



NOTICE OF TELECONFERENCE BOARD MEETING

November 22, 2021
12:00 pm to 1:00 pm
or until completion of business

Pursuant to the statutory provisions of Government Code section 11133, neither a public location nor teleconference locations are provided.

To access the Webex event, attendees will need to click the following link and enter their first name, last name, email, and the event password listed below:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=me482dcb7b4c2c40f4edc0b4bc77e7ee0>

If joining using the link above:

Event number: 2490 385 0801
Event password: BCE11222021

If joining by phone:

+1-415-655-0001 US Toll
Access Code: 249 038 50801
Passcode: 22311222

For public comment, please join by computer. If joining by computer, the preferred audio connection is via mobile phone. The phone number and access code will be provided as part of your connection to the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment. Public comments will be limited to two (2) minutes per person unless, in the discretion of the Board or circumstances require a shorter period. Members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

Important Notices to the Public: The Board of Chiropractic Examiners will hold this meeting via WebEx – access information is provided above. General instructions for using WebEx are attached to the agenda. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at (916) 263-5355 or e-mailing chiro.info@dca.ca.gov or sending 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.

The Board may take action on any agenda item.

AGENDA

- 1. Open Session – Call to Order & Establishment of a Quorum**
Dionne McClain, D.C., Chair
David Paris, D.C., Vice Chair
Janette Cruz

Laurence Adams, D.C.
Pamela Daniels, D.C.
Rafael Sweet

2. Public Comment for 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 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.

3. Future Agenda Items

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 of a future meeting. [Government Code Sections 11125,11125.7(a).]

4. Executive Officer (EO) Recruitment and Selection Process

- A. Presentation from Department of Consumer Affairs (DCA), Office of Human Resources on EO Recruitment and Selection Process
- B. Discuss and Possible Action on Process for Recruitment and Selection of an EO
- C. Discuss and Possible Action on Appointment of an EO Search Committee
- D. Review and Possible Action on Revised EO Duty Statement and Recruitment Announcement

5. Adjournment

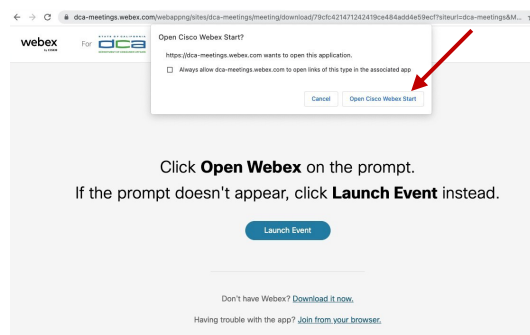
In accordance with Government Code section 11133, no physical location is available for observation and public comment, so please plan to attend the meeting telephonically. Meetings of the Board of Chiropractic Examiners are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. The Board 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. Adjournment, if it is the only item that occurs after a closed session, may not be webcast. 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.

A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by calling the Board at (916) 263-5355, e-mailing chiro.info@dca.ca.gov, or sending 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.

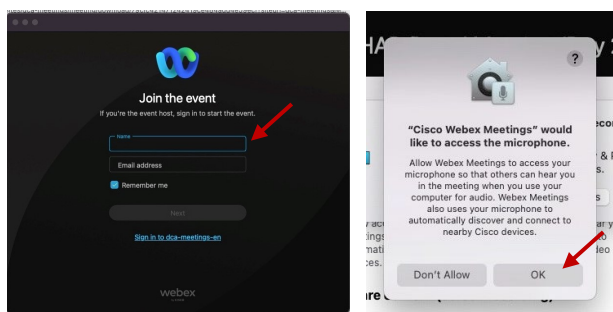
If joining using the meeting link

1 Click on the meeting link. This can be found in the meeting notice you received.

2 If you have not previously used Webex on your device, your web browser may ask if you want to open Webex. Click “Open Cisco Webex Start” or “Open Webex”, whichever option is presented. DO NOT click “Join from your browser”, as you will not be able to participate during the meeting.



