

## **NOTICE OF TELECONFERENCE** **GOVERNMENT AND PUBLIC AFFAIRS COMMITTEE MEETING**

### **Committee Members**

Janette N.V. Cruz, Chair

Rafael Sweet

**The Board of Chiropractic Examiners' (Board) Government and Public Affairs  
Committee will meet by teleconference on:**

**Monday, December 4, 2023**

**11:00 a.m. to 1:00 p.m.**

(or until completion of business)

**The Committee may take action on any agenda item.**

**Teleconference Instructions:** The Government and Public Affairs Committee will hold a public meeting via Webex Events. Pursuant to the statutory provisions of Government Code section 11133, neither a public location nor teleconference locations are provided.

To access and participate in the meeting via teleconference, attendees will need to click on, or copy and paste into a URL field, the link below and enter their name, email address, and the event password, or join by phone using the access information below:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mcd2d6718b385e5b274416fdfcbbaf47f>

### **If joining using the link above**

Webinar number: 2499 274 2114

Webinar password: BCE124

### **If joining by phone**

+1-415-655-0001 US Toll

Access code: 2499 274 2114

Passcode: BCE124

Instructions to connect to the meeting can be found at the end of this agenda.

Members of the public may, but are not obligated to, provide their names or personal information as a condition of observing or participating in 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 a public comment. Participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: [XXXXXX@mailinator.com](mailto:XXXXXX@mailinator.com).

**Note:** Members of the public may also submit written comments to the Committee on any agenda item by Wednesday, November 29, 2023. Written comments should be directed to [chiro.info@dca.ca.gov](mailto:chiro.info@dca.ca.gov) for Committee consideration.

## **AGENDA**

- 1. Call to Order / Roll Call / Establishment of a Quorum**
- 2. Review and Possible Approval of June 16, 2023 and September 18, 2023 Committee Meeting Minutes**
- 3. Update on Board's Administration Program, Including Budget and Fund Condition, Business Modernization, Implementation of Connect System and 2023 Legislation, and Status of Board's Pending Rulemaking Packages and 2022–2026 Strategic Plan Objectives**
- 4. Review, Discussion, and Possible Recommendation Regarding 2022–2026 Strategic Plan Objective 1.4 to Continue to Monitor the Board's License Fee Structure to Ensure the Board's Financial Stability, Maintain Access to the Board's Services, and Determine Whether the Board Needs to Consider Plans for Restructuring Its Fees**
- 5. Review, Discussion, and Possible Recommendation Regarding 2022–2026 Strategic Plan Objective 4.1 to Increase Efficiency in Rulemaking Processes to Move Pending Regulatory Packages Forward, Prevent a Backlog of Packages, and Improve Staff and Board Effectiveness**
- 6. Review, Discussion, and Possible Recommendation Regarding 2022–2026 Strategic Plan Objective 5.4 to Re-Design the Board Member Onboarding Procedures and Orientation Process to Create Effective Board Members**
- 7. Public Comment for Items Not on the Agenda**  
Note: Members of the public may offer public comment for items not on the agenda. However, 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).]
- 8. Future Agenda Items**  
Note: Members of the Committee and the public may submit proposed agenda items for a future Committee meeting. However, the Committee may not discuss or take action on any proposed matter except to decide whether to place the matter on the agenda of a future meeting. [Government Code Section 11125.]
- 9. Adjournment**

This agenda can be found on the Board's website at [www.chiro.ca.gov](http://www.chiro.ca.gov). The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public.

The Board plans to webcast this meeting at <https://thedcapage.wordpress.com/webcasts/>. Webcast availability cannot, however, be guaranteed due to limitations on resources or other technical difficulties that may arise. The meeting will not be canceled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please attend the meeting via Webex Events.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to it taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at their discretion, apportion available time among those who wish to speak. Members of the public will not be permitted to yield their allotted time to other members of the public to make comments. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)).

This meeting is being held via Webex Events. The meeting is accessible to individuals with disabilities. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at:

**Telephone:** (916) 263-5355

**Email:** [chiro.info@dca.ca.gov](mailto:chiro.info@dca.ca.gov)

**Telecommunications Relay Service:** Dial 711

**Mailing Address:**

Board of Chiropractic Examiners

1625 N. Market Blvd., Suite N-327

Sacramento, CA 95834

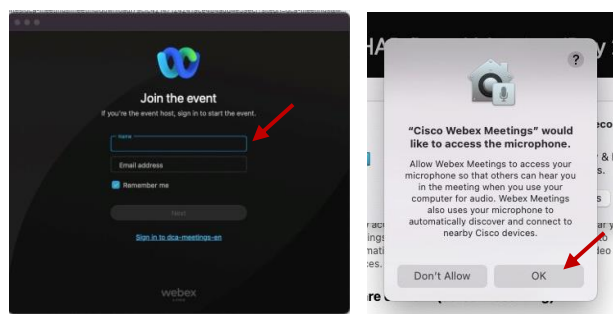
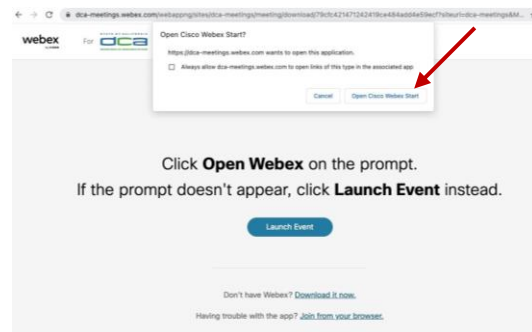
Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

### 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.

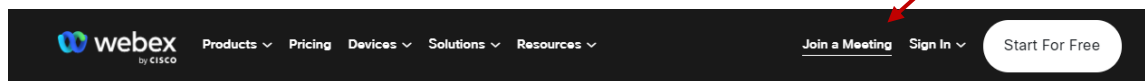


\* Members of the public are not obligated to provide their name or personal information and may provide a unique identifier such as their initials or another alternative, and a fictitious email address like in the following sample format: XXXXX@mailinator.com.

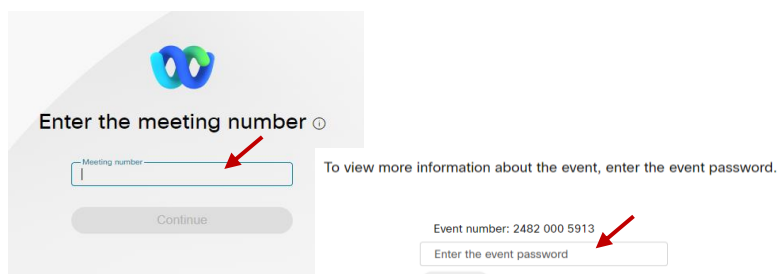
OR

### If joining from Webex.com

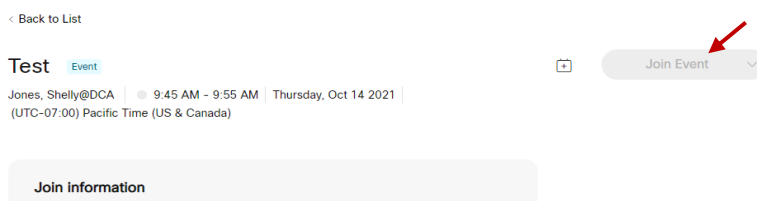
1 Click on "Join a Meeting" at the top of the Webex window.



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

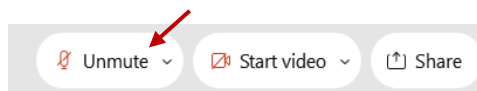
### Connect via telephone\*:

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.

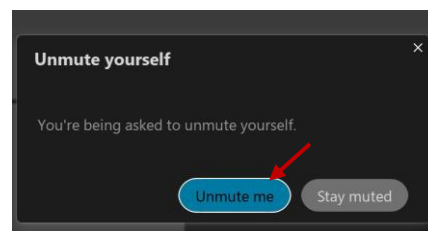


Green microphone = Unmuted: People in the meeting can hear you.



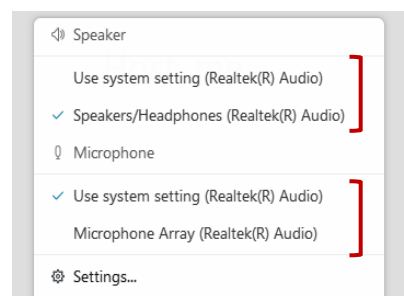
Red microphone = Muted: No one in the meeting can hear you.

*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".*



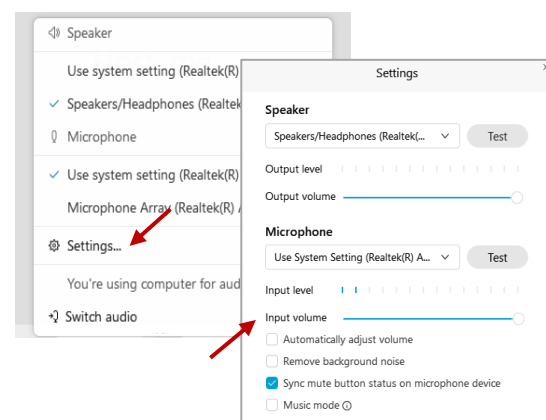
### If you cannot hear or be heard

- 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

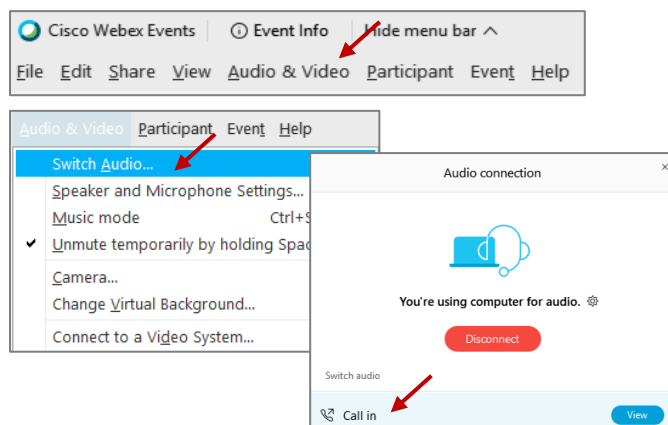
- 1 Locate the command row – click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window:
  - Click on "Settings...":
  - Drag the "Input Volume" located under microphone settings to adjust your volume.



### 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.



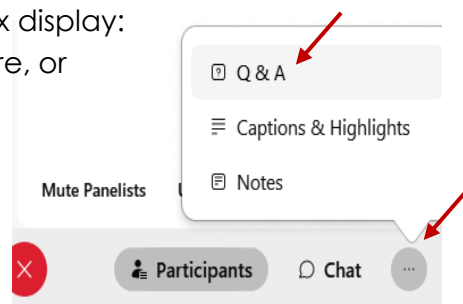
The question-and-answer (Q&A) and hand raise features are utilized for public comments.

*NOTE: This feature is not accessible to those joining the meeting via telephone.*

### Q&A Feature

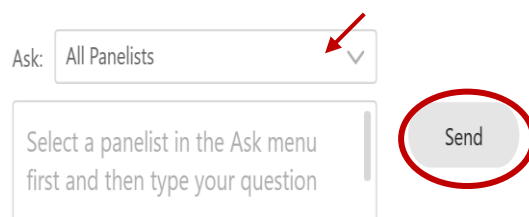
1 Access the Q&A panel at the bottom right of the Webex display:

- Click on the icon that looks like a “?” inside of a square, or
- Click on the 3 dots and select “Q&A”.



2 In the text box:

- Select “All Panelists” in the dropdown menu,
- Type your question/comment into the text box, and
- Click “Send”.



— OR —

### Hand Raise Feature

- 1
- Hovering over your own name.
  - Clicking the hand icon that appears next to your name.
  - Repeat this process to lower your hand.

If connected via telephone:

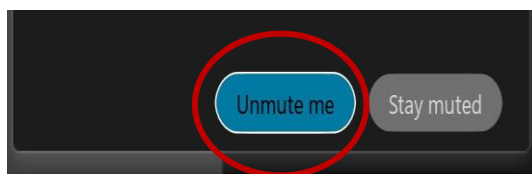
- Utilize the raise hand feature by pressing \*3 to raise your hand.
- Repeat this process to lower your hand.

### Unmuting Your Microphone



The moderator will call you by name and indicate a request has been sent to unmute your microphone. Upon hearing this prompt:

- Click the **Unmute me** button on the pop-up box that appears.

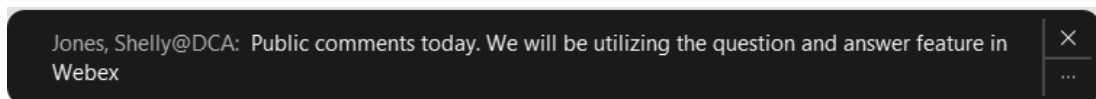


— OR —

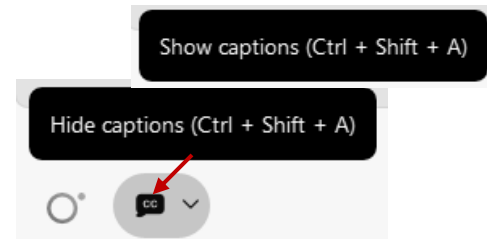
If connected via telephone:

- Press \*3 to unmute your microphone.

