



**BOARD MEETING
APPROVED MEETING MINUTES
August 8, 2024**

LOCATION:

1625 North Market Boulevard
Suite 102
Sacramento, CA 95834

Remote Access via Web Ex Teleconference

Staff Present

Benjamin Bodea, Executive Officer
Brennan Meier, Legal Counsel
Jay Herdt, Licensing Manager
Marisa Ochoa, Central Services Manager
Kristine Brothers, Policy Coordinator
Enrico Garcia, Administrative Coordinator

Members of the Board

John Harabedian, Esq. President
Dr. Yong Ping Chen, Ph.D., L.Ac., Vice President
Hyun "Francisco" Kim, M.S., L.Ac.
Shu Dong Li, Ph.D.
Dr. Amy Matecki, M.D., L.Ac.
Ruben Osorio

Item 1 – Call to Order, Roll Call, and Establishment of Quorum

Meeting commenced at 9:30 a.m.

Roll call taken. All members present. Quorum established.

Item 4 – Petition for Penalty Relief: Reinstatement of Revoked License: Yu-Tai Fu, PRRL 1A-2023-73

The Board heard the petition for reinstatement for Yu-Tai Fu. There were no public comments made.

Item 5 – Closed Session

Pursuant to Government Code, section 11126, subd. (c)(3), the Board met in closed session to discuss, deliberate, and act on the petition for reinstatement.

Item 2 – President's Remarks

Board President John Harabedian (President Harabedian) welcomed members, staff, and the public to the meeting.

Item 3 – Public Comments for Items Not on the Agenda

No public comments were made.

Item 6 – Review and Possible Approval of Board Meeting Minutes for March 22, 2024

Board members reviewed the minutes from the March 22, 2024, meeting. Executive Officer Benjamin Bodea (E.O. Bodea) proposed a correction to the minutes to reflect Board Member Ruben Osorio (Osorio) having seconded Item 10.

MOTION

President Harabedian proposed a correction to the minutes to reflect Board Member Osorio having seconded Item 10 and motioned to approve the March 22, 2024, meeting minutes.

Board Member Ruben Osorio seconded.

Yes: Harabedian, Chen, Osorio, Kim, Li, Matecki

6-0

Motion Passes

Item 7 – Executive Management Report

(A) Budget Update

Brendan Vue (Vue) from the Budget Office presented the Board's expenditure and revenue projections as well as the fund condition statement. Mr. Vue noted one of the main factors driving expenditure increase for the ensuing years is personal service adjustments which include general salary increases, employee compensation, and retirement rate adjustments. The Budget Office will continue to monitor the Board's revenues and expenditures then report back to the Board with expenditure projections as they continue to close fiscal months in the current fiscal year.

Board Member Osorio asked how much months-in-reserve the Board has. Mr. Vue responded the Board has over \$4.5 million in fund balance or 13.5 months.

Board Member Amy Matecki queried Mr. Vue if he is comfortable with the 13.5 month-in-reserve. Mr. Vue answered in the affirmative and stated that the Board has a very healthy fund.

(B) Strategic Plan Update

E.O. Bodea provided the strategic plan update. He noted the Board has completed action planning, which was the next phase of the strategic plan.

(C) Licensing Report Q3 FY 2023-24

Licensing Manager, Jay Herdt (Herdt) reported the data for Licensing, Continuing Education (CE), Tutorial, Training Programs, and Exam Results.

(D) Licensing Report Q4 FY 2023-24

Mr. Herdt reported the data for Licensing, CE, Tutorial, Training Programs, and Exam Results.

Board Member Osorio asked about the notable difference of passing rates among examinees. Mr. Herdt answered the difference can be attributed to the number of examinees a school have.

Board Vice President Yong Ping Chen (Vice President Chen) noted the growth of CE providers. Mr. Herdt explained the number of CE providers has been on a steady climb but noted that only around ten CE providers provide most of the courses.

(E) Enforcement Report Q3 FY 2023-24

E.O. Bodea reviewed the complaints/convictions and investigations data for Quarter Three of 2023-24 Fiscal Year (January 1 – March 31, 2024).

(F) Enforcement Report Q4 FY 2023-24

E.O. Bodea reviewed the complaints/convictions and investigations data for Quarter Two of 2023-24 Fiscal Year (April 1 – June 30, 2024).

