



**Professional Fiduciaries Bureau (Bureau)
Advisory Committee Meeting
Wednesday, March 9, 2022**

Meeting Minutes

Committee Members Present

Chi Elder, Chair
Bertha Sanchez Hayden, Vice Chair
Wendy Hatch
Elizabeth Ichikawa
James Moore
Denise Nelesen

Department of Consumer Affairs (DCA) Staff Present

Rebecca May, Bureau Chief
Angela Cuadra, Bureau Program Analyst
Fred Chan-You, DCA Legal Counsel

- 1) Call to Order – Ms. Elder called the meeting to order at 10:01 a.m. and stated the meeting was being held via WebEx with no physical public locations pursuant to Government Code section 11133 and Executive Order N-1-22.
- 2) Roll Call & Establishment of Quorum – Ms. Cuadra called roll. Committee members : Ms. Elder, Ms. Sanchez Hayden, Ms. Hatch, Ms. Ichikawa, Mr. Moore, and Ms. Nelesen were present via WebEx. A quorum was established with six members present.
- 3) Advisory Committee, Bureau Chief, Staff and Legal Counsel Introductions – Committee members, Bureau staff, and legal counsel introduced themselves.
- 4) Public Comment on Items Not on the Agenda –
Public Comment: None.
- 5) Reading of the Professional Fiduciaries Bureau Mission Statement –
Ms. May read the Bureau’s mission statement.
Public Comment: None.
- 6) Discussion and Possible Approval of the Advisory Committee Meeting Minutes from

December 8, 2021 –

Ms. Hatch requested the date on the minutes be corrected to Wednesday, December 8, 2021. Ms. Hatch motioned to approve the minutes with the proposed amendment. Ms. Nelesen seconded the motion. A vote by roll call was made: Ms. Elder, Ms. Sanchez Hayden, Ms. Hatch, Ms. Ichikawa, Mr. Moore, and Ms. Nelesen were in favor. There was no discussion from the committee members and the motion carried with six votes. Ms. Cuadra stated the minutes would be posted to the website as amended.

Public Comment: None.

7) Update from the Director's Office –

Mr. Brian Clifford, DCA Executive Office, thanked members for serving the Bureau during the pandemic. Mr. Clifford reported regarding the Department's Covid19 safety measures and remote meetings. Mr. Clifford reported AB 1733 was introduced to allow meetings to continue to be held remotely. If the bill does not pass, committee members should be prepared for an in-person meeting and to provide vaccination status or submit to testing prior to in person meetings. Mr. Clifford also stated that members' terms will be expiring on January 1, 2023, and members may reapply if they would like to continue serving on the Advisory Committee. Mr. Clifford provided an update on the DCA Enlightened Licensing Project with the purpose of standardizing licensing procedures across boards and bureaus. Finally, all members are required to file a form 700 each year.

Ms. Nelesen stated she understood members of the Advisory Committee do not have to complete a form 700. Ms. May stated that she would verify and report back. Ms. May verified later in the meeting that Professional Fiduciary Bureau Advisory Committee Members are not required to file a form 700.

Public Comment: A member of the public asked if public attendees would have to provide proof of vaccination or be tested, and Mr. Clifford replied that this requirement applies to only Advisory Committee members and Bureau staff.

8) Budget Report –

Ms. Harmony DeFilippo, Budget Analyst, presented the budget projection report and fund condition for the Bureau.

Ms. Hatch expressed concerns about the Bureau's potential insolvency, asked what the solution would be, and asked if the insolvency is due to the requirements placed on the Bureau by AB 1194. Ms May referred to the fund condition which reflects a Budget Change Proposal in this year's proposed Governor's Budget to provide additional spending authority for expenditures directly related to complying with AB 1994, which includes additional staff, and covering Attorney General and Subject Matter Expert costs.

