position with the California Department of Health Care Services. Additionally, on October 14, 2022, Licensing Analyst Margarita Harrington resigned to pursue other interests and navigate life outside of state service. The recruitment process is underway to fill the vacant positions. Assistant Executive Officer Kristy Voong is temporarily assisting with the workload to maintain coverage of these essential positions.

C. Outreach

Board staff had the pleasure of attending the annual conference hosted by California Academy of PA's (CAPA) during Physician Assistant Week in Carlsbad, CA. CAPACon is a conference for general medicine and specialty PAs (physician assistants) that encompasses clinical lectures and hands-on workshops for a total of 48 possible Category 1 CME credits. Our staff was available to answer any questions from licensees and students and to hand out updated Laws and Regulations booklets. We greatly appreciate the opportunity provided to us by CAPA to attend this exceptional event.

D. Information Technology

Development of the instructional video to assist applicants with the licensure process has resumed. Peter Fournier, the newest Information Officer for the Department of Consumer Affairs (DCA) is assigned to the Board. Mr. Fournier is currently working on a script production for the instructional video. On August 22, 2022, the Board

launched its redesigned website. The migration from the old website to the new website was seamless. The redesigned website has improved functionality by providing a more user-friendly interface and streamlining the information presented. A special thank you to the DCA Information Technology team for their assistance in revamping the Board's website. The Board continues to utilize its subscriber alert system, social media accounts and website to maximize outreach, which serve as the primary communication tools for licensees and members of the public.

Dr. Hawkins asked how the PA community received the PA Board at the CAPA Conference. Mr. Khan responded the Board was well received and that the 150 books on laws and regulations which she brought on behalf of the Board were given to attendees. Ms. Khan stated that nevertheless, the Board needed to do a better job in outreach, as at the conference, she was surprised to learn that some attendees had not actually heard of the Board. Mr. Armenta agreed it is of concern that potential licensees had not heard of the government agency that issues their licenses and oversees them, and that this should be kept in mind moving forward.

No public comment.

8. Board Activity Reports

A. Licensing

Licensing Population by Type Report as of October 25, 2022:

Ms. Caldwell reported that this report provides an overall view of the different types of license status:

Total Licensing Population: 23,535
Current Licenses: 16,165
Current Inactive: 33
Current Temporary Family Support: 1
Total: 16,199

Summary of Licensing Activity Report for July 1, 2022, to September 30, 2022:

Initial Applications received: 563
Licenses issued: 407
Licenses renewed: 1,849

Pending Application Workload Report as of October 24, 2022:

Ms. Caldwell stated that this report provides information on the application workload and a breakdown of the desk age and application age. The application age starts the day the application is entered in the system. The desk age starts once the application is assigned to a staff member. There can be a lag in that assignment as online applications are printed a few times per week, so there is several days difference from when an individual applied to when they get assigned to a staff member. Ms. Caldwell noted that the red column [91 plus days] is not cause for alarm as it means that the applications have been reviewed but there is a delay in getting the requirements in the office. This could simply mean that the applicant applied too early and has not graduated and taken the Physician Assistant National

Certifying Examination (PANACE); or is waiting on verifications of other state licenses, certifications, or registrations; or delays of getting the results of the background check.

Ms. Caldwell stated that as of September 21, 2022, the ability for applicants to apply by paper ended; however, exceptions are made for those applicants who request to apply by paper.

Licensing Performance Measures Report for July 1, 2022, to September 30, 2022:

Ms. Caldwell stated that this report provides information on how long it takes the Board to review an application. The current processing time is 31 days and at the end of the review, the applicant is notified by email or mail.

Ms. Caldwell stated that contacting the applicant by email is more efficient, but some applicants do not include the email address on their application. Mr. Armenta asked if there has been an insurmountable obstacle to collect email addresses from applicants. Ms. Caldwell responded no.

Ms. Earley was pleased to hear that the Board will still process paper applications and asked Ms. Caldwell about the paper application process for those who choose it. Ms. Caldwell stated that applicants can request Board staff mail a paper copy to them.