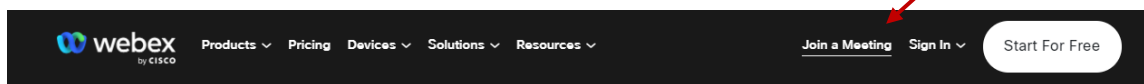
3 Enter your name and email address. Click “Join as a guest”. Accept any request for permission to use your microphone and/or camera.



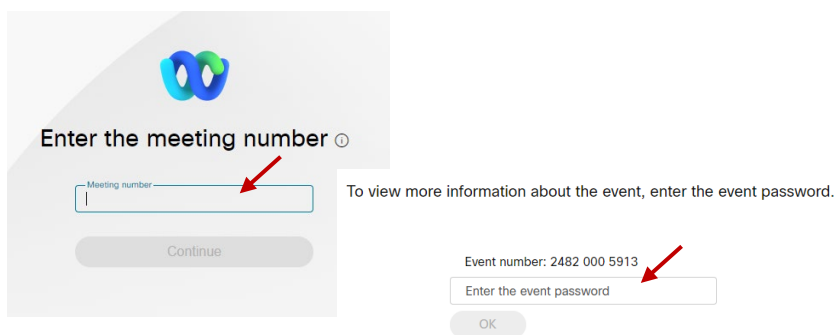
OR

If joining from Webex.com

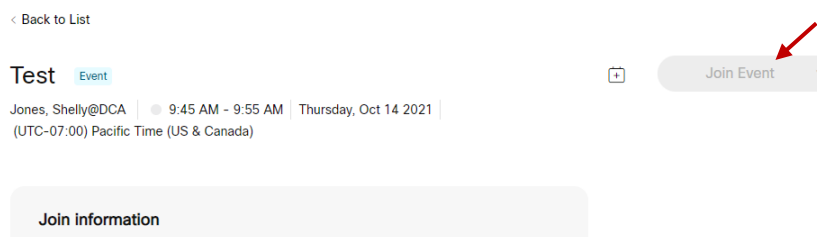
1 Click on “Join a Meeting” at the top of the Webex window.



2 Enter the meeting/event number and click “Continue”. Enter the event password and click “OK”. This can be found in the meeting notice you received.



3 The meeting information will be displayed. Click “Join Event”.



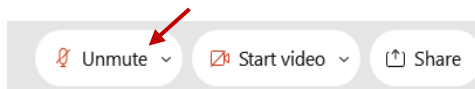
OR

Connect via telephone:

You may also join the meeting by calling in using the phone number, access code, and passcode provided in the meeting notice.

Microphone

Microphone control (mute/unmute button) is located on the command row.

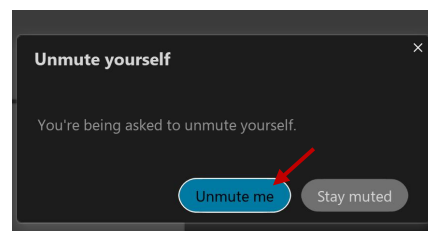


Green microphone = Unmuted: People in the meeting can hear you.



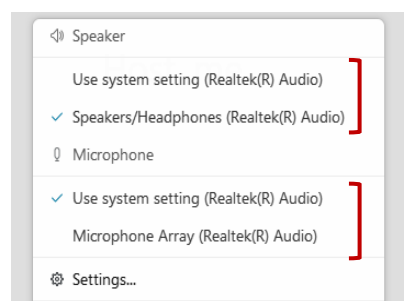
Red microphone = Muted: No one in the meeting can hear you.

Note: Only panelists can mute/unmute their own microphones. Attendees will remain muted unless the moderator enables their microphone at which time the attendee will be provided the ability to unmute their microphone by clicking on “Unmute Me”.