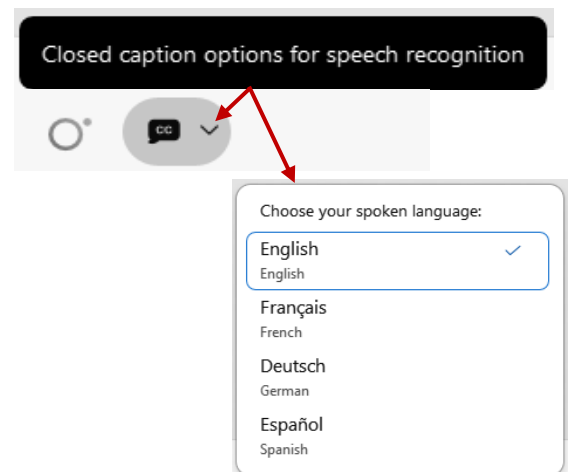
Webex provides real-time closed captioning displayed in a dialog box on your screen. The captioning box can be moved by clicking on the box and dragging it to another location on your screen.



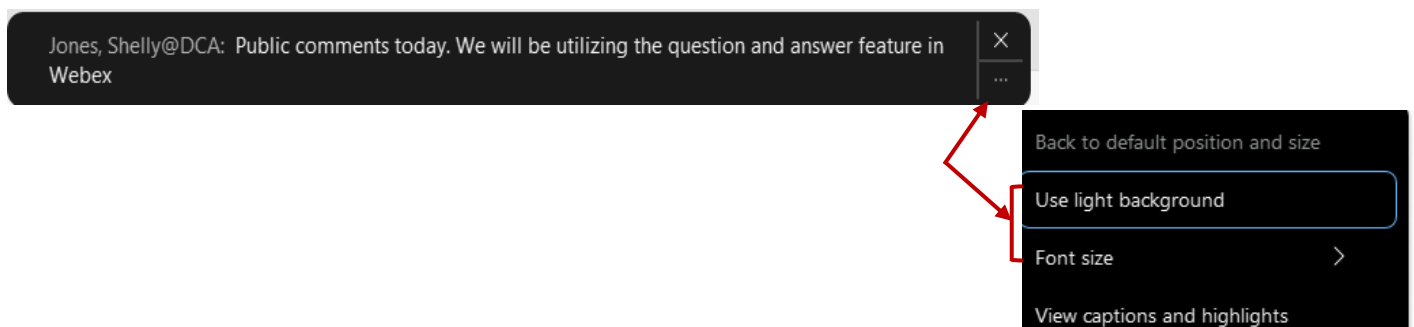
The closed captioning can be hidden from view by clicking on the closed captioning icon. You can repeat this action to unhide the dialog box.



You can select the language to be displayed by clicking the drop-down arrow next to the closed captioning icon.



You can view the closed captioning dialog box with a light or dark background or change the font size by clicking the 3 dots on the right side of the dialog box.





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**Agenda Item 1**  
**December 4, 2023**

**Call to Order / Roll Call / Establishment of a Quorum**

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**Purpose of the Item**

Janette N.V. Cruz, Chair of the Board's Government and Public Affairs Committee, will call the meeting to order. Roll will be called by Rafael Sweet.

**Committee Members**

Janette N.V. Cruz, Chair  
Rafael Sweet



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**Agenda Item 2**  
**December 4, 2023**

**Review and Possible Approval of June 16, 2023 and September 18, 2023  
Committee Meeting Minutes**

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**Purpose of the Item**

The Committee will review and possibly approve the minutes of the previous meetings held on June 16, 2023, and September 18, 2023.

**Action Requested**

The Committee will be asked to make a motion to approve the June 16, 2023 and September 18, 2023 Committee meeting minutes.

**Attachments**

1. June 16, 2023 Government and Public Affairs Committee Meeting Minutes (Draft)
2. September 18, 2023 Government and Public Affairs Committee Meeting Minutes (Draft)

**BOARD OF CHIROPRACTIC EXAMINERS  
GOVERNMENT AND PUBLIC AFFAIRS COMMITTEE  
MEETING MINUTES  
June 16, 2023**

In accordance with the statutory provisions of Government Code section 11133, the Government and Public Affairs Committee (Committee) of the Board of Chiropractic Examiners (Board) met via teleconference/Webex Events with no physical public locations on June 16, 2023.

**Committee Members Present**

Janette N.V. Cruz, Chair  
Rafael Sweet

**Staff Present**

Kristin Walker, Executive Officer  
Tammi Pitto, Assistant Executive Officer  
Dixie Van Allen, Licensing & Administration Manager  
William Walker III, Enforcement Manager  
Amanda Ah Po, Enforcement Analyst  
Sabina Knight, Board Counsel, Attorney III, Department of Consumer Affairs (DCA)  
Steven Vong, Regulatory Counsel, Attorney III, DCA

**1. Call to Order / Roll Call / Establishment of a Quorum**

Ms. Cruz called the meeting to order at 1:00 p.m. Mr. Sweet called the roll. All members were present, and a quorum was established.

**2. Review and Possible Approval of March 13, 2023 Committee Meeting Minutes**

**Motion: Mr. Sweet moved to approve the minutes of the March 13, 2023 Government and Public Affairs Committee meeting.**

**Second: Ms. Cruz seconded the motion.**

**Public Comment: None.**

**Vote: 2-0 (Ms. Cruz-AYE and Mr. Sweet-AYE).**

**Motion: Carried.**

### **3. Update on Board's Administration Program, Including Budget and Fund Condition, Business Modernization and Implementation of Connect System, and Status of Board's Pending Rulemaking Packages**

Ms. Walker shared that Austin Maha was recently hired to fill the Administrative Technician position and will be providing front desk and general office support and handling all cashiering duties. She also announced that Tammi Pitto was recently promoted to the Assistant Executive Officer position and noted that recruitment efforts are underway to fill vacant Enforcement Analyst and Special Investigator positions.

Ms. Walker explained the statutory provisions of Government Code section 11133 that currently allow the Board to conduct meetings remotely with no physical locations will expire on June 30, 2023, and the Board will need to revert to the traditional teleconference meeting requirements within the Bagley-Keene Open Meeting Act beginning July 1, 2023. She shared that the July 20, 2023 Board meeting will be conducted as a hybrid meeting with a primary physical location at the DCA headquarters building in Sacramento, and Board members will have the option to either travel to that meeting location or participate remotely via Webex from a publicly identified and accessible meeting location.

Ms. Walker announced that Assembly Bill (AB) 765 (Wood) [Physicians and surgeons: medical specialty titles] was held in the Assembly Appropriations Committee and is dead for 2023. She also explained that Senate Bill (SB) 372 (Menjivar) [Department of Consumer Affairs: licensee and registrant records: name and gender changes] was recently amended with technical assistance by DCA to narrow the circumstances under which the Board would need to remove prior name information and enforcement records from the DCA Search license information system. She noted the technical changes to the bill eliminated the potential fiscal impact on the Board, and staff expects to receive guidance from DCA on the implementation of the bill. She informed the Committee that staff is monitoring SB 447 (Atkins) [GO-Biz], which would repeal the existing ban on state-funded or state-sponsored travel to states with discriminatory laws, and plans to request out-of-state travel approval to send Board representatives to the 2024 Annual Meeting of the Federation of Chiropractic Licensing Boards (FCLB) in Arizona if the bill passes. Ms. Walker also highlighted the efforts of staff and the Board's committees to review and discuss the pending regulatory proposals and move them forward for consideration by the full Board.

Ms. Walker updated the Committee on the implementation of the Connect system and stated the last major software release occurred on February 28, 2023, followed by a maintenance outage in March 2023. She explained some users are still experiencing system errors when they attempt to renew their doctor of chiropractic licenses online and staff is troubleshooting that issue with the vendor. She shared staff is also testing the implementation of temporary licenses and satellite certificates for military spouses and partners beginning July 1, 2023, as required by AB 107 (Salas, Chapter 693, Statutes of 2021). She also shared that DCA boards and bureaus recently experienced



two major outages with a contracted printing vendor, so staff and the Board should begin discussing the feasibility of replacing printed renewal notices and licenses with a modern, paperless solution.

Ms. Walker explained the Board's budget and fund condition are stable, and the Board is expected to revert a significant portion of current year revenue back to its reserves primarily due to savings in personnel costs and legal fees from the Attorney General's office. She added that the Board will begin making annual repayments of \$250,000 over the next six years to repay the outstanding loan from the Bureau of Automotive Repair (BAR).

Ms. Cruz inquired about the status of fully implementing cashiering in the Connect system. Ms. Walker replied that the vendor is still developing that functionality, but had to shift their focus to the implementation of temporary licenses to meet the statutorily mandated deadline of July 1, 2023. She added that she expects the vendor to resume working on the remaining cashiering functions in late 2023. Ms. Cruz also asked if the instructional guides to assist users in navigating the Connect system would consist of mouseover text or an online tutorial. Ms. Walker replied that staff intends to release a combination of both tools.

Ms. Cruz noted the need for reminders to Board members on the requirements for publicly accessible meeting locations as staff prepares for the July 20, 2023 Board meeting. She commended Board members and staff on the significant amount of regulations being considered and requested that the status reports on those proposals be organized by the development phase. She also welcomed Mr. Maha and congratulated Ms. Pitto on her recent promotion. Mr. Sweet concurred.

Mr. Sweet asked about the Board's recruitment efforts and plans to reorganize the Board's staff positions in late 2023. Ms. Walker explained that the Board received applications for two positions – an Enforcement Analyst and a Special Investigator – and management is in the process of scoring the applications and identifying the top candidates to invite for interviews. She added management is also working on a broader reorganization plan to shift some assignments and positions around to increase efficiency by having staff specialize in certain areas and ensure staff's duty statements accurately reflect their assignments and the expectations of their positions.

Mr. Sweet inquired if the current year fund reversion was higher than originally anticipated and about the outstanding balance on the BAR loan. Ms. Walker confirmed that the reversion amount increased because the Board spent less than projected during the current fiscal year, and she noted the outstanding balance on the BAR loan is approximately \$1.5 million.

**Public Comment:** None.

#### **4. Update and Discussion on the Status, Tracking, and Reporting of 2022–2026 Strategic Plan Objectives**

Ms. Walker shared a tool that was developed by DCA's SOLID Planning Solutions to assist staff and the Board in tracking their progress toward completing each of the action items and tasks associated with the Board's 2022–2026 Strategic Plan objectives. Ms. Cruz commented that the Gantt chart and percentage of completion view were helpful in measuring staff's progress in addressing each objective. Mr. Sweet agreed that the information is helpful and supported including the report in future meeting materials. Ms. Walker explained that the tool contains staff's current estimated timelines for completion of the action items and objectives, and staff will adjust those estimates as necessary based on projected workloads. She noted staff's environmental scan of the requirements for licensure through reciprocity in other states is taking longer than originally anticipated due to inconsistencies in the verbiage used by the different states and the need for staff to individually contact each state to confirm the accuracy of the information gathered from their websites. Mr. Sweet noted the update in the meeting materials contains the current status along with an explanation of any delays or impediments, which is beneficial for Board members when reviewing the document.

Ms. Cruz asked how staff plans to share these updates with the Board. Ms. Walker explained that staff is planning to establish an electronic Board Member Resource Center using Box or similar software where staff will make monthly reports and meeting materials available to the Board in a central location. She also stated staff will send email alerts to Board members with direct links as additional materials are added to the platform.

Ms. Cruz observed that a few of the action items are on hold due to the Board's current staffing levels and asked if there were any other notable updates to share with the Committee. Ms. Walker commented that the Board is in a good position and on track with the objectives, and she expects the current capacity issues to subside as the Board fills its vacant staff positions. Ms. Cruz also recommended that staff enhance the tracking tool by adding slicers to filter the data.

**Public Comment:** None.

#### **5. Review, Discussion, and Possible Recommendation Regarding 2022–2026 Strategic Plan Objective 3.3 to Create an Outreach Plan to Improve Communication with Stakeholders, Share Helpful Information, and Clarify the Board's Role and Duties**

Ms. Walker provided an overview of staff's proposed outreach plan to consumers, licensees, applicants, students, chiropractic colleges, continuing education providers, professional associations, and other agencies. She explained staff's recommended strategy of focused messaging to each group using the Board's existing resources such as the website, social media content, email distribution lists, and listening sessions. She

stated staff plans to begin by expanding the information that is available to the public, applicants, and licensees on the Board's website.

Mr. Sweet expressed his support for the proposed outreach plan and inquired about the Board's social media presence. Ms. Walker stated the Board has accounts on the major social media platforms, but there has not yet been a very high level of engagement or usage. She explained staff needs to develop a significant amount of evergreen content that can be incorporated into regularly scheduled posts to increase user interactions with the Board's social media accounts. Mr. Sweet asked who would be the person primarily working on that content. Ms. Walker shared the plan to redirect an existing analyst position from the Board's Licensing Unit to the Administration Unit and task that staff member with developing the social media content and responding to users who interact with the accounts under management supervision. Ms. Knight suggested reviewing the social media accounts for the Board of Behavioral Sciences and the Board of Barbering and Cosmetology (BBC), as both programs have established their presence on multiple platforms.