Mr. Grant stated that licensees can be concerned and confused about which personal information they provide to the Board is going to be made public. He asked if there was a way that applicants and licensees can know what specific information they provide will be provided to the public. Ms. Caldwell responded that the information about what is confidential and what will be public is on the application forms. Mr. Grant further queried Ms. Caldwell about her report in that Ms. Harrington was assigned applicant cases and she left the Board a few weeks ago. He wanted to make sure these cases were not in some type of limbo as a result.

Ms. Caldwell stated that currently part of the Board process is to assign an application in BreZE through certain stages. One stage is indicated when it is assigned to a desk analyst. Although Ms. Harrington is gone, her name in the system facilitates the staff understanding of where the application is. Ms. Caldwell confirmed that the applications are still being worked. She also explained that using Ms. Harrington's name as a placeholder is more efficient than having to use time to reassign each application. Mr. Grant and Mr. Armenta thanked her for clarifying the use of the name in the BreZE system.

B. Complaints

Mr. Melendez reported the following complaint activity for the period of July 1, 2022, to September 30, 2022:

- Complaints Volume
 - Complaints received: 113
 - Convictions/Arrests Received: 9
 - Total Received: 122

- Assigned to desk analyst (**may include cases received in previous quarters): 123
- Pending at intake: 0
- Complaints and Investigations
 - Complaints referred for investigation: 12
 - Complaints and investigations closed: 102
 - Complaints pending at desk analyst: 249
 - Investigations pending at field: 64
 - Average age of pending investigation: 305 days
 - Investigations over 8 months old: 33

Mr. Armenta asked how the first quarter of FY 2021-22 compared to this year's first quarter. Mr. Melendez stated that although the chart focuses on total FY 2021-22, he did notice a slight increase in cases.

Ms. Earley asked Mr. Melendez if he noticed any trends in the complaints. Mr. Melendez stated he really did not notice a complaint trend by type, but he did notice there was an increase in complaints overall. Ms. Earley thanked Mr. Melendez. Mr. Grant expressed his appreciation for the multi-colored chart which was requested previously and is now showing comparisons over time. Mr. Armenta agreed it was meaningful and noted the category "Fraud" allegations was also included in complaint type.

C. Discipline

Ms. Haydon reported the following discipline activity for the period of July 1, 2022, to September 30, 2022:

- Suspensions
 - There were no suspensions
- Office of the Attorney General Transmittal
 - Cases initiated: 9
 - Cases pending: 45
 - Average age of pending cases: 318 days
- Formal Actions Filed/Withdrawn/Dismissed
 - Accusations filed: 8
 - Petition to Revoke Probation filed: 1
- Administrative Outcomes/Final Order
 - Probation: 1
 - Revocation: 1
 - Surrender: 1
 - Petition for Termination of Probation Granted: 1
- Citation and Fine
 - Citations issued: 0
 - Resolved/Closed: 1
 - Pending: 1
 - Fines Received: \$5,500

Mr. Armenta thanked Ms. Haydon.

D. Probation

Ms. Gerard reported the following probation activity for the period of July 1, 2022, to September 30, 2022:

- Entered Probation: 1
- Completed Probation: 1
- Total Probationers: 45
 - Active: 36
 - Tolling: 9

E. Diversion

Ms. Gerard reported the following activity for the Diversion Program for the period of July 1, 2022, to September 30, 2022:

- Total Active Participants: 2

Ms. Gerard reported that she traveled to Fresno and Los Angeles this past quarter. Mr. Armenta asked Ms. Gerard how she has been received in her visits and if she were being afforded the professionalism he would hope a representative of the Board should receive. Ms. Gerard stated that she has been well received and has not had to wait long to be seen for a meeting when she has visited unannounced. She confirmed that she was afforded the respect a Board representative would be expected to receive.

No public comment.

9. Department of Consumer Affairs – Director’s Update

Judie Bucciarelli, Staff Services Manager at DCA thanked the Board for its time and provided the following department updates.

A. New Staff

The Governor recently appointed new leaders to the Board and Bureau Relations team. Ms. Bucciarelli stated effective October 3, 2022, Melissa Gear is the new Deputy Director of Board and Bureau Relations; and effective November 14, 2022, Yvonne Durantes will serve as the new Assistant Deputy Director.