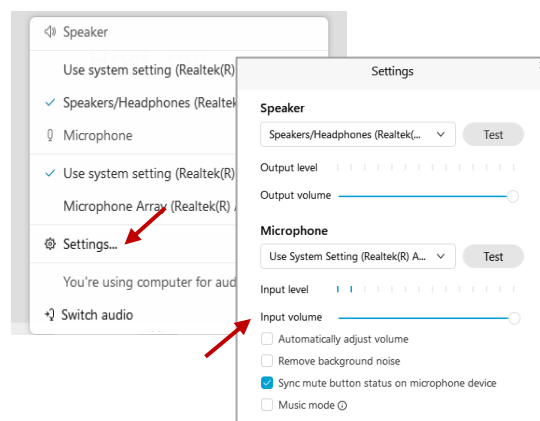
If you cannot hear or be heard

- 1 Click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window, select a different:
 - Microphone option if participants can't hear you.
 - Speaker option if you can't hear participants.



If your microphone volume is too low or too high

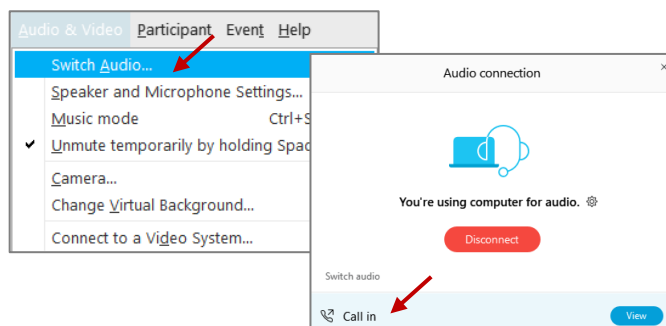
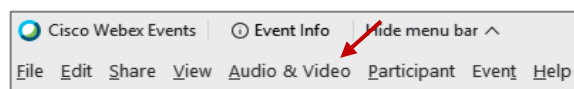
- 1 Locate the command row – click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window:
 - Click on “Settings...”:
 - Drag the “Input Volume” located under microphone settings to adjust your volume.



Audio Connectivity Issues

If you are connected by computer or tablet and you have audio issues or no microphone/speakers, you can link your phone through webex. Your phone will then become your audio source during the meeting.

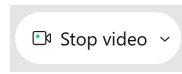
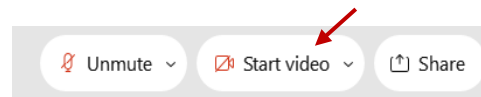
- 1 Click on “Audio & Video” from the menu bar.
- 2 Select “Switch Audio” from the drop-down menu.
- 3 Select the “Call In” option and following the directions.



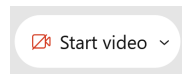
Web Camera

Only panelists (e.g. staff, board members, presenters) can access the web camera feature.

Camera control (Start Video/Stop Video button) is located on the command row.



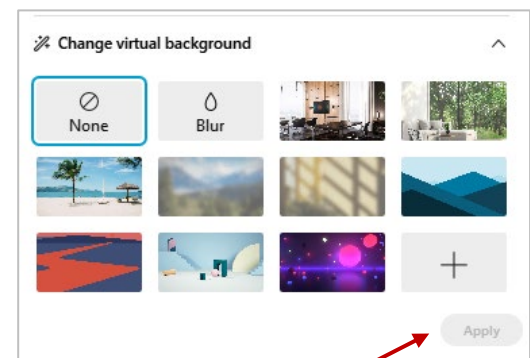
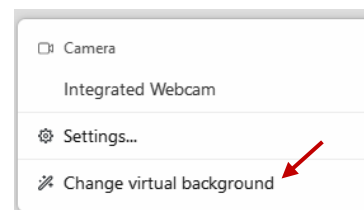
Green dot in camera = Camera is on: People in the meeting can see you.



Red dot in camera = Camera is off: No one in the meeting can see you.

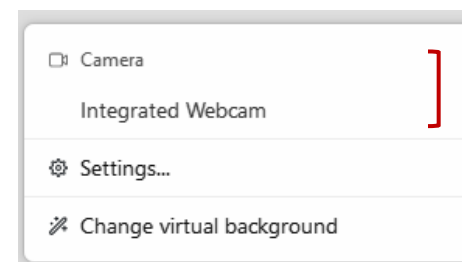
Virtual Background

- 1 To access virtual backgrounds, click on the bottom facing arrow located on the video button.
- 2 Click on "Change Virtual Background".
- 3 From the pop-up window, click on any of the available images to display that image as your virtual background and click "Apply".