Ms. Hatch asked if continuing meetings remotely would cover the costs and Ms. May replied it would not be enough to cover the cost and the Bureau is required to follow the Open Meetings Act, regardless Ms. Hatch also asked if this would cause a fee increase and Ms. May replied that it would and stated that although the costs to run the Bureau has increased each year, the fees for applicants and licensees have never gone up since the Bureau's inception. Ms. May stated these documents are only projections and the Bureau is not currently spending money to implement AB 1194, however the BCP would give the Bureau authority to do so., She also stated that the Bureau would have to go through the rulemaking process in order to raise fees.

Ms. Nelesen stated if fees are raised, there may be a decrease in licensees and asked if there is another way to raise funds. Ms. May explained as a licensing agency, the funds for the Bureau are paid solely through application and licensing fees. When new laws are imposed, the Bureau is required to development a plan to ensure the requirements are adequately funded. Ms. Elder asked the time frame for a fee increase and Ms. May replied the regulation process to increase fees will take approximately 18 to 24 months.

Public Comment: A member of the public commented that the inability to incorporate limits the number of persons who will apply to become licensed professional fiduciaries. Another member of the public commented if the Bureau decides to require CPAs be licensed by the Bureau, the only reason would be to collect fees as CPAs are already regulated by the Accountancy Board. Additionally, the budget handout is not able to be viewed on the internet. Finally, the fee increase will be 50-60% and the Bureau will lose licensees.

9) Legislative Update and Discussion –

Mr. Greg Pruden, DCA Legislative Manager, reviewed the legislative calendar and status of bills listed on the agenda and explained the difference between a GC-355 and the requirements of SB 602. He provided a memo which provided samples of each.

Ms. Hatch thanked Mr. Pruden for his presentation and expressed concerns that SB 602 infringes on HIPAA laws, the 30-day time frame is insufficient, the cost of follow up on the report will be borne by the conservatee, and other general privacy issues. Mr. Pruden thanked Ms. Hatch for expressing her concerns.

Ms. Sanchez Hayden also thanked Mr. Pruden for his research and noted there is no distinction for requirements between professionals and family members who act as conservators.

Public Comment: None.

10)Bureau Updates –

- Application Licensing and Enforcement Statistics –

Ms. May presented newly formatted licensing and enforcement statistics and thanked Ms. Elder for her suggestions for improving the statistical data provided by the Bureau. Ms. Ichikawa, Mr. Moore, and Ms. Hatch stated the handout was easier to follow.

- Outreach Events – Ms. May attended a SacFAST virtual outreach event with Mr. Moore on January 1, 2022. Ms. May asked the committee to inform the Bureau of any outreach events by email.
- E-Newsletter – Ms. May stated that the most recent newsletter was distributed to the interested parties list in January.
- Strategic Plan –Ms. May provided an update on the current strategic plan goals 4, 5, and 6 and announced that the Bureau will begin planning its 2023 strategic plan in the fall and explained the process of developing the new plan. A survey will be sent to the interested parties list and the committee members will be contacted to complete a phone interview.
- Website Updates – Ms. May stated there were two significant updates to the Bureau’s website since the last Advisory Committee meeting. The field for data entry of the aggregate value reported by licensees has been updated to allow larger values to appear accurately on the Bureau’s website. Additionally, the Bureau’s licensing page has been updated to include an option for licensees to submit their annual statement by email.
- Internal Consultant Update – Ms. May stated the Bureau is still reviewing this topic and this will be brought back at a future meeting.

Public Comment: None.

11)Strategic Plan Discussion of Recommendations from the Committee for Goal 3: Communication and Outreach –:

- Item 3.5 – Collaborate to identify opportunities for participation in outreach events to increase awareness of the Bureau and the fiduciary profession.

Ms. May began the discussion by asking the Advisory Committee members if they have ideas on how to enhance the Bureau’s outreach efforts. Ms. Sanchez Hayden

suggested social workers at hospitals may be a good resource. She also suggested a virtual open house may be a powerful way to build connections. Ms. Nelesen suggested APS offices. Ms. Ichikwa suggested contacting family justice centers. Ms. Elder agreed with a virtual engagement with agencies who serve the elderly population.