Mr. Sweet also asked for additional information regarding the proposed quarterly updates to continuing education providers. Ms. Walker explained that staff intends to draft and disseminate email updates to the providers with helpful information and tips regarding course approvals along with general updates on Board activities that they can share with licensees attending their courses.

Ms. Cruz expressed her support for facilitating listening sessions because they provide a great opportunity for engagement and direct feedback from stakeholders. She also noted the need to measure the Board's level of engagement with the different groups using analytical tools and data. Ms. Walker agreed and shared that staff has gathered detailed metrics on the usage of the Board's website, and DCA has many internal resources in the Office of Information Services and Office of Public Affairs to help improve the user experience when navigating the Board's website or Connect system. Ms. Knight added that BBC regularly holds virtual town halls where licensees and the public can call in with questions and have them answered live by staff.

Ms. Cruz asked for further information regarding the planned redirection of an existing staff position to handle the outreach activities. Ms. Walker explained the strategy is to redirect an existing Licensing Analyst to the Administration Unit as an Administrative Analyst to focus on assignments such as outreach, communications, contracts, and other administrative projects, and shift the licensing duties to an existing Licensing Technician position. She noted there would be no changes in the Board's staffing levels or expenses, as the Board will just be moving existing positions around. Ms. Cruz acknowledged the opportunity for individual staff development through their involvement in the outreach activities. Ms. Walker agreed and shared it will involve an officewide effort to develop the new materials and increase the level of engagement with all stakeholders. Ms. Cruz expressed her support for staff being fiscally responsible in the outreach efforts and finding a solution to absorb them within existing resources.

**Public Comment:** None.

**6. Review, Discussion, and Possible Recommendation Regarding 2022–2026 Strategic Plan Objective 5.4 to Re-Design the Board Member Onboarding Procedures and Orientation Process**

Ms. Walker highlighted the Committee's efforts to redesign the Board member onboarding procedures and orientation process, beginning with the Committee's October 2022 discussion of improvements to the onboarding process followed by the development of an onboarding and orientation plan in December 2022. She shared a draft outline for the new Board member orientation session which contains an overview of the Board and its regulation of the chiropractic profession, DCA, the Bagley-Keene Open Meeting Act, and the Board's administrative, licensing, continuing education, and enforcement functions.

Ms. Cruz suggested adding a brief meeting with the new member and committee chair before their first public committee meeting to the onboarding procedures and a summary of Robert's Rules of Order to assist the new member during meetings. Mr. Sweet concurred. Ms. Cruz also recommended adding a high-level process map of the steps of an enforcement case along with identifying the roles of Board members and staff in that process. Ms. Walker agreed and offered to develop those materials. Ms. Cruz then requested that the Committee's role in monitoring the governance of the Board and recommending positions on legislation be added to the orientation session outline. Ms. Walker concurred.

**Public Comment:** None.

**7. Public Comment for Items Not on the Agenda**

**Public Comment:** None.

**8. Future Agenda Items**

**Public Comment:** None.

**9. Adjournment**

Ms. Cruz adjourned the meeting at 2:17 p.m.

**BOARD OF CHIROPRACTIC EXAMINERS  
GOVERNMENT AND PUBLIC AFFAIRS COMMITTEE  
MEETING MINUTES  
September 18, 2023**

The Government and Public Affairs Committee (Committee) of the Board of Chiropractic Examiners (Board) met via teleconference/Webex Events from the following meeting locations on September 18, 2023:

Department of Consumer Affairs  
San Francisco Room  
1625 N. Market Blvd., Suite N-318  
Sacramento, CA 95834

4100 W. Alameda Avenue  
Third Floor  
Burbank, CA 91505

**Committee Members Present**

Janette N.V. Cruz, Chair  
Rafael Sweet

**Staff Present**

Kristin Walker, Executive Officer  
Tammi Pitto, Assistant Executive Officer  
Dixie Van Allen, Licensing & Administration Manager  
William Walker III, Enforcement Manager  
Amanda Ah Po, Enforcement Analyst  
Sabina Knight, Board Counsel, Attorney III, Department of Consumer Affairs (DCA)  
Steven Vong, Regulatory Counsel, Attorney III, DCA

**1. Call to Order / Roll Call / Establishment of a Quorum**

Ms. Cruz called the meeting to order at 11:03 a.m. Mr. Sweet called the roll. Ms. Cruz was present at the meeting location in Sacramento, and Mr. Sweet was present at the meeting location in Burbank. A quorum was established.

**2. Review and Possible Approval of June 16, 2023 Committee Meeting Minutes**

This item was tabled to the December 4, 2023 meeting.

**3. Update on Board's Administration Program, Including Budget and Fund Condition, Business Modernization and Implementation of Connect System, and Status of Board's Pending Rulemaking Packages and 2022–2026 Strategic Plan Objectives**

Ms. Walker announced that the October 19–20, 2023 Board meeting is being held as a traditional in-person meeting at Southern California University of Health Sciences in Whittier. She noted staff explored the possibility of holding the meeting in a hybrid

format, but ultimately determined that the strategy was not feasible due to the need to adjourn the meeting if the remote connection is lost due to technical difficulties. She also stated the Board would schedule the 2024 meeting dates during the October meeting. Ms. Cruz asked if the October meeting would include an update on the new issues from the Board's last sunset review. Ms. Walker responded affirmatively.

Ms. Walker shared that staff is currently developing workload and revenue projections for the Board's fiscal year 2024–25 budget. She explained that although the Board's revenue has increased under the new fee structure, current estimates still show the Board's fund balance slowly decreasing over time due to increases in the rate charged for legal services from the Attorney General's office and projected increases in employee compensation. She noted that staff will continue to closely monitor the Board's budget and fund condition, but the Committee may need to begin discussing the potential need for minor adjustments to the Board's fee amounts in spring 2024.

Ms. Cruz asked when the full revenue from the new fee increase would be realized. Ms. Walker explained the new fees became effective January 1, 2023, so the current fiscal year 2023–24 is the first budget year with the full impact of the new fee amounts. She also noted the Board deferred filling some positions and purchasing new equipment for temporary budget relief over the past few years, but now must begin filling its positions and replacing its aging computers so staff can be more effective. She shared that staff worked with the DCA Budget Office to establish an ongoing budget for replacing its equipment per the recommended three-year cycle, and highlighted the Board's major expenditures by category, including personnel, legal services from the Attorney General's office, and DCA and state pro rata.

Mr. Sweet asked if the percentages of the Board's expenditures by category were consistent with other DCA healing arts programs. Ms. Walker replied that the Board typically spends a higher percentage of its budget on legal services from the Attorney General's office compared to other DCA programs due to the Board's high caseload, but the Board's other expenditures are in line with similar programs. Mr. Sweet asked why the Board's disciplinary caseload was proportionally higher than other programs. Ms. Walker explained that it is primarily due to the significant number of disciplinary cases resulting from convictions for insurance fraud and findings of gross negligence and sexual misconduct. She noted more outreach to licensees on preventing and avoiding violations could result in long-term cost savings for the Board.

Ms. Walker provided an update on the implementation of the Connect system and shared that the current project manager is leaving DCA on October 1, 2023, so staff expects a few minor disruptions in the project until the new project manager is identified by the Office of Information Services (OIS) and takes over the project. She explained the vendor is still working to transition the Board to the updated version of their software, but staff does not expect that work to be complete until late 2023.



Ms. Cruz asked if OIS and Board staff were still retaining the internal knowledge and business needs on the Connect project with the project manager's departure.

Ms. Walker responded affirmatively and confirmed that OIS advocates for the Board's business needs and functional requirements when interacting with the developers.

Ms. Walker added that system stabilization remains a primary area of focus for Board staff as they work with OIS and the vendor to eliminate system bugs in the communications between the Connect system and the Board's centralized database, CAS, that affect the doctor of chiropractic renewal transaction and to integrate a workaround in the system so licensees can still proceed with the renewal process when issues arise. She also shared that the vendor will begin working on the continuing education (CE) module soon, beginning with the back office functionality and workflow for staff to be able to electronically process CE course applications in the system. She explained the second phase would expand that functionality so CE providers can electronically submit their applications through the system and upload course completion records directly to the Board. She stated the goal is to increase the system utilization rate to 80 percent upon completion of these system enhancements.

Ms. Cruz asked how the Board's utilization rate compared to other DCA programs using the Connect system. Ms. Walker acknowledged that other programs have higher utilization rates by their licensees and stated the Board will increase its outreach efforts about the new system after the stabilization issues have been resolved.

Ms. Walker highlighted staff's implementation plans for the following legislation:

- Assembly Bill (AB) 883 (Mathis) [Business licenses: United States Department of Defense SkillBridge program] would require a DCA board, on or after July 1, 2024, to expedite the initial licensure process for an applicant who supplies satisfactory evidence to the board that they are an active-duty member of a regular component of the Armed Forces of the United States enrolled in the United States Department of Defense SkillBridge program. Staff will update the initial application for a doctor of chiropractic license to inquire if the applicant is part of that program and process the application accordingly.
- AB 1707 (Pacheco) [Health professionals and facilities: adverse actions based on another state's law] would prohibit a DCA healing arts board from denying an application for licensure or disciplining a licensee on the basis of a civil judgment, criminal conviction, or disciplinary action in another state if that action is based solely on the application of another state's law that interferes with a person's right to receive sensitive services that would be lawful in this state. Staff will ensure that the Board's updated *Disciplinary Guidelines* reference this law.
- Senate Bill (SB) 143 (Committee on Budget and Fiscal Review) [State government] is a budget trailer bill that includes provisions for remote public meetings without noticed physical locations until December 31, 2023, and



language to implement the Federal License Portability Law for Servicemembers. Staff is awaiting guidance from DCA on the implementation of the registration provisions for service members and their spouses.

- SB 372 (Menjivar) [Department of Consumer Affairs: licensee and registrant records: name and gender changes] requires a DCA board to replace references to a licensee's former name or gender and remove references to their former name or gender from the board's online license verification system upon receipt of documentation more specifically described in the bill. Staff expects to receive guidance from OIS and the DCA Office of Legal Affairs on the implementation of the bill.
- SB 447 (Atkins) [GO-Biz] repealed the ban on state-funded or state-sponsored travel to states with discriminatory laws. As a result, staff will submit an out-of-state travel request to send Board representatives to the annual meeting of the Federation of Chiropractic Licensing Boards (FCLB) in Phoenix, Arizona, in May 2024.
- SB 544 (Laird) [Bagley-Keene Open Meeting Act: teleconferencing] was amended multiple times and enacts an additional, alternative set of provisions under which a state body may hold a meeting by teleconference.

Ms. Walker also summarized the status of the Board's 19 pending regulatory proposals and 2022–2026 Strategic Plan objectives. She acknowledged ongoing efforts by the management team to focus heavily on staff training and development, and shared that staff participated in an employee engagement survey and the Board is conducting a stakeholder survey in response to the Governor's Executive Order N-16-22.

Ms. Cruz asked when the Board would be discussing changes to the existing strategic plan in response to the stakeholder survey. Ms. Walker indicated the discussion is planned for the January 2024 Board meeting. Ms. Cruz suggested encouraging Board members to complete the diversity, equity, and inclusion (DEI) training offered by DCA prior to the discussion. Ms. Walker concurred and stated that DCA's SOLID Planning Solutions will likely incorporate some training into the discussion as well.

Ms. Cruz inquired about the timeline for developing the updated chiropractic college curriculum regulations. Ms. Walker explained that the development of those regulations will follow the release of the Council on Chiropractic Education's (CCE) updated accreditation standards and the Board's 2024 Occupational Analysis of the Chiropractic Profession.

**Public Comment:** None.

**4. Review, Discussion, and Possible Recommendation Regarding Pending Regulatory Proposal to Delegate Certain Functions to the Executive Officer and Make Conforming Changes to the Processes for Appealing Citations and Collecting Assessed Fines from Licensees (amend California Code of Regulations, Title 16, sections 306, 390.4, and 390.5)**

Ms. Walker explained that the Board had previously approved regulatory language to amend California Code of Regulations (CCR), title 16, sections 306, 390.4, and 390.5 at the December 11, 2020 Board meeting with the purpose of: 1) expediting the disciplinary process by delegating additional authority to the Board's Executive Officer to approve settlement agreements for the revocation, surrender, or interim suspension of a license; 2) extending that authority to the Board's Assistant Executive Officer as the Executive Officer's "designee" in their absence or by assignment; and 3) making conforming changes to the Board's citation program regulations to ensure the Board's system for issuing citations contains each of the required provisions within Business and Professions Code (BPC) section 125.9, subdivision (b).