B. Diversity, Equity, and Inclusion Steering Committee

Ms. Bucciarelli reported that Director Kimberly Kirchmeyer established DCA’s first Diversity, Equity, and Inclusion Steering Committee to guide DCA with its equity, strategy, initiatives, and action plans. The committee will hold its first meeting on November 9, 2022.

C. Strategic Planning

Per the Governor’s directive, strategic plans in effect July 2023 and beyond must be developed or updated to more effectively advance equity and drive outcomes that increase opportunity for all. DCA is revising its strategic planning processes to incorporate more inclusive public engagement, data analysis, and embedding

diversity, equity, and inclusion into the strategic planning process. By March 2023, DCA will begin implementing these revised processes.

D. Our Promise Campaign

This year marks 65 years of caring for California. This year's Our Promise Campaign began October 1, 2022, and will end December 31, 2022, and with the Board's assistance, DCA hopes to continue its tradition of generosity and caring for our communities. The campaign allows Californians to donate to a nonprofit or nonprofits of their choice. Ms. Bucciarelli encouraged everyone to donate.

E. COVID-19 Safety Measures

Ms. Bucciarelli stated the Board should continue to use safety measures, best practices and recommendations for Boards choosing in-person meetings, and that members and staff are expected to follow all state and local health guidelines. Ms. Bucciarelli stated that the legislation has passed allowing remote meetings until June 30, 2023.

F. Travel

Ms. Bucciarelli reminded the Board that all members and staff must choose the most economical fares when possible when travelling by air on official state business. Slight changes to the date and time for personal convenience are not approved and the traveler will be responsible for any associated charges. Additionally, Assembly Bill (AB) 1887 prohibits state agencies, departments, boards, authorities and commissions from traveling to states that are subject to California's travel ban. There are 23 prohibited states, and the list can be viewed on the Attorney General's website.

G. Unclaimed Property Program

DCA will partner with the State Controller's Office to share information with consumers and licensees about the unclaimed property program, as certain licensees may benefit from the partnership as it will educate them about their responsibility to report unclaimed property and assist with compliance. Additionally, the program is a great resource to all consumers to locate their unclaimed property.

Ms. Bucciarelli offered assistance if needed by the Board and asked if anyone had any questions for her. Dr. Alexander noted that 23 states were on the travel ban list and asked if this were an increase from about one year ago. Ms. Bucciarelli confirmed there was an increase.

Mr. Armenta thanked Ms. Bucciarelli for the updates.

No public comment.

10. Budget Update

Suzanne Balkis, DCA Budget Analyst, reported the Board's budget for fiscal year 2021-22 is slightly over \$3 million and has used 36.28% of its expenditures on Personal Services (PS), which includes salaries and benefits; 36.13% for Operating

Expenses & Equipment (OE&E), which includes contracts, purchases and travel; and 23.27% on Enforcement, which includes the Office of Administrative Hearings as well as the Office of the Attorney General. The Board had 4.32% in Reversion.

Fund Condition Report

The fund condition statement is based on fiscal year (FY) 2020-21 actuals with a beginning balance of \$4.9 million, with prior year (PY) adjustment of negative \$70,000, giving the Board an adjusted beginning balance of \$4.8 million. The Board has an overall revenue of \$2.4 million and a total expenditure of \$2.4 million as well. This totals to a fund balance of \$4.8 million, which is about 19.7 months in reserve.

For the Board's FY 2021-22 actuals, the Board has a beginning balance of \$4.8 million with a PY adjustment of \$197,000, giving the Board an adjusted beginning balance of about \$5 million. The Board has an overall revenue of \$2.5 million, a transfer to the General Fund of negative \$88,000 and a total expenditure of \$2.9 million, giving the Board a fund balance of \$4.5 million or up to 16.8 months in reserve.

For the Board's current year (CY) 2022-23, the Board has a beginning balance of \$4.5 million, projected total revenue of about \$2.6 million and \$3.2 million in expenditures. With those expenditures and revenue, the Board currently has a fund balance of \$3.9 million or about 14 months in reserve. Budget year (BY) is based on Governor's Budget Act and BY +1 is based on realized.