If you cannot be seen

- 1 Locate the command row – click on the bottom facing arrow located on the video button.
- 2 From the pop-up window, select a different camera from the list.



Executive Officer (EO) Recruitment and Selection Process

A. Presentation from Department of Consumer Affairs (DCA), Office of Human Resources on EO Recruitment and Selection Process

The Executive Officer of the Board of Chiropractic Examiners, Robert Puleo, is retiring from state service and his last day at BCE is December 30, 2021. The DCA Office of Human Resources will provide a presentation regarding the EO recruitment and selection process.

B. Discuss and Possible Action on Process for Recruitment and Selection of an EO

Following the DCA Office of Human Resources presentation on the EO recruitment and selection process, the Board will discuss its role in the process and may take action.

C. Discuss and Possible Action on Appointment of an EO Search Committee

An EO Search Committee may consist of two members who have sufficient time and interest to commit to actively participating in the search and selection process. The Committee works with the DCA Office of Human Resources on the recruitment process to select an EO. The Committee's responsibilities may include the following: 1) defining recruitment advertisement parameters; 2) developing screening criteria; 3) prescreening qualified applicants; 4) conducting initial interviews if narrowing of applicants is needed; and 5) recommending applicants to be interviewed by the full Board at a publicly noticed meeting.

The Board will discuss and may take action on the appointment of an EO Search Committee.

D. Review and Possible Action on Revised EO Duty Statement and Recruitment Announcement

To begin the EO recruitment process, the duty statement for the position should clearly and accurately describe the functions and responsibilities of the position, as determined by the Board.

Attached for the Board's review, consideration, and possible action are the proposed EO duty statement and recruitment announcement.

Attachments:

- Duty Statement (revised 10/2021)
- Recruitment Announcement

Department of Consumer Affairs

Position Duty Statement

HR-041E (new 5/04)

Exempt Employee's Name	
Classification Title Executive Officer	Board / Bureau / Commission / Committee Board of Chiropractic Examiners
Exempt Level / Salary Range -/\$11,073 – \$12,574	Geographic Location Sacramento
Position Number 620-110-8862-001	Effective Date of Appointment

General Statement: The Executive Officer (EO), under the administrative direction serves at the pleasure of the seven-member Board of Chiropractic Examiners (Board) serves. ~~The EO as the chief administrative and operating officer for the Board. The EO ensures that the primary mission of the Board, to protect the consumers from fraudulent or incompetent practice of chiropractic, examining applicants for licensure in order to evaluate entry-level competence; and, enforcing the Chiropractic Initiative Act, Business and Professions Code, and Regulations relating the practice of chiropractic, are~~ is carried out. The EO is further responsible for interpreting and executing the intent of all Board policies to the public and other governmental entities. Duties include, but are not limited to:

A. SPECIFIC ASSIGNMENTS [Essential (E) / Marginal (M) Functions]

60% (E) Administrative Program Operations

Oversee all administrative and lead functions performed and managed by staff to ensure compliance with mandates, direct the implementation and execution of all Board policies and procedures. Oversee the collection of data for preparation of all statistical reports. Review the reports for policy refinement and to maximize program effectiveness. Direct the preparation and implementation of all contracts utilized by the Board. Provide fiscal management, including the oversight of budget preparations. Direct the preparation of annual budget documents and provide oversight of expenditures and revenues. Ensure that expenditures are within the allocated budget and ensure that the Board maintains a prudent fund reserve. Advocate the budget before control agencies, the Legislature, and the Board. (15%)

Oversee the management of the Enforcement Program. Oversee the processing of complaints, investigations, prosecution and disciplinary action performed by the Office of the Attorney General ~~and testify as needed at administrative hearings conducted by the Office of Administrative Hearings.~~ Direct negotiations for stipulated agreements to ensure that the proposed terms and conditions are in compliance with the Board's policies. Monitor and ensure that deadlines and procedures mandated by the Administrative Procedures Act are met. (15%)

Oversee the management of the Licensing Program. Direct the processing of applications for licensure to ensure that only qualified applicants are issued licenses to practice chiropractic. Oversee the development and administration of the licensing examination. (+5 10%)