Ms. Walker shared staff's recommendations that the Committee, and ultimately the Board, consider making the following changes to the text before proceeding with the regulatory process:

- Delegate authority to the Executive Officer to order licensee examinations pursuant to BPC section 820 and issue default decisions to the text for CCR, title 16, section 306.
- Remove the language for further delegation to the Assistant Executive Officer from CCR, title 16, section 306 because it is no longer necessary now that the Executive Officer signs all accusations and other disciplinary documents electronically and can access them remotely from any location with internet access.
- Delete the previously proposed subdivision (b) from CCR, title 16, section 306 because those duties are already contained in the Executive Officer's and Assistant Executive Officer's duty statements and are not needed in the regulation.
- Remove the proposed language within CCR, title 16, sections 389 through 390.5 to replace with Executive Officer's "designee" with the Assistant Executive Officer because this change would increase the Board's case aging and existing workload by prohibiting the Enforcement Manager from acting as the Executive Officer's "designee." Also remove CCR, title 16, sections 389, 390, and 390.3 from this proposal as no changes are needed to these sections.
- Separate the existing proposal into two proposals as follows: 1) amend CCR, title 16, section 306 (Delegation of Certain Functions to the Executive Officer);

and 2) amend CCR, title 16, sections 390.4 (Contested Citations) and 390.5 (Compliance with Citation/Order of Abatement).

Ms. Walker directed the Committee to the proposed regulatory text within Attachments 2 and 3 of the meeting materials and requested that the Committee consider making a recommendation to the full Board to withdraw the regulatory text that was previously approved on December 11, 2020, and instead, proceed with the separate proposals.

Mr. Sweet asked if there is a formal process for the Executive Officer to designate subordinate staff to serve as a designee for the enforcement functions outlined in the regulations. Ms. Walker explained there are internal processes and expectations for the Assistant Executive Officer and Enforcement Manager when acting as the Executive Officer's designee for citations and letters of admonishment, and those expectations are also outlined in the duty statements for those two positions. She added that the Enforcement Manager typically signs citations and letters of admonishment and the Executive Officer conducts the informal conferences with licensees.

Ms. Cruz asked for additional information regarding ordering examinations of licensees under BPC section 820. Ms. Walker explained the statute provides the Board with authority to compel an examination of a licensee by a physician or psychologist whenever it appears the person may be unable to practice safely due to a mental or physical illness affecting their competency. She also noted the Licensing Committee is considering a similar regulatory proposal for applicants.

Ms. Cruz inquired about the potential process for notifying Board members of default decisions to maintain visibility. Ms. Walker replied that currently the Board chair must sign all default decisions, and instead, the regulatory text would expedite the process by allowing the Executive Officer to sign those decisions. She confirmed staff would still continue to inform the Board members of the default decisions and share the disciplinary documents. Ms. Cruz asked about the proposed changes to the timeframes for appealing a citation. Ms. Walker explained the purpose of the proposal is to align the deadlines for requesting an informal conference with the Executive Officer and a formal administrative hearing with the Office of Administrative Hearings.

Ms. Cruz asked how often position duty statements are reviewed. Ms. Walker explained that the duty statements are reviewed and updated every time the Board refills a position, and she is also establishing a new practice of reviewing staff's duty statements annually to ensure they reflect the current assignments and expectations for their positions.

**Motion: Ms. Cruz moved to recommend that the Board withdraw the regulatory text that was previously approved on December 11, 2020, and proceed with the updated regulatory text to amend California Code of Regulations, title 16, sections 306, 390.4, and 390.5 found within Attachments 2 and 3 of the meeting materials.**

**Second: Mr. Sweet seconded the motion.**

**Public Comment:** None.

**Vote: 2-0 (Ms. Cruz-AYE and Mr. Sweet-AYE).**

**Motion: Carried.**

**5. Review, Discussion, and Possible Recommendation Regarding 2022–2026 Strategic Plan Objective 3.5 to Improve the Board’s Website by Providing Informative Content for Applicants, Licensees, the Public, and Other Stakeholders and Enhancing the Functionality and User Experience**

Ms. Walker recalled that the Committee discussed staff’s proposed outreach plan to stakeholders at the June 16, 2023 meeting, and she provided an update to the Committee on staff’s efforts to update the content and format of the Board’s website. She stated staff intends to focus on releasing updated content for consumers, applicants, and licensees. She also informed the Committee that staff recently met with OIS to discuss the three major project phases: 1) reviewing and assessing the 65 web pages associated with the Board’s website and identifying the content that should be updated or archived; 2) developing the new content that can be posted on the website with the appropriate web pages; and 3) upgrading to the latest version of the state website template and determining the layout and format of each web page.

Ms. Walker shared that of the Board’s 84,000 website visits over the last year, the majority of users were navigating to the online renewal, continuing education, licensing, and enforcement actions sections of the website. She noted the consumers section had a low number of visits so addressing that section is staff’s highest priority. She also estimated a project completion date of mid-2024.

Ms. Cruz suggested leveraging some of the concepts and ideas from other DCA programs to ensure the Board’s current staffing level can support the project. Ms. Walker concurred and shared that she expects the updated website will be an exciting project for staff to participate in.

**Public Comment:** None.

**6. Review, Discussion, and Possible Recommendation Regarding 2022–2026 Strategic Plan Objective 5.4 to Re-Design the Board Member Onboarding Procedures and Orientation Process**

Ms. Walker provided an overview of the Committee’s work to redesign the new Board member onboarding procedures and orientation process over the past year. She shared that staff is continuing to develop updated materials for the new Board member resource binder and electronic Board Member Resource Center so both resources can be distributed to the Board members by the end of 2023. She added that staff also

plans to include meeting materials, budget reports, the strategic plan tracking tool, and enforcement cases in the electronic shared folder so Board members can access them in a central location.

Ms. Cruz asked about the onboarding process for the newest Board member, Dr. Sandino. Ms. Walker explained that Dr. Sandino received a basic onboarding in summer 2023, and staff plans to coordinate a formal, in-person orientation session with her prior to the October 19–20, 2023 Board meeting. Ms. Cruz inquired about efforts to fill the Board's remaining vacant board member position. Ms. Walker replied that DCA is aware of the vacancy but must focus on the boards that are facing potential quorum issues.

Ms. Cruz asked if the delayed timeline for this strategic plan objective impacts any of the Board's other objectives. Ms. Walker replied that it has no impact on the rest of the Board's strategic plan.

**Public Comment:** None.

## **7. Public Comment for Items Not on the Agenda**

**Public Comment:** A call-in user requested that the Board consider looking into creating regulations for certified animal chiropractors so that the Board is the entity supervising those practitioners.

## **8. Future Agenda Items**

Ms. Cruz requested a comparison of the Board's actual expenditures by category over the past five years to assist the Committee in assessing the Board's fund.

**Public Comment:** None.

## **9. Adjournment**

Ms. Cruz adjourned the meeting at 12:43 p.m.

**Agenda Item 3  
December 4, 2023**

**Update on Board's Administration Program, Including Budget and Fund Condition, Business Modernization, Implementation of Connect System and 2023 Legislation, and Status of Board's Pending Rulemaking Packages and 2022–2026 Strategic Plan Objectives**

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**Purpose of the Item**

The Executive Officer and Board staff will provide the Committee with an update on the Board's Administration Program activities, including:

- Budget and Fund Condition
- Business Modernization and Implementation of the Connect System
- Implementation of 2023 Legislation
- Board's Pending Rulemaking Packages
- 2022–2026 Strategic Plan Objectives

**Action Requested**

This agenda item is informational only and provided as a status update to the Committee. No action is required or requested at this time.

**Attachments**

1. Executive Officer's November 29, 2023 Memo to Committee Members Regarding Administration Program Activities
2. Fund Condition Statement (November 2023)
3. 2022–2026 Strategic Plan Objectives Progress Report (November 2023)



# MEMORANDUM

## Agenda Item 3 Attachment 1

<b>DATE</b>	November 29, 2023
<b>TO</b>	Members of the Board of Chiropractic Examiners' Government and Public Affairs Committee
<b>FROM</b>	Kristin Walker, Executive Officer
<b>SUBJECT</b>	<b>Update on Board's Administration Program</b>

This report provides an overview of recent Board of Chiropractic Examiners' (BCE) Administration Program activities.

### **BCE Board and Committee Meetings**

The following upcoming meetings have been scheduled:

- December 1, 2023 – Continuing Education Committee
- December 4, 2023 – Government and Public Affairs Committee
- December 8, 2023 – Enforcement Committee
- January 12, 2023 – Board

### **Business Modernization Project and Implementation of the Connect System**

BCE continues to collaborate with the Department of Consumer Affairs (DCA) Office of Information Services and three other programs (California Acupuncture Board; Board for Professional Engineers, Land Surveyors, and Geologists; and Bureau for Private Postsecondary Education) in the first cohort of a Business Modernization Project to develop and implement a new application, licensing, and enforcement system known as Connect.

Through three phased software releases from September 2020 through June 2021, BCE implemented these licensing functions:

- Initial license applications (doctor of chiropractic and satellite certificates)
- License renewals (doctor of chiropractic and satellite certificates)
- Address changes and cancellation of satellite certificates
- Online payment for all other paper applications



On July 1, 2022, BCE added functionality to the system to waive the application and initial license fees for spouses of active duty members of the military who are assigned to a duty station in California and hold a current license to practice in another state, as required by [Business and Professions Code \(BPC\) section 115.5](#).

In August 2022, BCE implemented the Department of Health Care Access and Information (HCAI) health workforce data survey for licensees to complete during their electronic license renewal process, as required by [BPC section 502](#).

Through a software release on February 28, 2023, BCE updated the user dashboards for applicants and licensees, provided the ability for licensees to maintain and store their continuing education records in the system, and added a list of BCE links, resources, and direct contact information for each of BCE's units to the user dashboard. In June 2023, BCE implemented temporary licenses and satellite certificates for military spouses and partners, as required by [Assembly Bill \(AB\) 107 \(Salas, Chapter 693, Statutes of 2021\)](#).

BCE continues to focus on upgrading to the latest version of the Connect software, fully implementing cashiering functionality in the system for all business processes, and developing the continuing education module to process course applications electronically.

### **Legislation Impacting the Board**

[AB 765 \(Wood\)](#) **Physicians and surgeons: medical specialty titles.** This bill, known as the California Patient Protection, Safety, Disclosure, and Transparency Act, would make it a misdemeanor for any person who does not have a valid, unrevoked, and unsuspended physician and surgeon certificate to use any medical specialty title, as specified, or any titles, terms, letters, words, abbreviations, description of services, designations, or insignia indicating or implying the person is licensed to practice medicine. This bill was held under submission in the Assembly Appropriations Committee and is dead for 2023.

[AB 883 \(Mathis, Chapter 348, Statutes of 2023\)](#) **Business licenses: United States Department of Defense SkillBridge program.** This bill requires a DCA board, on or after July 1, 2024, to expedite, and authorizes the board to assist, the initial licensure process for an applicant who supplies satisfactory evidence to the board that they are an active-duty member of a regular component of the Armed Forces of the United States enrolled in the United States Department of Defense SkillBridge program. This bill was approved by the Governor on October 7, 2023.

[AB 996 \(Low\)](#) **Department of Consumer Affairs: continuing education: conflict-of-interest policy.** This bill would require any DCA board or bureau that is responsible for approving continuing education providers or courses to develop and maintain a conflict-of-interest policy that, at a minimum, discourages the qualification of any continuing

education course if the provider of that course has an economic interest in a commercial product or enterprise directly or indirectly promoted in that course, and requires conflicts to be disclosed at the beginning of each continuing education course. This bill was ordered to the Senate inactive file on August 17, 2023.

**AB 1028 (McKinnor) Reporting of crimes: mandated reporters.** This bill would, on or after January 1, 2025, remove the requirement that a health practitioner make a report to law enforcement when they suspect a patient has suffered physical injury caused by assaultive or abusive conduct, and instead, require a health practitioner who provides medical services to a patient whom the health practitioner knows or reasonably suspects is experiencing any form of domestic violence or sexual violence to provide brief counseling, education, or other support, and offer a warm handoff or referral to local and national domestic violence or sexual violence advocacy services before the end of the patient visit. This bill was held under submission by the Senate Appropriations Committee and is dead for 2023.

**AB 1707 (Pacheco, Chapter 258, Statutes of 2023) Health professionals and facilities: adverse actions based on another state's law.** This bill prohibits a DCA healing arts board from denying an application for licensure or suspending, revoking, or otherwise imposing discipline upon a licensee on the basis of a civil judgment, criminal conviction, or disciplinary action in another state if that judgment, conviction, or disciplinary action is based solely on the application of another state's law that interferes with a person's right to receive sensitive services that would be lawful if provided in this state. This bill was approved by the Governor on September 27, 2023.

**Senate Bill (SB) 143 (Committee on Budget and Fiscal Review, Chapter 196, Statutes of 2023) State government.** This trailer bill includes provisions that allow for remote public meetings without noticed physical locations until December 31, 2023, and language to implement the Federal License Portability Law for Servicemembers, and was approved by the Governor on September 13, 2023.