Expenditure Report

Ms. Balkis reported the FY 2021-22 expenditure is \$1.1 million in PS and about \$1.8 million in OE&E expenses, for a total of \$2.9 million, which created a saving of about \$130,000 or 4.32%. There is no current concern for the fund and staff is working on FY 2022-23 projections with the Board.

Ms. Earley thanked Ms. Balkis for a detailed report and asked what the Board's savings were during the COVID-19 pandemic. Ms. Balkis responded she currently does not have the figure but can get this for the Board. Ms. Earley stated that a general estimate of that figure would be welcomed presently. Budget Manager Renee Milano, who oversees the Board's budget matters explained that historically the Board does revert money even prior to the pandemic. She would surmise that approximately \$100,000 or more per year during the pandemic was being reverted by the Board, so about \$300,000 in potential savings over the three years.

Mr. Grant asked for confirmation that in order for the fund to be considered healthy, it should have between 6 and 18 months in reserve. Ms. Balkis confirmed this.

No public comment.

11. Update on Medical Consultant Reviewer Program

Mr. Melendez reported that the requested change for the requirements to be a Medical Consultant (MC) for the Board have been made. He stated it is now required for a candidate to have at least five years of practice, instead of the previous three

years. Mr. Melendez produced the updated draft MC application form and indicated the form has been changed to reflect this.

Mr. Grant asked Mr. Melendez whether applicants were able to check multiple boxes indicating they had multiple areas of practice experience and/or specialties. Mr. Melendez confirmed yes; that they could check multiple boxes in multiple sections. Mr. Grant thanked Mr. Melendez for his work on this.

Dr. Kidd asked for clarification on the form in that if staff are looking for an MC, say for example, in orthopedic surgery, would the form ask if the person was in orthopedic surgery practice for five years, or ask if they were in practice for five years. Mr. Melendez stated that the form asks whether the PA is practicing as a PA with a valid license for five years.

Dr. Kidd expressed his concern over this explaining that an applicant could check two boxes indicating two fields of practice experience, but staff would not be able to ascertain from the form in which field the applicant has current practice experience (current experience being the best). Mr. Melendez explained that he reviews the applicant's curriculum vitae when it is time for choosing the MC for each complaint and this is when he would determine which MC is qualified, on a case-by-case basis. Dr. Kidd thanked Mr. Melendez for this added clarification.

No public comment.

12. Report on Medical Board of California Activities

Dr. Hawkins, Vice President of the Medical Board of California (MBC), reported the MBC met virtually on August 24 and 25, 2022, and noted of particular significance were two strategic planning sessions, preparation for sunset review, and the pending quarterly newsletter release. The MBC is scheduled to meet again, in person, in Los Angeles on December 1 and 2, 2022. Dr. Hawkins advised the Board that the MBC newsletter will be available on their website by the end of November, and that the agenda for the upcoming meeting can be found as well once it is finalized. Dr. Hawkins thanked the Board for providing him with the opportunity to participate in the Board and its activities.

No public comment.

13. Discussion and Possible Action Setting Schedule for 2023 Board Meeting Dates and Locations

Mr. Armenta stated that the proposed meeting dates are Monday, February 6, 2023 (91 days from the November 7, 2022 meeting), the meeting to be virtual; Monday, May 1, 2023 (84 days from February 6, 2023 meeting) to be in person and in Sacramento, as that would include the strategic planning session; Friday, August 4, 2023 (95 days from the May 1, 2023 meeting) to be in Southern California; and Monday, November 6, 2023 (94 days from the August 4, 2023 meeting) to be in Sacramento.

Mr. Armenta opened the floor for comments and suggestions. Ms. Earley asked what the maximum days allowed between meetings are. Ms. Khan responded that it

is 100 days. Ms. Earley stated she understands that the Board tries to keep it well under that, but she may have a conflict and needs to check her schedule.

Mr. Grant expressed that the Board typically meets on Monday and was curious why in August the meeting is scheduled for a Friday. Ms. Khan confirmed that was to facilitate travel for staff, as that meeting is scheduled to be in Southern California. Mr. Grant thanked her for the clarification.