Board Member Osorio asked if the enforcement statistics reflect pre-pandemic levels. E.O. Bodea affirmed workload and complaints are more reflective of pre-pandemic levels. He added cases are starting to move through more quickly and effectively.

(G) Business Modernization Update

Mr. Herdt reported the Board will begin developing its enforcement system. The Board will also continue to develop, refine, and maintain the current Connect system.

Board Member Osorio asked if the public could pay by debit card. Mr. Herdt responded the public can pay by debit card through Visa or Mastercard. The public could also pay via credit card, check, or cash.

Public Comment

A public comment was made asking if the business modernization will include the capability online to convert an inactive license to active. Mr. Herdt responded it will be available within the next few months. In addition, a manage-my-license function is also under development.

Item 8 – Department of Consumer Affairs Update

Judie Bucciarelli from the Executive Office of DCA gave the following updates below:

Budget Letter 24-20 - Vacancy Savings and Position Elimination

The Department of Finance has issued Budget Letter 24-20, implementing the Governor's proposal to reduce the state workforce by 10,000 positions, which equates to approximately \$1.5 billion dollars.

Governor's Appointments Office Update

Deputy Appointments Secretary Myri Valdez-Singh was appointed Deputy

Commissioner of Legislation at the Department of Financial Protection and Innovation. Going forward, Deputy Appointments Secretary Curtis Lang will oversee the healing arts boards, and Assistant Deputy Appointments Secretary Aubrey Anthony, will oversee the non-healing arts boards.

Updated Workplace Violence Prevention Policy and a New Training Requirement

SB 553 is a new law that became effective in January. SB 553 amended the California Labor Code to require California employers to develop and implement a workplace violence prevention plan and train all employees by July 1, 2024. As a result of this new law, DCA updated its current Workplace Violence Prevention Policy to include all requirements of SB 553.

Board Member Orientation Training (BMOT) – October 22, 2024

Board members must complete BMOT, within one year of appointment or re-appointment. On October 22, 2024, BMOT will be offered virtually.

Licensing Resources Webinar for Military Service Members and their Families

On July 31, DCA participated in a virtual military licensing webinar hosted by Navy Region Southwest. The webinar showcased DCA military licensing resources for active-duty military, veterans, and military spouses throughout California and Nevada Navy bases.

DEI Update

DCA's Diversity, Equity, and Inclusion (DEI) Steering Committee met on July 26, 2024. The meeting included discussion on DEI training, development of a workforce development survey from a DEI perspective, expanding language access, and DEI activities for inclusion in the DCA Annual Report.

Phishing Alert

As a reminder, Boards are urged to continue to be vigilant and cautious of potential phishing attempts and deceptive emails, texts, and calls to trick individuals into revealing sensitive information or installing malicious software.

Item 10 - Legislative Report

Policy Coordinator, Kristine Brothers (Brothers) provided a report on the bills of interest.

- AB 796 (Weber) Athletic trainers.
- AB 1991 (Bonta) Licensee and registrant renewal: National Provider Identifier
- AB 2269 (Flora) Board membership qualifications: public members
- AB 2862 (Gipson) Department of Consumer Affairs: African American applicants
- SB 1067 (Smallwood-Cuevas) Healing arts: expedited licensure process: medically underserved area or population

Item 11 – Regulatory Report

Ms. Brothers summarized the status of each Board regulatory package in progress.

Item 12 – Election of Officers

President Harabedian nominated Vice President Chen to be elected as president. Vice President Chen accepted. President Harabedian asked for additional nominations and none were offered.

MOTION

Board President Harabedian motioned that Board Vice-President Chen be elected president of the California Acupuncture Board.

Board Member Osorio seconded

Vote

Yes: Harabedian, Osorio, Chen, Kim, Li, Matecki

6-0 motion passes

President Harabedian nominated Board Member Francisco Hyun Kim (Kim) to be elected as vice president. Board Member Kim accepted. President Harabedian asked for additional nominations and none were offered.

MOTION

Board President Harabedian motioned that Board Member Kim be elected as vice-president of the California Acupuncture Board.

Board Vice-President Chen seconded

Vote

Yes: Harabedian, Osorio, Chen, Kim, Li, Matecki

6-0 motion passes

Item 13 – Future Agenda Items

Board Member Osorio sought to discuss in the next meeting a bill proposal that will have licensees automatically lose their license if they commit sexual misconduct.

Item 14 – Adjournment

President Harabedian adjourned the meeting at 4:29 p.m.