**SB 372 (Menjivar, Chapter 225, Statutes of 2023) Department of Consumer Affairs: licensee and registrant records: name and gender changes.** This bill requires a DCA board to update a licensee's or registrant's license by replacing references to the former name or gender on the license or registration, as specified, if the board receives documentation, as described, from the licensee or registrant demonstrating that the licensee's or registrant's legal name or gender has been changed. If the board operates an online license verification system, the bill requires the board to replace references to the licensee's or registrant's former name or gender with the individual's current name or gender, as applicable, on the publicly viewable information displayed on the internet. The bill prohibits a board from publishing the licensee's or registrant's former name or gender online, and instead, requires the board to post an online statement directing the public to contact the board for more information. For specified licensees or registrants, the board is prohibited from posting enforcement records online, but is required to post an online statement stating the individual was previously subject to an enforcement

action and directing the public to contact the board, as prescribed. This bill provides that all records related to a request to update an individual's license or registration under these provisions are confidential and not subject to public inspection or disclosure. The bill requires the board, if requested by a licensee or registrant, to reissue any license created by the board and conferred upon the licensee or registrant, and prohibits the board from charging a higher fee for reissuing a license with an updated legal name or gender than the fee it charges for reissuing a license with other updated information. This bill was approved by the Governor on September 23, 2023.

**SB 447 (Atkins, Chapter 199, Statutes of 2023) GO-Biz.** This bill, among other things, repeals the provisions that prohibit a state agency and the Legislature from requiring any of its employees, officers, or members to travel to, or from approving a request for state-funded or state-sponsored travel to, states with discriminatory laws. This bill was approved by the Governor on September 13, 2023.

**SB 544 (Laird, Chapter 216, Statutes of 2023) Bagley-Keene Open Meeting Act: teleconferencing.** This bill enacts an additional, alternative set of provisions under which a state body may hold a meeting by teleconference. The bill was approved by the Governor on September 22, 2023.

**SB 802 (Roth) Licensing boards: disqualification from licensure: criminal conviction.** This bill would require a DCA board to notify an applicant in writing within 30 days after a decision is made to deny an application for licensure based solely or in part on the applicant's conviction history, of all of the following: 1) the denial or disqualification of licensure; 2) any existing procedure the board has for the applicant to challenge the decision or request reconsideration; 3) that the applicant has the right to appeal the board's decision; and 4) the processes for the applicant to request a copy of their complete conviction history and question the accuracy or completeness of the record pursuant to Penal Code sections 11122 through 11127. Existing law requires this written notification to be sent to the applicant but does not specify a timeframe during which it must be transmitted. This bill was held in the Assembly Business and Professions Committee and is dead for 2023.

## **Personnel Updates**

Recruitment efforts are currently underway to refill a vacant Associate Governmental Program Analyst position, a vacant Special Investigator position, and a vacant Staff Services Manager I position in the Enforcement Unit.

## Proposed Regulations

1. **Licensing and Regulatory Fees (Changes Without Regulatory Effect: Amend California Code of Regulations [CCR], Title 16, Sections 310.1, 317.1, 321, 323, 360, 362, 363, 367.5, 367.10, 370, and 371):** This action under CCR, title 1, section 100 will update the licensing and regulatory fee amounts within the Board's regulations and forms for consistency with the fee amounts codified in BPC section 1006.5. This package is planned to be submitted to the Office of Administrative Law (OAL) in January 2024.
2. **Addition of Licensee Telephone Numbers and Email Addresses to Board Directory (Amend CCR, Title 16, Section 303):** This proposal will implement the requirement from SB 1434 for the Board to include licensees' telephone numbers and email addresses in the Board's directory and clarify the requirement for the filing of a public "address of record." The Board approved the proposed regulatory text at its April 20, 2023 meeting. Staff is preparing the regulatory package for this proposal and plans to submit it to DCA for review in December 2023.
3. **Delegation of Certain Functions to the Executive Officer (Amend CCR, Title 16, Section 306):** This regulatory proposal will delegate additional functions to the Executive Officer to expedite the Board's handling of disciplinary cases. The Board approved the proposed regulatory text at its October 19, 2023 meeting. Staff is preparing the regulatory package for this proposal and plans to submit it to DCA for review in December 2023.
4. **Conforming Changes to the Board's Citation Program (Amend CCR, Title 16, Sections 390.4 and 390.5):** This regulatory proposal makes conforming changes to the Board's system for issuing citations for consistency with the required provisions of BPC section 125.9. The Board approved the proposed regulatory text at its October 19, 2023 meeting. Staff is preparing the regulatory package for this proposal and plans to submit it to DCA for review in December 2023.
5. **Annual Continuing Education Requirements for Licensees and Continuing Education Course Approval Process (Amend CCR, Title 16, Sections 360–364):** This proposal will amend the annual continuing education (CE) requirements for licensees, establish five course competency areas that will be approved by the Board, define the three recognized learning formats for CE courses, update the CE course review and approval process, and create a re-approval process for CE courses that have been previously approved by the Board. The Board approved the proposed regulatory text at its April 20, 2023 meeting. Staff is preparing the regulatory package for this proposal and plans to submit it to DCA for review in December 2023.

6. **Basic Life Support Certification for All Licensees (Add CCR, Title 16, Section 371.1):** This proposal will mandate the maintenance of basic life support certification, including cardiopulmonary resuscitation (CPR), for all licensees as a condition of licensure in active status. Staff gathered additional information regarding possible accommodations for individuals with temporary or permanent disabilities from the certifying entities and will present that information to the Continuing Education Committee for discussion at its December 1, 2023 meeting.
7. **Temporary Licensure for Military Spouses (Amend CCR, Title 16, Section 320):** This proposal will update CCR, title 16, section 320 for consistency with the provisions of [AB 107 \(Salas, Chapter 693, Statutes of 2021\)](#), which provide for temporary licensure of military spouses. This proposal is being developed by staff and is planned to be presented to the Board for review and discussion at its January 12, 2024 meeting.
8. **Repeal Successful Examination (Obsolete Provision) [Repeal CCR, Title 16, Section 354]:** This proposal will repeal an obsolete provision in the Board's regulations that conflicts with other existing laws and regulations that prohibit the unlicensed practice of chiropractic. Staff is preparing the regulatory package for this proposal and plans to submit it to DCA for review in December 2023.
9. **Sexual Contact with a Patient and Required Actions Against Registered Sex Offenders (Add CCR, Title 16, Sections 384.1 and 384.2):** This Consumer Protection Enforcement Initiative (CPEI) proposal will require any proposed decision containing a finding of fact that a licensee engaged in any act of sexual contact, as defined, or is subject to registration as a sex offender in any tier, to contain an order of revocation and prohibit the decision from containing a stay of the revocation. In addition, this proposal will require any Board decision containing a finding of fact that a licensee engaged in any act of sexual contact to contain an order of revocation, and require the Board to deny or revoke a license for any applicant, licensee, or petitioner who is subject to registration as a sex offender in any tier and prohibit the Board from issuing a stay of the revocation for any individual who is subject to registration as a tier two or three offender. The Board approved the proposed regulatory text at its April 20, 2023 meeting. Staff is preparing the regulatory package for this proposal and plans to submit it to DCA for review in December 2023.
10. **Record Keeping Requirements for Chiropractic Patient Records, Including Retention and Disposition of Records Upon Closure of Practice or Death/Incapacity of Licensee (Amend CCR, Title 16, Section 318):** This proposal will update the record keeping requirements to specify the necessary documentation for the patient history, complaint, diagnosis/analysis, and treatment and to differentiate between an initial patient encounter and an established patient visit. In addition, this proposal will specify the retention period and requirements for

the disposition of patient records. The Enforcement Committee will continue its discussion of this proposal during its December 8, 2023 meeting.

- 11. Discipline by Other Public Agencies and Licensee Reporting Requirements (Amend CCR, Title 16, Sections 304 and 314):** This CPEI proposal will update the reporting of licensee arrests, convictions, and discipline by other public agencies and clarify a licensee's duty to report any violation of the statutes and regulations governing the practice of chiropractic to the Board. The Board approved the proposed regulatory text at its July 20, 2023 meeting. Staff is preparing the regulatory package for this proposal and plans to submit it to DCA for review in December 2023.
- 12. Disciplinary Guidelines and Uniform Standards for Substance Abusing Licensees (Amend CCR, Title 16, Section 384):** This proposal will update the *Disciplinary Guidelines and Model Disciplinary Orders* and implement the Uniform Standards for Substance Abusing Licensees. The Enforcement Committee will continue its discussion of this proposal during its December 8, 2023 meeting.
- 13. Filing and Evaluation Process for Petitions for Reinstatement, Reduction of Penalty, or Early Termination of Probation (Add CCR, Title 16, Section 385):** This CPEI proposal will update and enhance the process for petitions for reinstatement, reduction of penalty, and early termination of probation before the Board. This proposal was discussed by the Enforcement Committee at its June 8, 2023 meeting and is planned to be presented to the Board for approval at its January 12, 2024 meeting.
- 14. Approval of Chiropractic Schools and Educational Requirements (Amend CCR, Title 16, Sections 330-331.16):** This proposal will amend the regulations regarding approval of chiropractic colleges to align with the accrediting body, the Council on Chiropractic Education, and eliminate any unduly prescriptive content that could be restrictive to the evolving nature of higher education. This rulemaking package is being developed by staff and the Licensing Committee.
- 15. Chiropractic College Curriculum Requirements (Amend CCR, Title 16, Section 331.12.2 and Add CCR, Title 16, Section 331.12.3):** This proposal will update the minimum curriculum and clinical experience requirements for Board-approved chiropractic colleges. At the January 20, 2023 meeting, the Board voted to return these proposed changes to the Licensing Committee for further study and discussion. Staff is updating this proposal based on the discussion by the Licensing Committee at its May 12, 2023 meeting.
- 16. Order for Physical or Mental Examination of Applicants (Add CCR, Title 16, Section 324):** This CPEI proposal will allow the Board to order an applicant to complete a physical or mental examination when evidence exists that the applicant may be unable to practice safely due to a mental or physical condition affecting

their competency. This proposal is being developed by staff and is planned to be presented to the Licensing Committee for review and discussion in 2024.

- 17. Supervision of Unlicensed Individuals at Chiropractic Practices (Amend CCR, Title 16, Section 312):** This CPEI proposal will clarify the role of and delineate the activities that can be performed by unlicensed individuals within a chiropractic practice, define and establish the supervision requirements by a licensed doctor of chiropractic, and require that unlicensed individuals follow and provide only the treatment defined in the supervising doctor's treatment plan. The Enforcement Committee will continue its discussion of this proposal during its December 8, 2023 meeting.
- 18. Chiropractic Practice Locations and Display of License (Amend CCR, Title 16, Sections 306.3 and 308 and Add CCR, Title 16, Section 308.1):** This CPEI proposal will update the requirements for filing practice locations with the Board and displaying a license/certificate and notice to patients at each practice location. This proposal is being developed by staff and the Licensing Committee.
- 19. Exemptions or Extensions to the Annual CE Requirement for Licensees Affected by a Natural Disaster, State of Emergency, Medical Condition, or Other Hardship (Add CCR, Title 16, Section 364.1):** This proposal will create a process for granting an exemption from, or an extension to, the annual CE requirements for a licensee who provides satisfactory proof to the Board that they have been adversely affected by a natural disaster, state of emergency, medical condition, or other hardship during their license renewal period. This proposal will be discussed by the Continuing Education Committee during its December 1, 2023 meeting.
- 20. Appeal Process for Denial of CE Courses and Providers:** This proposal will update the process for appealing the denial of a CE course or provider application to a hearing before the Board or the Continuing Education Committee. Staff is developing this proposal for discussion by the Continuing Education Committee at a future meeting in 2024.



# Agenda Item 3 Attachment 2

## 0152 - Board of Chiropractic Examiners Analysis of Fund Condition (Dollars in Thousands)

Prepared 11.16.23

### 2023 Budget Act w/FM 3 Projections

	ACTUAL 2022-23	CY 2023-24	BY 2024-25	BY +1 2025-26	BY +2 2026-27
<b>BEGINNING BALANCE</b>	\$ 1,725	\$ 2,026	\$ 2,291	\$ 1,617	\$ 853
Prior Year Adjustment	\$ -90	\$ -150	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,635	\$ 1,876	\$ 2,291	\$ 1,617	\$ 853
<b>REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>					
Revenues					
4121200 - Delinquent fees	\$ 56	\$ 57	\$ 56	\$ 56	\$ 56
4127400 - Renewal fees	\$ 3,718	\$ 3,846	\$ 4,156	\$ 4,156	\$ 4,156
4129200 - Other regulatory fees	\$ 128	\$ 123	\$ 129	\$ 129	\$ 129
4129400 - Other regulatory licenses and permits	\$ 600	\$ 690	\$ 981	\$ 981	\$ 981
4163000 - Income from surplus money investments	\$ 51	\$ -	\$ 28	\$ 16	\$ 2
4171400 - Escheat of unclaimed checks and warrants	\$ 2	\$ 2	\$ -	\$ -	\$ -
4172500 - Miscellaneous revenues	\$ 5	\$ 5	\$ 1	\$ 1	\$ 1
Totals, Revenues	\$ 4,560	\$ 4,728	\$ 5,356	\$ 5,344	\$ 5,330
Transfers and loans to/from other funds					
FO0421 To Vehicle Inspection and Repair Fund per Item 1111-011-0421, Budget Act 2014	\$ -	\$ -250	\$ -250	\$ -250	\$ -250
Totals, Transfers and Other Adjustments	\$ -	\$ -250	\$ -250	\$ -250	\$ -250
<b>TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>	\$ 4,560	\$ 4,478	\$ 5,106	\$ 5,094	\$ 5,080
<b>TOTAL RESOURCES</b>	\$ 6,195	\$ 6,354	\$ 7,397	\$ 6,711	\$ 5,933
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 3,705	\$ 3,736	\$ 5,453	\$ 5,616	\$ 5,785
9892 Supplemental Pension Payments (State Operations)	\$ 85	\$ 85	\$ 85	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 379	\$ 242	\$ 242	\$ 242	\$ 242
<b>TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS</b>	\$ 4,169	\$ 4,063	\$ 5,780	\$ 5,858	\$ 6,027
<b>FUND BALANCE</b>					
Reserve for economic uncertainties	\$ 2,026	\$ 2,291	\$ 1,617	\$ 853	\$ -94
Months in Reserve	6.0	4.8	3.3	1.7	-0.2

#### NOTES:

1. Assumes workload and revenue projections are realized in BY +1 and ongoing.
2. Includes loan repayment to BAR.
3. Expenditure growth projected at 3% beginning BY +1.
4. Current Year 2023-24 Expenditures includes Scheduled and Unscheduled Reimbursements.
5. Current Year Adjustment is for a settlement claim coming out.