Manage and direct the Continuing Education (CE) Program which is responsible for approving all CE courses available to the chiropractors in order to keep them in line with current chiropractic practices. (+5 10%)

Direct the organization and coordination of committee, executive, and task force meetings and the compilation of data for the Board meetings. Direct the activities specific to the conduction of official public meetings required by law. Ensure compliance with the Open Meetings Act. Coordinate closed sessions as authorized by statute and hearings specific to the requirements of the Administrative Procedures Act and/or the Office of Administrative Law. Attend Board meetings to provide sound advice to the members. **Serve as the official custodian of all Board records.** (+5 10%)

20% (E) Legislation/Regulation

Identify the need for new legislation. Recommend modification of existing statutes or regulations to the Board. Draft specific language to effect statute or regulatory change. Oversee and ensure compliance of all aspects of legislative and rulemaking processes.

Testify before legislative committees on the Board's behalf. Advocate consumer protection and lobby on behalf of the consumer and the Board. Obtain authors for legislation as needed.

20% (E) Public Contact

Interpret and clarify the Board's Initiative Act, regulations, protocols, and policies. Represent the Board before professional and health associations, other state, local, or federal governmental agencies, health organizations, consumer groups, insurance organizations, and other regulatory agencies to provide information regarding the Board's Initiative Act, programs, and policies.

Solicit support on issues affecting the Board and obtain information for feedback to the Board as needed. ~~and serve as the official custodian of all Board records.~~

B. Supervision Received

The incumbent is exempt from civil service and receives administrative direction from the appointed members of the Board. ~~The EO serves as the chief administrative and operating officer for the Board.~~

C. Supervision Exercised

The incumbent is delegated the authority by the Board to provide leadership and oversight for all Board programs and activities. The EO **directly supervises the**

Assistant Executive Officer and indirectly supervises all board personnel. oversees the management of the enforcement, licensing, continuing education, and field operations units within the Board.

D. Administrative Responsibility

The Executive Officer is responsible for all administrative and fiscal functions and aspects of the Board.

Ensure compliance with all mandates. Direct the implementation and execution of all Board policies and procedures. Manage and supervise the day to day operations of the Board. Assign work priorities, initiate personnel requests, conduct interviews, evaluate job performances, ensure that staff is adequately trained in order to effectively perform assigned duties, discipline and counsel staff when appropriate in accordance with Department of Personal Administration rules, union contracts, and State Labor Standards. Direct the preparation of the annual budget documents and provide oversight of expenditures and revenues. Ensure that expenditures are within the allocated budget and ensure that the Board maintains a prudent fund reserve. Advocate the budget before control agencies, the Legislature, and the Board. Oversee the collection of data for preparation of all statistical (workload) reports. Review the reports for policy refinement and to maximize program effectiveness. Direct the preparation and implementation of all contracts utilized by the Board. Oversee all other administrative functions necessary for the operation of the Board. Official custodian of the records.

E. Personal Contacts

The EO is required to maintain a positive, professional working relationship with the members of the Board who are appointed by the Governor. Additionally, the EO must work closely with the members of the State Legislature and their consulting staff, the Department of Finance, all levels of staff within the Office of the Attorney General, the public, the chiropractic professional associations California Chiropractic Association, all chiropractic colleges, persons regulated and affected by the Board, either governmental agencies, law enforcement agencies, and the media, as necessary.

F. Actions and Consequences

The Board has directed the EO to review all program functions to ensure that the Board is conducting business as efficiently and effectively as possible. The EO is responsible for determining program weaknesses and for recommending alternatives to resolve the problem areas. During this review period, the EO is required to ensure that the Board's mission is met at all times. The EO must be able to make sound judgment calls and handle multiple problems at any given time. Should the EO not satisfactorily perform the duties outlined above, the Board will be in violation of the Government Code, the Business and Professions Code, and the Administrative Procedures Act, and other mandates and controls governing a regulatory Board.