Mr. Armenta asked for Ms. Earley's findings on the possible schedule conflict. A discussion was held regarding whether the proposed date was May 8 [verbally introduced] or May 1 [per the written report for Agenda Item 13] and the proximity to the Mother's Day holiday that year. Ms. Earley indicated a conflict presents for her on May 1, 2023, but not May 8, and asked if May 8 could be a possibility.

Ms. Khan stated May 8, 2023, was initially proposed, but the Federation of State Medical Boards is hosting their annual conference which poses a conflict as staff will be attending this as well. Ms. Earley stated that May 1, 2023, was fine. Mr. Armenta confirmed the meeting dates for 2023 as February 6, virtual; May 1 in person, in Sacramento; August 4 in person, in Southern California, and November 6 in person, in Sacramento. Mr. Armenta invited a motion from the floor.

M/ Jed Grant S/ Vasco Deon Kidd to:

Motion to adopt the proposed meeting dates for 2023.

Member	Yes	No	Abstain	Absent	Recusal
Charles Alexander	X				
Juan Armenta	X				
Jennifer Carlquist	X				
Sonya Earley	X				
Jed Grant	X				
Diego Inzunza	X				
Vasco Deon Kidd	X				

No public comment.

14. Update, Discussion, and Possible Action on Proposal to Amend 16 California Code of Regulations (CCR) Sections 1399.506, 1399.507, 1399.511, and 1399.546 – Application, Exam Scores, Addresses & Recordkeeping Consideration of Public Comments and Potential Modifications to Text

Ms. Halbo stated this regulatory package went through the 45-day comment period, and that a new law passed which now requires boards to waive application and license fees for spouses or domestic partners of active-duty members of the Armed Forces of the United States if the applicants submit specific documentation. Thus, the Legal Affairs Division of the Department of Consumer Affairs modified the text of 16 CCR §1399.506 by adding a subdivision (b) to reflect the changes in the law. Ms. Halbo stated by putting this requirement in regulation, it allows those who are affected by this law know what to do. Ms. Halbo stated that the purpose of the proposed modified text is to have clear direction so those individuals affected can

provide the correct documentation to have the opportunity to have their fees waived and application expedited.

In response to Mr. Armenta’s question of does the law only apply to those who have a domestic partnership in California, or does it include individuals from any other state, Ms. Halbo stated that this law applies to individuals of any other state.

In response to Mr. Armenta’s question of how the public comment affects the regulatory process and whether staff must start the regulatory process from the beginning, Ms. Halbo stated no this would not delay the process because this modification to the text reflects the law change and is consistent with the new law. Ms. Halbo stated that once the Board adopts the proposed text, staff can prepare the final documents and submit the package to the Office of Administrative Law.

Ms. Halbo stated the Board did receive a public comment and the memorandum includes a drafted Board response. The public comment stated that a home address should not be required for an address of record. Ms. Halbo stated that the proposed Board response is that the Board allows applicants and licensees the option to provide a mailing address other than a home address, including a post office box or a business address for purposes of an address of record.

In response to Ms. Halbo’s question of whether the one public comment received was during the 15-day comment, Ms. Dhillon stated the comment received was during the 45-day comment period which closed on October 25, 2022, and that staff are asking the Board to adopt the proposed response to the comment and the response will be published for a 15-day comment period following the Board’s motion to adopt.

M/ Juan Armenta S/ Sonya Earley to:

Approve the proposed response to the public comment, adopt the proposed modified text amending 16 CCR §1399.506 for a 15-day public comment period, and if there are no adverse comments received during the 15-day comment period, direct the Executive Officer to take all steps necessary to complete the rulemaking, authorize the Executive Officer to make any technical or nonsubstantive changes to the proposed regulations, and adopt the proposed language with the modifications to 16 CCR §1399.506.

Member	Yes	No	Abstain	Absent	Recusal
Charles Alexander	X				
Juan Armenta	X				
Jennifer Carlquist	X				
Sonya Earley	X				
Jed Grant	X				
Diego Inzunza	X				
Vasco Deon Kidd	X				

No public comment.

15. Regulations – Update on Pending Regulatory Packages

Ms. Dhillon provided the updates for the regulatory packages.