BCE 2022-2026 Action Plan		Responsibility	Due Date	Current Status
<b>Goal 1: Licensing and Professional Qualification</b>				
<b>1.1</b>	<b>Complete comprehensive updates to the Board's continuing education program and regulations to provide clarity and accessibility, and to ensure continuing licensee competency and public protection.</b>			57%
<b>Success Measure:</b>	Promulgated updated continuing education regulations and educated licensees and continuing education providers on those regulations.		Q2 2025	
1.1.1	Identify proposed framework for licensee continuing education (CE) requirements and course approval process and obtain CE Committee and Board approval.	EO	Q1 2023	Completed
1.1.2	Draft proposed language for updated regulations and obtain approval from DCA regulatory counsel.	EO	Q1 2023	Completed
1.1.3	Conduct fiscal analysis of CE regulations and develop proposed fee amounts for course approval and reapproval.	EO	Q1 2023	Completed
1.1.4	Present final regulatory proposal (language and fee amounts) to Board for approval.	EO	Q2 2023	Completed
1.1.5	Finalize regulatory package and initiate the rulemaking process.	EO	Q2 2023	In Progress
1.1.6	Inform licensees and CE providers of changes through written notices, outreach, and information sessions.	EO	Q3 2023 – ongoing	Not Started
1.1.7	Complete regulatory process.	EO	Q1 2024	In Progress
<b>1.2</b>	<b>Establish a robust, effective Licensing Committee to identify issues and increase efficiency.</b>			0%
<b>Success Measure:</b>	The completion of the action plan for all current pending licensing issues.		Q3 2023	
1.2.1	Gather background information to educate Licensing Committee members on pending licensing issues.	Licensing Manager	Q1 2023	In Progress
1.2.2	Train Licensing Lead (staff member) as a Licensing Committee liaison (calendar, meeting agendas, etc.).	EO and AEO	Q2 2023	Not Started
1.2.3	Educate Licensing Committee members on background and history of prior actions.	EO	Q2 2023 – ongoing	In Progress
1.2.4	Identify current issues, discuss possible solutions, and present recommendations to the Licensing Committee Chair.	AEO	Q2 2023	In Progress
1.2.5	Staff works with the Licensing Committee Chair to create an action plan for pending and current issues identified above.	AEO and Licensing Lead/Licensing Liaison	Q3 2023	Not Started
<b>1.3</b>	<b>Review reciprocity requirements to minimize barriers to licensure in California.</b>			17%
<b>Success Measure:</b>	The Board has identified how they are going to minimize any potential barriers to licensure through reciprocity.		Q3 2024	
1.3.1	Conduct an environmental scan of reciprocity requirements (1. BCE, 2. Other states, and 3. Other DCA healing art boards).	AEO	Q2 2023	Completed
1.3.2	Analyze the data that has been collected.	AEO	Q3 2023	In Progress
1.3.3	Develop potential options and recommendation for the Licensing Committee on how to minimize barriers to licensure.	AEO	Q3 2023	In Progress
1.3.4	Summarize environmental scan, analysis, potential options, and recommendation.	AEO	Q4 2023	In Progress
1.3.5	Present findings and recommendations to the Licensing Committee.	Licensing Lead/Licensing Committee Liaison	Q1 2024	Not Started
1.3.6	Present Licensing Committee's recommendation to the Board.	EO	Q3 2024	Not Started
<b>1.4</b>	<b>Continue to monitor the Board's license fee structure to ensure the Board's financial stability, maintain access to the Board's services, and determine whether the Board needs to consider plans for restructuring its fees.</b>			43%
<b>Success Measure:</b>	The Board has delivered its report on its fee structures and recommendation to the Legislature.		Q4 2026	
1.4.1	Bring any budget issues to the Board's attention.	EO	Q3 2022 – ongoing	Completed
1.4.2	Establish regular and thorough monthly process to monitor BCE's budget and fund condition.	Lead Administrative Analyst	Q1 2023	Completed
1.4.3	Establish quarterly budget meetings with budget analyst at DCA.	Lead Administrative Analyst	Q1 2023	Completed
1.4.4	Conduct analysis of the impact of recent fee restructuring.	Lead Administrative Analyst	Q3 2023 - ongoing	In Progress
1.4.5	Provide reports to the Government and Public Affairs Committee on the impact of recent fee restructuring.	Lead Administrative Analyst	Q3 2023 - ongoing	In Progress
1.4.6	Create report on license fee structure (due to Legislature by January 1, 2027).	EO and AEO	Q2 2025	Not Started
1.4.7	Submit license fee structure report to the Legislature with 2025 Sunset Review Report.	EO	Q4 2025	Not Started
<b>Goal 2: Enforcement</b>				
<b>2.1</b>	<b>Implement updated disciplinary guidelines, Uniform Standards for Substance Abusing Licensees, and Consumer Protection Enforcement Initiative (CPEI) regulations, to provide consistency and clarity in disciplinary penalties, help educate licensees and the public, and deter violations.</b>			23%
<b>Success Measure:</b>	Completed regulation process for all three areas (Disciplinary Guidelines, Uniform Standards for Substance Abusing Licensees, and CPEI regulations).		Q4 2025	
2.1.1	Disciplinary Guidelines & Uniform Standards – finish developing the proposed guidelines.	AEO	Q1 2023	Completed

2.1.2	Disciplinary Guidelines & Uniform Standards – vet through Regulatory Counsel and DAG Liaison (AGs office).	AEO	Q1 2023	In Progress
2.1.3	Disciplinary Guidelines & Uniform Standards – present proposal to Enforcement Committee.	Enforcement Lead	Q2 2023	Not Started
2.1.4	Disciplinary Guidelines & Uniform Standards – present proposal to Board.	Enforcement Lead	Q4 2023	Not Started
2.1.5	Disciplinary Guidelines & Uniform Standards – begin regulatory process.	AEO	Q1 2024	Not Started
2.1.6	Disciplinary Guidelines & Uniform Standards – complete regulatory process.	AEO	Q1 2025	Not Started
2.1.7	CPEI (12 regulations) – develop an action plan for the different regulations (assigning to committees), formalizing plans with committee chairs to clarify assignments.	EO	Q1 2023	Completed
2.1.8	CPEI – develop proposals.	AEO	Q4 2023	Completed
2.1.9	CPEI – vet through DCA Regulatory Counsel.	AEO	Q4 2023	In Progress
2.1.10	CPEI – present proposals to appropriate Committees.	Enforcement Lead / Licensing Lead	Q1 2024	In Progress
2.1.11	CPEI – present proposals to Board.	Enforcement Lead / Licensing Lead	Q3 2024	In Progress
2.1.12	CPEI – begin regulatory process.	AEO	Q4 2024	Not Started
2.1.13	CPEI – complete regulatory process.	AEO	Q4 2025	Not Started
<b>2.2 Streamline internal enforcement processes and standards, including complaint intake, investigations, and case management activities, to increase efficiency and ensure timely action.</b>				
<b>Success Measure:</b>	Enforcement Program is meeting the established performance measure targets.		Q2 2025	29%
2.2.1	Conduct process review with OIO.	Enforcement Analysts	Q4 2022	Completed
2.2.2	Document baseline processing times.	EO	Q1 2023	Completed
2.2.3	Standardize internal enforcement process – make sure all standards are met each time – considering OIO recommendations.	AEO and Enforcement Manager	Q1 2023	In Progress
2.2.4	Update duty statements for staff in Enforcement Unit, separating case management from investigations (increasing specialization).	EO	Q1 2023	In Progress
2.2.5	Update and document all processes/ procedures.	AEO and Enforcement Manager	Q2 2023	In Progress
2.2.6	Update training of all staff, cross-train on all tasks.	Enforcement Manager	Q2 2023	In Progress
2.2.7	Measure impact of process improvements on enforcement timeframes.	EO	Q2 2025	Not Started
<b>2.3 Improve the effectiveness of the Enforcement Program by implementing Expert Witness program enhancements, including recruitment, training, and ongoing assessment of subject matter experts in specific areas of chiropractic practice.</b>				
<b>Success Measure:</b>	Program enhancements implemented, observed improvement in expert reports, and higher success rate at hearings.		Q4 2025	0%
2.3.1	Begin recruitment process for new SMEs.	EO	Q1 2023	In Progress
2.3.2	Staff review SME applications.	Enforcement Manager	Q1 2023	Not Started
2.3.3	Enforcement Committee members interview and vet potential SMEs.	Enforcement Committee	Q2 2023 – ongoing	Not Started
2.3.4	Contract with SMEs selected experts.	Enforcement Lead	Q2 2023 – ongoing	Not Started
2.3.5	Train SMEs.	EO and AEO	Q3 2023 – ongoing	Not Started
2.3.6	Measure effectiveness of expert witnesses (success ratio, input from Deputy Attorney General (DAG)).	AEO and Enforcement Manager	Q4 2023 – ongoing	In Progress
2.3.7	Report on effectiveness of SMEs to Enforcement Committee and provide any further recommendations.	Enforcement Lead	Q4 2023 – ongoing	Not Started
2.3.8	Continue monitoring effectiveness of Expert Witness Program (identify benchmarks - outcomes and hearing success).	EO and Enforcement Committee	Q4 2025 – ongoing	Not Started
<b>2.4 Develop and implement clearly defined standards for licensee recordkeeping by updating regulations to provide consistency and clarity to licensees, the public, and other stakeholders.</b>				
<b>Success Measure:</b>	Adopted updated standards for licensee recordkeeping into regulation.		Q4 2024	29%
2.4.1	Review and discuss requirements in other states.	EO and Enforcement Committee	Q4 2022	Completed
2.4.2	Develop a regulatory proposal for consideration by Enforcement Committee.	EO	Q1 2023	Completed
2.4.3	Have Legal/Regulations Counsel review proposal.	EO	Q1 2023	In Progress
2.4.4	Present proposal to Enforcement Committee for review, discussion, and possible recommendation to Board.	EO	Q2 2023	In Progress
2.4.5	Obtain Board approval of proposal.	EO	Q4 2023	Not Started
2.4.6	Begin regulatory process (formally submitting to DCA for approval, ready for Director's Review).	AEO and Enforcement Lead	Q4 2023	Not Started
2.4.7	Complete regulatory process.	AEO and Enforcement Lead	Q4 2024	Not Started
<b>Goal 3: Public Relations and Outreach</b>				
<b>3.1 Continue to foster relationships with legislators, healing arts boards, professional organizations, and government agencies to allow stakeholders to share ideas and perspectives.</b>				
<b>Success Measure:</b>	Improved at least five relationships with stakeholders across all above groups.		Q4 2023	40%
3.1.1	Identify relationships (existing and potential).	EO and AEO	Q1 2023	Completed
3.1.2	Define each relationship's plan (avenues, content) (include dialogues).	EO and AEO	Q2 2023	Completed
3.1.3	Arrange introductions/open channels of communication when needed.	EO	Q2 2023	In Progress