G. Functional Requirements

The EO works in an office setting, with artificial light and temperature control. The incumbent is a Work Week Group E employee and is expected to work an

average of 40 hours per week each year and may be required to work specified hours based on the business needs of the office. The incumbent works up to 40 hours per week in an office setting, with both natural and artificial light and temperature control. The ability to use a personal computer, telephone and other standard office equipment copy machine is essential. The position requires occasional bending and stooping to retrieve files, walking (sometimes outdoors in inclement weather), and occasional light lifting (up to 20 lbs). Occasional travel, sometimes overnight, to attend Board Meetings, conferences, and other Board-related meetings or events.

H. **Other Information**

The EO must possess sound management, organizational and administrative skills, and good communication skills both orally and in writing. In addition, the incumbent must also use good judgment in decision-making, exercise creativity and flexibility in problem identification and resolution, manage time and resources effectively, exercise tact while representing the Board, make effective use of time and resources available. The incumbent must also understand the legislative and regulatory mandates governing the administration of a regulatory board and be responsive to the Board's management and executive needs. The EO must be familiar with the legislative, regulatory, civil service, budget and personnel processes, and should have a broad computer background. The EO must also be an effective public speaker.

KNOWLEDGE AND ABILITIES

Knowledge of: Sections of the Business and Professions Code relating to the regulation of professions or vocations; principles, problems, and methods of public and business administration, including organization, personnel and fiscal management; management principles, methods and procedures; principles of presentation of evidence; interviewing techniques; duties of Federal, State, and local law enforcement agencies; principles of inspection.

Ability to: Gather and evaluate data; and make sound recommendations; analyze situations accurately and take appropriate course of action; establish and maintain professional and cooperative relationships with representatives of public and private agencies, organized chiropractic groups, and the public; communicate effectively.

Fingerprinting

Title 11, section 703(d) California Code of Regulations (CCR) requires criminal record checks of all personnel who have access to Criminal Offender Record Information (CORI). Pursuant to this requirement, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring. In accordance to DCA's (CORI) procedures, clearance shall be maintained while employed in a CORI-designated position. Additionally, the position routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

COI

This position is subject to Title 16, section 3830 of the California Code of Regulations, the Department of Consumer Affairs' Conflict of Interest Regulations. The incumbent is required to submit a Statement of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st, and within 30 days of leaving office.

This position also requires the incumbent to take an Oath of Office prior to appointment.

I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Health & Safety analyst.)

Employee Signature Date

Employee's Printed Name, Classification

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Supervisor Signature Date

Printed Name, Classification

Revised: 10/2021



**THE BOARD OF CHIROPRACTIC EXAMINERS
INVITES APPLICATIONS FOR THE POSITION OF
EXECUTIVE OFFICER
620-110-8862-001
\$11,073 – \$12,574 (per month)**

The Department of Consumer Affairs' Board of Chiropractic Examiners serves and protects consumers of California from licensed and unlicensed individuals who engage in the fraudulent, negligent, or incompetent practice of chiropractic. The Board of Chiropractic Examiners oversees approximately 13,000 licensees and 19 chiropractic schools and colleges located throughout the United States and Canada. For more information about the Board, please visit: <https://www.chiro.ca.gov>.

The Board is looking for a talented and exceptional Executive Officer to take the helm of a high performing team to support and carryout the mission of the Board. The position requires a dynamic leader with demonstrated executive-level experience who can exhibit strong interpersonal and mentoring skills, including promoting a high-performance culture where employees are motivated and enabled to perform to their greatest potential.

The Executive Officer manages the Board staff and is responsible for carrying out the policies of the seven-member Board and for planning, organizing and directing the activities of the Board in areas of administration, enforcement and licensure. The Executive Officer also serves as the liaison between the Board and stakeholders. The Executive Officer enforces the overall policies established by the Board relating to Board programs, under the authority of the Chiropractic Initiative Act and Business and Professions Code sections 1000 *et. seq.*

The Executive Officer is hired by the Board and serves under its administrative direction. The Executive Officer position is exempt from civil service and is located in Sacramento, California. Starting salary and raises are also subject to approval from the Business, Consumer Services and Housing Agency and the California Department of Human Resources.