1. 16 CCR 1399.514, 1399.615 – SB 697: License Renewal and Continuing Medical Education Required

The revised proposed regulatory language was approved and adopted by the Board at its November 8, 2021, meeting. Staff will be working on initial documents to submit for initial review next calendar year.

2. 16 CCR 1399.502, 1399.540, 1399.541, 1399.545 – SB 697: SB 697 Implementation

Staff is currently working on initial documents with regulations counsel and the Budget Office to submit for initial review.

3. 16 CCR 1399.506, 1399.507, 1399.511, 1399.546 – SB 697: Application, Exam Scores, Addresses, & Recordkeeping

Staff submitted initial submission documents for Budget and Legal review which was completed on July 29, 2022. The initial submission documents were approved by Agency on August 27, 2022. Notice of the proposed regulatory action was published on September 9, 2022, and the 45-day comment period closed on October 25, 2022.

4. 16 CCR 1399.515 – AB 2461: Retired Status to Include Fingerprint Requirement

This regulatory proposal is on hold for 2022 until the above packages are completed.

5. 16 CCR 1399.523 – SB 1441: Implement Uniform Standards Related to Substance Abusing Licensees and Update of Disciplinary Guidelines

This regulatory proposal is also on hold for 2022 until the above packages are completed.

6. 16 CCR 1399.XX – AB 107: Military Applicant Temporary Licensure

The proposed regulatory text was reviewed, discussed, and adopted by the Board at its August 8, 2022, meeting. Staff is currently working on initial documents with regulations counsel and the Budget Office to submit for initial review.

No public comment.

16. Education/Workforce Development Advisory Committee: Update on Physician Assistant Education Programs and Applicants in California

Mr. Grant reported that the Accreditation Review Committee met in September and approved several more programs which now bring the total to 300 approved PA programs across the country with 20 in California (not including an additional three programs currently pending approval). Mr. Grant stated he confirmed with each provider (with the exception of Touro University), the number of students in each cohort. He reported the annual capacity for California to produce PAs is currently 933 with the average for a program being about 41 (the National average being 45). Mr. Grant projects that should the three programs be approved, the capacity would be about 1000 potential PAs annually from California.

Mr. Grant produced a chart showing all the California PA programs. Listed were the names and student amount for each. He further produced a map of California showing the program locations. He reported that although there are no program providers in Central California, there are however many clinical rotation sites there. Mr. Grant stated that some private programs offer benefits at admissions to candidates who are willing to work in resource shortage areas in California, and this helps to meet the workforce needs.

Dr. Kidd asked whether A.T. Still University had started their program. Mr. Grant responded, yes, that school is taking 100 students. Mr. Grant stated the students are being taken from all over the nation, and their clinical rotations are throughout the nation as well.

Ms. Earley offered an update to the chart by stating that Southern California University of Health Sciences is no longer on probation, and they are receiving continuing accreditation. Mr. Grant thanked Ms. Earley and stated the chart information was pulled on October 26, 2022, and he will be happy to update the chart accordingly.

Mr. Armenta asked about growth and the capacity of each program to take more students. Mr. Grant advised the Board that the most difficult problem to growth is the number of clinical rotation sites. Mr. Grant stated schools typically rely on community or hospital-based healthcare providers to volunteer to take on students, but due to the burden of COVID-19 and extra workloads, these are being reduced. Some schools are now having to pay for rotation sites at the more difficult to get rotations, like pediatrics and women's health. This raises the costs for students and places limits on the seats programs can offer, and limits growth. Mr. Grant stated that the program providers would take more applicants if they could, but there is a lack of rotation sites.

Mr. Grant stated that in other parts of the country, PA schools have partnered with medical schools and share rotation sites. He stated another solution found in other states is the state offering tax breaks to preceptors. Mr. Grant stated California is less likely to see much more growth due to having rapid growth over the past eight years and it is becoming increasingly competitive for a clinical rotation site.

No public comment.

Returned from Recess - Roll Call

Staff called the roll at 10:30 a.m. A quorum was present.