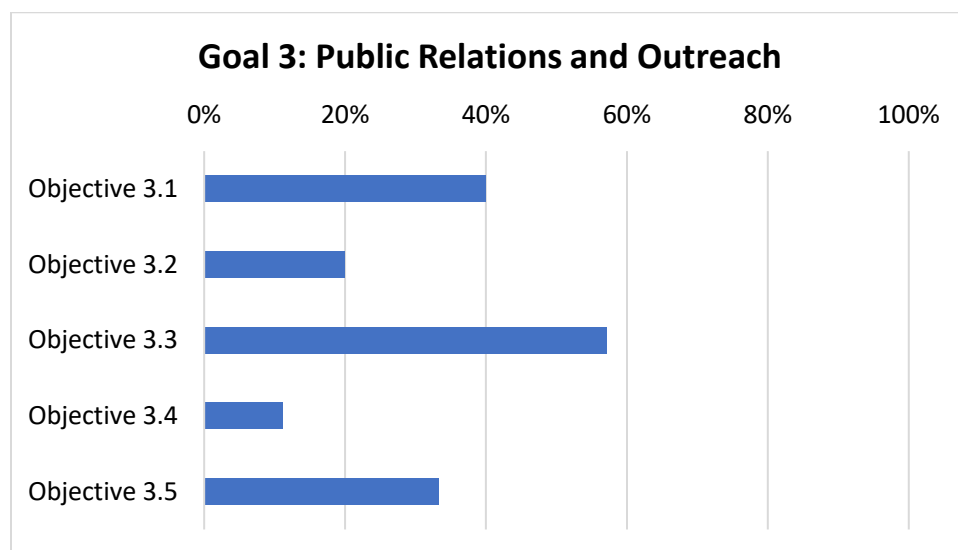
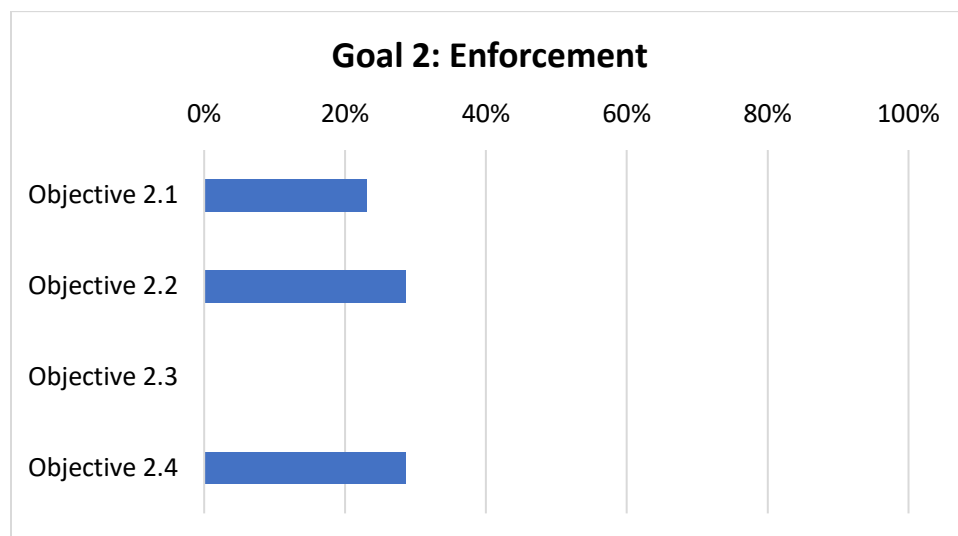
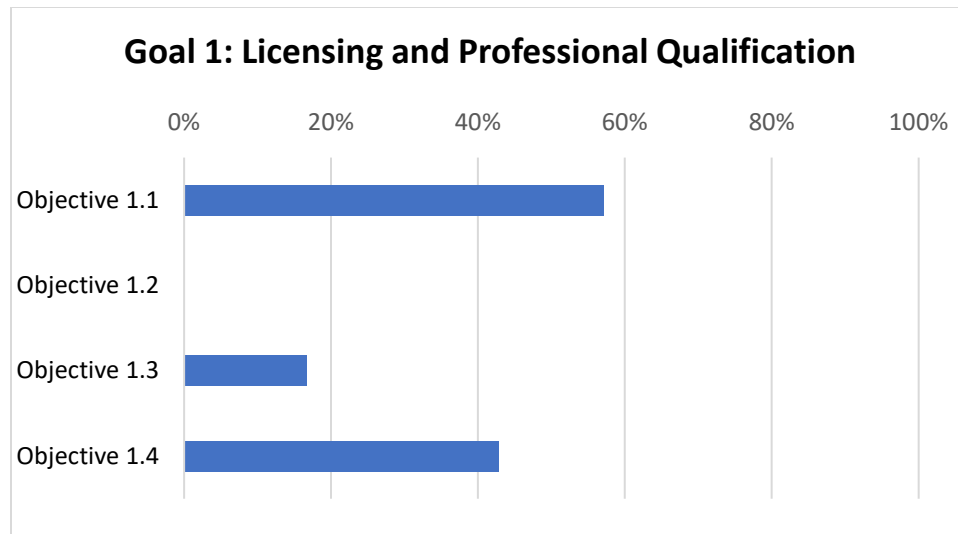
3.1.4	Schedule meetings/forums (develop MOUs if needed).	EO	Q4 2023 – ongoing	In Progress	
3.1.5	Managers network/regularly communicate with other healing arts peers (include staff as appropriate).	Enforcement and Licensing Managers	Q4 2023 – ongoing	In Progress	
3.2	Continue to increase the Board’s presence and availability through outreach opportunities where the Board can collaborate and engage with stakeholders to allow for sharing of feedback, input, and suggestions.			20%	
Success Measure:	Participated in at least three external outreach opportunities and hosted at least three listening sessions.		Q3 2023		
3.2.1	Identify existing outreach opportunities where the Board can participate.	EO	Q1 2023		Completed
3.2.2	Publicize opportunities to give feedback to the Board.	AEO	Q1 2023		In Progress
3.2.3	Host roundtable discussions / listening sessions (document feedback).	EO	Q2 2023 – ongoing		In Progress
3.2.4	Review feedback given.	EO and AEO	Q2 2023 – ongoing		In Progress
3.2.5	Communicate feedback to appropriate policy committee chair, determine action (address in public meeting, etc.).	EO and AEO	Q3 2023 – ongoing		In Progress
3.3	Create an outreach plan to improve communication with stakeholders, share helpful information, and clarify the Board’s role and duties.			57%	
Success Measure:	Board has approved its outreach plan and released at least three updated materials.		Q1 2024		
3.3.1	Document existing communication challenges, opportunities.	EO and AEO	Q1 2023		Completed
3.3.2	Discern what stakeholder groups would like to know (internal, anecdotal, environmental scan feedback).	Licensing/Admin Manager	Q1 2023		Completed
3.3.3	Touch base with DCA outreach/communications unit (what’s available, state fair booths, etc.).	EO	Q1 2023		In Progress
3.3.4	Develop plan for modes of communication (social media, events, brochures, etc.).	AEO	Q2 2023		Completed
3.3.5	Get plan approval from Government & Public Affairs Committee, then to Board for approval.	AEO	Q3 2023		Completed
3.3.6	Create/maintain outreach calendar.	AEO	Q4 2023		In Progress
3.3.7	Create/update materials (printed materials, PDE) (get Board and legal review).	AEO	Q1 2024		In Progress
3.4	Build an interactive social media presence to engage with stakeholders and assess stakeholder sentiment of the Board.				11%
Success Measure:	Board has developed a presence with at least bi-weekly posts across all accounts.		Q2 2024		
3.4.1	Brainstorm among staff on what to share, identify priority items, clarify audiences.	EO	Q1 2023	In Progress	
3.4.2	Establish internal procedure for use and management of social media accounts.	EO	Q1 2023	Completed	
3.4.3	Meet with DCA Office of Public Affairs (strategy and graphics).	EO	Q1 2023	In Progress	
3.4.4	Discuss social media outreach with Government & Public Affairs Committee, get feedback on what to share.	Lead Admin Analyst	Q2 2023	In Progress	
3.4.5	Get input from Board members about information to share (events of interest).	Lead Admin Analyst	Q2 2023	Not Started	
3.4.6	Develop bank of material to share on an ongoing basis.	AEO	Q2 2023 – ongoing	In Progress	
3.4.7	Develop a system to track other accounts to monitor for sharing potential.	AEO	Q2 2023	In Progress	
3.4.8	Ask Board-approved colleges for material to share.	Licensing Manager	Q4 2023	Not Started	
3.4.9	Review and determine how to measure stakeholder sentiment.	AEO	Q2 2024	Not Started	
3.5	Improve the Board’s website by providing informative content for applicants, licensees, the public, and other stakeholders and enhancing the functionality and user experience.			33%	
Success Measure:	Updated format and content included for all business areas.		Q4 2024		
3.5.1	Meet with OIS to determine process, timeline.	EO	Q1 2023		Completed
3.5.2	Assess current site - Get and review metrics from OIS, identify structure and updates needed.	EO	Q1 2023		Completed
3.5.3	Review other DCA boards’ websites to get layout ideas, identify a template to adopt.	AEO	Q1 2023		Completed
3.5.4	Prioritize easy fixes and removing any obsolete information.	AEO	Q2 2023		In Progress
3.5.5	Identify what informative content should appear on site (including FAQs, requirements in plain language, and steps).	AEO	Q2 2023		In Progress
3.5.6	Review all current forms to improve them (verify ADA compliance, ensure fillable pdf versions, optimize for Connect, and confirm mobile device access.	EO	Q2 2023		In Progress
3.5.7	Communicate website redesign request to OIS.	AEO	Q3 2023		In Progress
3.5.8	Update forms.	AEO	Q2 2024		In Progress
3.5.9	Obtain feedback from external users on new website functionality through polls, listening sessions, and informal discussions.	EO and AEO	Q4 2024		Not Started
Goal 4: Laws and Regulations					
4.1	Increase efficiency in rulemaking processes to move pending regulatory packages forward, prevent a backlog of packages, and improve staff and Board effectiveness.			56%	
Success Measure:	No current package older than two years.		Q2 2026		

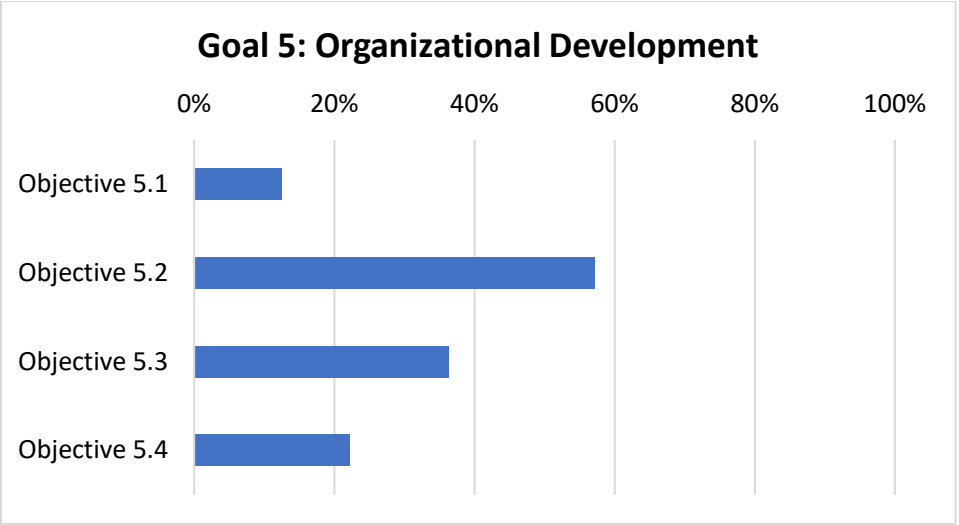
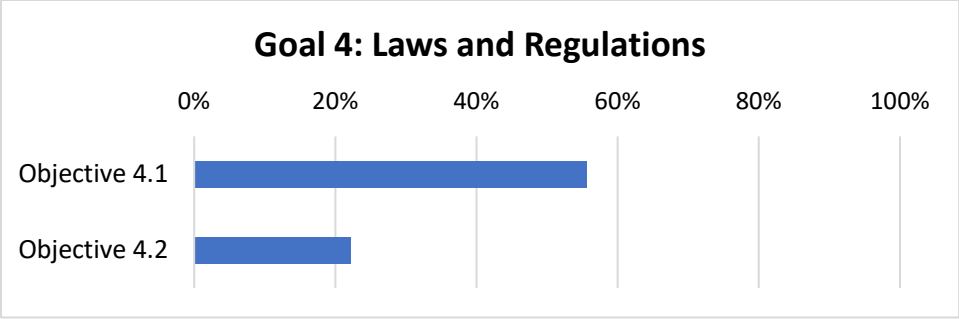
4.1.1	Implement regular (monthly) monitoring and reporting progress for pending regulations to maintain visibility.	EO	Q1 2023	Completed
4.1.2	Identify challenges observed in regulatory process.	EO	Q1 2023	Completed
4.1.3	Develop action plan to address all pending regulatory workload items.	EO	Q1 2023	Completed
4.1.4	Discuss proposals as a team to get staff input.	EO	Q1 2023 – ongoing	Completed
4.1.5	Train all AGPA and higher staff train on rulemaking through DCA and OAL.	AEO	Q2 2023	In Progress
4.1.6	Thoroughly research and develop background information and justification for all regulatory proposals before submitting to a committee for consideration.	AEO and Committee Liaisons	Q2 2023 – ongoing	Completed
4.1.7	Develop initial package as proposals make their way through the committee process (to catch issues before final Board approval).	AEO	Q2 2023 – ongoing	In Progress
4.1.8	Educate Board and Committee members on rulemaking process and best practices (include in onboarding).	EO and DCA Regulatory Counsel	Q3 2023	In Progress
4.1.9	Monitor pending regulatory workload volume and completion time.	EO	Q3 2023 – Q2 2026 and ongoing	In Progress
<b>4.2 Perform a comprehensive review of existing regulations to identify and address any unnecessary or obsolete regulations and to clarify current regulations as needed.</b>				
<b>Success Measure:</b> Board has addressed issues identified during comprehensive review.			Q4 2026	22%
4.2.1	Create action plan for review of regulations (possibly group by topic – licensing, enforcement, general).	EO	Q1 2023	Completed
4.2.2	Review all existing regulations to identify unnecessary, obsolete, or unclear regulations (as grouped by topic with staff SMEs).	AEO	Q4 2023	Completed
4.2.3	Develop recommendations to address identified issue(s) for each regulation.	AEO	Q2 2024	In Progress
4.2.4	Consult with DCA Regulatory Counsel.	AEO	Q3 2024	In Progress
4.2.5	Present final recommendations to appropriate committee for review and discussion.	AEO, Committee Liaisons	Q1 2025	Not Started
4.2.6	Committee makes recommendation to full Board.	Committees	Q4 2025	Not Started
4.2.7	Board approves proposal to amend or repeal as appropriate.	Board	Q4 2025	Not Started
4.2.8	Begin regulatory process.	AEO and Lead Admin Analyst	Q1 2026	Not Started
4.2.9	Complete regulatory process.	AEO and Lead Admin Analyst	Q4 2026	Not Started
<b>Goal 5: Organizational Development</b>				
<b>5.1 Update processes and procedures, key staff roles, and staff organizational structure to establish clear responsibilities and increase efficiency.</b>				
<b>Success Measure:</b> Completed reorganization and have up-to-date documentation for staff roles.			Q3 2023	13%
5.1.1	Ensure all staff duties are accounted for.	EO	Q4 2022	Completed
5.1.2	Finalize reorganization plan and submit it to DCA Office of Human Resources for approval.	EO	Q1 2023	In Progress
5.1.3	Conduct change management activities.	Enforcement Manager and Licensing Manager	Q1 2023	In Progress
5.1.4	Issue updated duty statements to staff.	Enforcement Manager and Licensing Manager	Q1 2023	In Progress
5.1.5	Implement new organizational structure.	EO	Q1 2023	In Progress
5.1.6	Document current processes and ask for staff feedback and recommendations on proposed improvements (i.e., paperless, customer-focused).	AEO	Q1 2023	In Progress
5.1.7	Standardize, document, and store updated processes and procedures.	AEO	Q2 2023	In Progress
5.1.8	Train staff on the updated processes and procedures.	AEO	Q3 2023	In Progress
<b>5.2 Maintain a high-performance and engaged culture focused on effective training, individual development, and continuous improvement, to recruit and retain quality staff.</b>				
<b>Success Measure:</b> Improvement in employee engagement scores.			Q2 2024	57%
5.2.1	Encourage an open, receptive, and problem-solving mindset.	EO	Q4 2022	Completed
5.2.2	Put together methods to solicit feedback and suggestions on the different processes. Possible method = role play activities during meetings for staff to better understand and serve stakeholders including consumers, licensees.	EO	Q4 2022	Completed
5.2.3	Conduct employee engagement survey to assess staff morale and establish baseline.	EO	Q1 2023	Completed
5.2.4	Conduct listening sessions to obtain feedback (concerns, problems, etc.) from staff.	EO	Q1 2023	Completed
5.2.5	Review and update job announcements (include telework opportunity).	EO	Q1 2023	Completed
5.2.6	Conduct all staff meetings to maintain line of communication and follow up on concerns, questions, etc. from listening sessions.	EO	Q1 2023 – ongoing	Completed
5.2.7	Identify potential training topics for staff and management.	AEO	Q1 2023 – ongoing	Completed
5.2.8	Implement basic cross-training for all Board processes (including Connect training).	AEO	Q1 2023 – ongoing	In Progress
5.2.9	Develop and deliver and/or sign up for staff trainings as a team.	AEO	Q2 2023	In Progress
5.2.10	Develop and disseminate customer satisfaction survey.	AEO	Q2 2023 – ongoing	In Progress