Desirable Qualifications and Experience:

- Administrative experience with government operations and processes, including legislation, regulations, budgeting, personnel, and equal employment opportunity;
- Progressive experience with executive-level leadership, management and problem-solving, especially past success in working for a board and/or commission on complex issues;

- Familiarity with the Chiropractic Initiative Act, Business and Professions Code, and regulations relating the practice of chiropractic. Regulatory and/or enforcement experience and knowledge of current consumer issues facing the Board or other like healing arts boards, commissions and/or committees;
- Experience establishing, promoting and maintaining cooperative working relationships with representatives of all levels of government, the public and special interest groups;
- Experience working with and/or in taking direction from a board, committee or commission;
- Legislative or lobbying experience and/or coordination, testifying before legislative committees, and familiarity with the sunset review process;
- Ability to think strategically and creatively, work well under pressure, and meet deadlines;
- Ability to promote internal and external teamwork and cross-functional collaboration and communication in support of an organization's mission and goals;
- Experience with public speaking and ability to deliver speeches and presentations on sensitive, technically complex and controversial subject matters, in front of diverse audiences including the public;
- A consultative approach to problem solving and the ability to facilitate coalition building; and
- A baccalaureate degree from an accredited college or university.

Special Requirements:

Conflict of Interest Filing - This position is subject to Title 16, section 3830 of the California Code of Regulations, the DCA Conflict of Interest Regulations. The incumbent is required to submit a Statement of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st, and within 30 days of leaving office.

Criminal Offender Record Information (CORI) - Title 11, section 703 (d) of the California Code of Regulations requires criminal record checks of all personnel who have access to CORI. Pursuant to this requirement, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring. In accordance to DCA's CORI procedures, clearance shall be maintained while employed in a CORI-designated position. Additionally, the incumbent routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

Interested persons must submit the following:

- 1) Statement of Qualifications, not to exceed three (3) pages, single-sided, that specifically addresses the Desirable Qualifications and Experience section outlined above;

- 2) A State application ([Std 678](#));
- 3) A resume or curriculum vitae; and
- 4) Minimum of three (3) letters of professional reference.

Filing Instructions

Application packages may be submitted via U.S. Postal Service mail to:

Department of Consumer Affairs
Office of Human Resources
1625 N. Market Blvd., Suite N-321
Sacramento, CA 95834
Attn: [Shelly Kidwell](#)

Application packages submitted via U.S. Postal Service must be postmarked on or before the final filing date. Application packages submitted via hand delivery must be delivered to the Office of Human Resources by 5:00 p.m. on the final filing date. Dates printed on Mobile Bar Codes, such as the Quick Response (QR) Codes available at the USPS, are not considered Postmark dates for the purpose of determining timely filing of an application.

Application packages may also be submitted electronically via CalCareers at www.jobs.ca.gov for Job Control (JC) 211754. Application packages submitted via CalCareers must be received by 11:59 p.m. Pacific Standard Time on the final filing date.

The final filing date for this recruitment is [Month, XX, 20XX](#).

For further information or questions regarding the position or application process, please contact [Shelly Kidwell](#), Department of Consumer Affairs, Office of Human Resources at (916) [574-8151](#) or via email at Rachelle.Kidwell@dca.ca.gov.

All applications will be screened and only the most qualified candidates will be scheduled for a preliminary interview. Finalists will be invited to a full Board interview at a Board meeting. Travel expenses for these interviews are the responsibility and at the expense of each candidate. Upon being contacted for interviews, it is the candidate's responsibility to notify the interview scheduler of any need for reasonable accommodation to participate in the interview. You may direct any additional questions regarding reasonable accommodations or Equal Employment Opportunity (EEO) for this position to the Department's EEO Office at (916) 574-8280.

The State of California and Department of Consumer Affairs is an equal opportunity employer to all, regardless of age, ancestry, color, disability (mental and physical), exercising the right to family care and medical leave, gender, gender expression, gender identity, genetic information, marital status, medical condition, military or veteran status, national origin, political affiliation, race, religious creed, sex (includes pregnancy, childbirth, breastfeeding and related medical conditions), and sexual orientation.