Board Members Present:	Charles Alexander, PhD Juan Armenta, Esq. Jennifer Carlquist, PA-C Sonya Earley, PA-C Jed Grant, PA-C Randy Hawkins, M.D. Diego Inzunza, PA-C Vasco Deon Kidd, PA-C
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17. Report by the Legislative Committee; Discussion and Possible Action to Consider Positions Regarding the following Legislation:

Ms. Dhillon reported the following:

A. AB 646 (Low) Department of Consumer Affairs: Boards: Expunged Convictions

This bill failed passage and is considered dead.

This bill would have required programs under the DCA that post information on its website about a revoked license due to a criminal conviction to post notification of an expungement within 90 days of the board receiving an expungement order related to the conviction for those who reapply for licensure or are relicensed.

B. SB 731 (Durazo) Criminal Records: Relief

The bill was approved by the Governor on September 29, 2022, and chaptered by the Secretary of State.

This bill expands automatic conviction record relief, for a defendant convicted, on or after January 1, 2005, to nonserious, nonsexual, and nonviolent felonies after an individual completes all terms of incarceration, probation, mandatory supervision, post release community supervision and parole, and a period of four years has elapsed during which the defendant was not convicted of a new felony offense. This bill, commencing July 1, 2023, makes this arrest record relief available to a person who has been arrested for a felony, including a felony punishable in the state prison, as specified.

C. AB 1733 (Quirk) State Bodies: Open Meetings

This bill failed passage and is considered dead.

This bill would have specified that a “meeting” held under the Bagley-Keene Open Meeting Act includes a meeting held entirely by teleconference, as defined, so long as the state body adheres to certain specified requirements such as: ensuring the public has the means to hear, observe, and address the state body during the meeting; providing the public with at least one physical location where they can participate; specify that physical presence at any physical meeting location is not necessary for the member to be deemed present at the meeting; posting the meeting agendas online and at the physical meeting location with information indicating how the meeting can be accessed; allow Board members to remotely participate in an open meeting without disclosing the remote location from which a member is participating; and ensuring that if a means of remote participation fails, the meeting must adjourn.

D. AB 1662 (Gipson) Licensing boards: disqualification from licensure: criminal Conviction

This bill failed passage and is considered dead.

This bill would have required a board to establish a process by which prospective applicants may request a preapplication determination as to whether their criminal history could be cause for denial of a completed application for licensure by the

board.

E. AB 657 (Cooper) Healing arts: expedited licensure process: applicants providing abortion services

This bill was approved by the Governor on September 27, 2022, and chaptered by the Secretary of State.

This bill is effective January 1, 2023, and requires the Medical Board of California, the Osteopathic Medical Board of California, the Board of Registered Nursing, and the Physician Assistant Board to expedite the licensure process of an applicant who can demonstrate that they intend to provide abortion services within their scope of practice and would specify the documentation an applicant would be required to provide to demonstrate their intent.

F. AB 2626 (Calderon) Medical Board of California: licensee discipline: abortion.

This bill was approved by the Governor on September 27, 2022, and chaptered by the Secretary of State.

This bill prohibits the Physician Assistant Board from suspending or revoking the certification or license of a physician assistant for performing an abortion so long as they performed the abortion in accordance with the provisions of the Physician Assistant Practice Act and the Reproductive Privacy Act.

Mr. Armenta asked if the Board would incur a fiscal impact from SB 731. Ms. Dhillon responded that it will not and that her understanding from DCA, is that it is going to impact the Department of Justice and the means by which they provide information.

No public comment.

18. Agenda Items for the Next Meeting

Mr. Armenta called for items to be placed on the agenda for the next meeting.

Ms. Earley stated that as Mr. Grant provided a number showing PA program graduates, she requests Board staff to ascertain if the Board is processing license applications commensurate with the number. This would help determine appropriate workload to workforce levels. Mr. Armenta thanked Ms. Earley.

No public comment.

19. CLOSED SESSION

A. Pursuant to Section 11126(a)(1) of the Government Code, the Board will conduct the annual evaluation of performance of the Executive Officer.

B. Pursuant to Section 11126(c)(3) of the Government Code, the Board will deliberate and take action on disciplinary matters.

20. Adjournment

Adjournment will immediately follow the closed session and there will be no other items of business discussed.

Minutes do not reflect the order in which agenda items were presented at the Board meeting.