5.2.11	Encourage Individual Development Plans (IDP) and conduct regular check ins to help staff to be effective and well-rounded in their own position and develop additional areas of interest.	EO	Q4 2023 – ongoing	In Progress
5.2.12	Conduct second employee engagement survey to assess staff morale and identify additional opportunities for improvement (from 5.2.3).	EO	Q1 2024	In Progress
5.2.13	Create action plan for improvement based on engagement survey results.	EO	Q2 2024	Completed
5.2.14	Implement action plan to address employee engagement results and improvements.	EO and AEO	Q4 2024	Not Started
<b>5.3</b>	<b>Improve communication amongst staff and board members to facilitate effective collaboration.</b>			
<b>Success Measure:</b>	Positive results on the annual communication survey.		Q2 2023	36%
5.3.1	Encourage staff feedback and two-way communication during unit meetings.	EO	Q4 2022 – ongoing	Completed
5.3.2	Implement and share a monthly structured report (follow through on updates and decisions) with Board members and staff.	EO	Q1 2023	In Progress
5.3.3	Present monthly report highlights during Board meetings.	EO	Q1 2023	In Progress
5.3.4	Re-establish regular unit meetings.	Licensing Manager, Enforcement Manager	Q1 2023	Completed
5.3.5	Encourage staff to review Board and committee meeting agendas, meeting minutes, and relevant meeting materials.	EO	Q1 2023	Completed
5.3.6	Create a resource list for liaisons to know which staff members to reach out to regarding specific topics.	AEO	Q1 2023	In Progress
5.3.7	Introduce committee liaison to committees' chairs.	EO	Q1 2023	In Progress
5.3.8	Introduce Board liaison to Board members.	EO	Q1 2023	Not Started
5.3.9	Add liaison contact information to existing rosters and the Board's website.	EO	Q1 2023	Not Started
5.3.10	Communicate any updates (new Board members) to staff.	AEO	Q2 2023	Completed
5.3.11	Create and distribute an annual survey to get feedback from staff and Board members regarding communication and collaboration.	AEO	Q4 2023 – ongoing	Not Started
<b>5.4</b>	<b>Re-design the board member onboarding procedures and orientation process to create effective board members.</b>			
<b>Success Measure:</b>	Board has implemented the new onboarding and orientation process and the new materials have been shared with all Board members.		Q2 2023	22%
5.4.1	Present proposed framework for a new orientation and onboarding process for new Board members to Government and Public Affairs Committee	EO	Q4 2022	Completed
5.4.2	Create welcome package (include forms).	Board Liaison/EO	Q1 2023	In Progress
5.4.3	Update Board member resource binder.	Board Liaison/EO	Q1 2023	In Progress
5.4.4	Update new Board member training session materials.	Board Liaison/EO	Q1 2023	In Progress
5.4.5	Outline Board member mentor responsibilities.	Board Liaison/EO	Q1 2023	In Progress
5.4.6	Familiarize staff with mandatory Board member paperwork that needs to be completed upon appointment and annually.	Board Liaison/EO	Q2 2023	Completed
5.4.7	Create desk manual/guidelines for Board Liaison and share with all staff.	Board Liaison/EO	Q2 2023	In Progress
5.4.8	Update Board Member Administrative Procedure Manual with updated framework.	Board Liaison/EO	Q2 2023	In Progress

Objectives		Percent Completed
Goal 1: Licensing and Professional Qualification		<b>29%</b>
	Objective 1.1	57%
	Objective 1.2	0%
	Objective 1.3	17%
	Objective 1.4	43%
Goal 2: Enforcement		<b>20%</b>
	Objective 2.1	23%
	Objective 2.2	29%
	Objective 2.3	0%
	Objective 2.4	29%
Goal 3: Public Relations and Outreach		<b>32%</b>
	Objective 3.1	40%
	Objective 3.2	20%
	Objective 3.3	57%
	Objective 3.4	11%
	Objective 3.5	33%
Goal 4: Laws and Regulations		<b>39%</b>
	Objective 4.1	56%
	Objective 4.2	22%
Goal 5: Organizational Development		<b>32%</b>
	Objective 5.1	13%
	Objective 5.2	57%
	Objective 5.3	36%
	Objective 5.4	22%







**Agenda Item 4  
December 4, 2023**

**Review, Discussion, and Possible Recommendation Regarding 2022–2026  
Strategic Plan Objective 1.4 to Continue to Monitor the Board’s License Fee  
Structure to Ensure the Board’s Financial Stability, Maintain Access to the  
Board’s Services, and Determine Whether the Board Needs to Consider Plans for  
Restructuring Its Fees**

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**Purpose of the Item**

The Committee will receive an update from staff regarding the Board’s license fee structure and fund condition projections.

**Action Requested**

The Committee will be asked to engage in a policy discussion regarding this strategic plan objective.

**Background**

The Board’s 2022–2026 Strategic Plan contains an objective to monitor the Board’s license fee structure to ensure the Board’s financial stability, maintain access to the Board’s services, and determine whether the Board needs to consider plans for restructuring its fees.

The Board’s 2022 sunset bill, [Senate Bill \(SB\) 1434 \(Roth, Chapter 623, Statutes of 2022\)](#), implemented a new fee schedule for the Board effective January 1, 2023, based on the findings of a 2021 fee study conducted by Matrix Consulting Group on behalf of the Board. The purpose of the updated fee schedule was to realign the Board’s fees with the actual costs associated with providing specific services.

SB 1434 also requires the Board to submit a report to the Legislature by January 1, 2027, that contains an update on the status of the Board’s license fee structure and whether the Board needs to consider plans for restructuring its fees.

During this meeting, staff will provide the Committee with a presentation on the Board’s license fee structure, key findings from the 2021 fee study, the Board’s current budget and fund condition, and staff’s plans to conduct an updated fee analysis in fiscal year 2024–25.

**Agenda Item 5  
December 4, 2023**

**Review, Discussion, and Possible Recommendation Regarding 2022–2026  
Strategic Plan Objective 4.1 to Increase Efficiency in Rulemaking Processes to  
Move Pending Regulatory Packages Forward, Prevent a Backlog of Packages,  
and Improve Staff and Board Effectiveness**

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**Purpose of the Item**

The Committee will receive a presentation from staff on the role of the Board, committees, and staff in the rulemaking process.

**Action Requested**

The Committee will be asked to engage in a policy discussion regarding this strategic plan objective.

**Background**

The Board's 2022–2026 Strategic Plan contains an objective to increase efficiency in rulemaking processes to move pending regulatory packages forward, prevent a backlog of packages, and improve staff and Board effectiveness.

Throughout the last year, staff and the committees have focused on discussing and developing regulatory concepts and text during committee meetings so the pending regulatory proposals could be presented to the full Board for review and action. As a result of these efforts, eight of the Board's 20 pending proposals have been fully approved by the Board and are expected to be implemented through the rulemaking process in 2024.

During this meeting, staff will provide the Committee with a presentation on the rulemaking process and identify opportunities to further increase effectiveness in the Board's development of regulatory proposals.

**Agenda Item 6  
December 4, 2023**

**Review, Discussion, and Possible Recommendation Regarding 2022–2026  
Strategic Plan Objective 5.4 to Re-Design the Board Member Onboarding  
Procedures and Orientation Process to Create Effective Board Members**

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**Purpose of the Item**

The Committee will receive an update from staff regarding planned improvements to the onboarding and orientation process for new Board members.

**Action Requested**

The Committee will be asked to continue its policy discussion regarding this strategic plan objective.

**Background**

The Board's 2022–2026 Strategic Plan contains an objective to re-design the Board member onboarding procedures and orientation process to create effective Board members.

During the October 4, 2022 meeting, the Committee discussed the following improvements to the onboarding process:

- Providing an initial meet-and-greet with the Executive Officer and Board Chair prior to an orientation.
- Covering Board member roles and responsibilities and Board functions during a structured orientation session with the Executive Officer, an existing Board member, and legal counsel.
- Assigning an existing Board member to act as a mentor and point-of-contact for the new Board member.
- Preparing and providing a comprehensive binder of materials on Board functions, committees and their roles, pertinent laws and regulations, chiropractic colleges, and the other agencies and associations involved with the Board.

Based on the Committee's feedback and discussion, staff drafted an updated onboarding and orientation process for new Board members that was reviewed by the Committee at the December 5, 2022 meeting and subsequently by the Board at its January 20, 2023 meeting. At the June 16, 2023 meeting, the Committee discussed the

**2022–2026 Strategic Plan Objective 5.4: New Member Onboarding and Orientation**  
**December 4, 2023**  
**Page 2**

proposed outline for the new Board member orientation session and provided feedback to staff.

Based on the Committee's input and recommendations, staff is developing an electronic Board Member Resource shared folder and an updated resource binder to be distributed to all Board members with their January 12, 2024 Board meeting materials.

During this meeting, the Committee will receive an update from staff on their progress in developing the updated Board member resource materials.



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**Agenda Item 7**  
**December 4, 2023**

## **Public Comment for Items Not on the Agenda**

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### **Purpose of the Item**

At this time, members of the public may offer public comment for items not on the meeting agenda.

The Committee may not discuss or take action on any matter raised during this public comment section that is not included on the agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7, subd. (a).]





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## **Agenda Item 8 December 4, 2023**

### **Future Agenda Items**

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#### **Purpose of the Item**

At this time, members of the Committee and the public may submit proposed agenda items for a future Committee meeting.

The Committee may not discuss or take action on any proposed matter except to decide whether to place the matter on the agenda of a future meeting. [Government Code Section 11125.]



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**Agenda Item 9**  
**December 4, 2023**

## **Adjournment**

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**Time:** \_\_\_\_\_