Public Comment: None.

12) Proposed Rulemakings Update –

Ms. May reported that the Bureau withdrew the retired and inactive license type regulation from the Office of Administrative Law (OAL) to address suggested amendments by OAL. The Bureau plans to revise the proposed regulation and refile it with OAL after another public comment period.

Public Comment: None.

13) Future Agenda Items –

Ms. Cuadra noted there were no agenda items requested to be added to a future agenda.

Public Comment: None.

14) Future Meeting Dates

- Wednesday, June 22, 2022
- Wednesday, September 14, 2022
- Wednesday, December 7, 2022

Committee members did not mention any scheduling conflicts for the future dates and were asked to contact Ms. Cuadra if any conflicts arise.

Public Comment: None.

15) Adjournment – The meeting was adjourned at 11:44 a.m.



MEMORANDUM

DATE May 19, 2022
TO Members of the Professional Fiduciaries Bureau Advisory Committee
FROM Rebecca May, Bureau Chief
Professional Fiduciaries Bureau
VIA Harmony DeFilippo, Budget Analyst
Department of Consumer Affairs
SUBJECT **Agenda Item 8: Budget Report**

Background:

The Professional Fiduciaries Bureau of California (Bureau) administers the Professional Fiduciaries Fund (Fund), which derives revenues through licensing-related fees to fund the Bureau's administrative, licensing, and enforcement functions.

FY 2021-22 (FM 10) Expenditure Projection Detail (see Attachment 8a)

This report includes 2020-21 budgeted and actual expenditures *compared* to 2021-22 budgeted and projected expenditures. Over this two-year period, costs remained relatively similar with some exceptions.

For 2021-22, the Bureau is projected to spend approximately \$592K, of which \$395K was expended on personal services costs and \$197K on operating expenses and equipment (OE&E), which is similar to 2020-21.

Any unspent funds (i.e., savings) remain in the Fund and are available for future appropriation. The Bureau notes prior-year savings of \$343K which included \$27K savings in OE&E costs.

Analysis of Fund Condition Statement (see Attachment 8b)

The attached fund condition statement (FCS) is based on the 2021-22 Budget Act and has been updated with Fiscal Month (FM) 10 projections. This also includes 2020-21 prior-year actual revenues and expenditures, which resulted in a fund balance reserve of \$343K (6.4 months). Other adjustments have also been included.

Revenues – The Bureau began 2020-21 with a fund balance of \$258K and collected approximately \$679K in revenues with \$122K from initial license fees, \$523K from license renewals, and approximately \$34K was collected from the issuance of citations, fines, delinquent fees, and other revenue.

For 2021-22 (current year), the Bureau projects revenues of \$632K and currently anticipates revenues to increase in the future. Approximately \$100K is projected from initial license fees and \$512K from renewal fees. Despite anticipating increased revenue in the future, actual revenues are lower this year than the year before. Though the cause is not clear, the Bureau and Department believe this may be related to general economic uncertainty related to the COVID-19 pandemic and inflation.

Expenditures – The Bureau’s 2021-22 current year appropriation is \$651K. The FCS projects ongoing expenditures with a three percent (growth factor) increase per year. The FCS shows the Bureau fully expending its appropriation ongoing. To the extent the Bureau does not fully expend its appropriation, any savings remains in the Fund for future use.

The Bureau notes, future legislation or other events could require the Bureau to request additional resources through the annual budget process, which would increase cost pressure on the Fund.

Fund Balance Reserve – The fund balance reserve reports the amount of funds remaining in the Fund at the end of any given fiscal year. The Fund has a statutory fund balance limit of 24 months, but typically 3 to 6 months is considered sufficient.

The fund balance reserve is currently declining due to a structural imbalance, and the Fund is projected to become insolvent in 2023-24.

Structural Imbalance – A structural imbalance occurs when projected revenues are less than anticipated expenditures.

The 2022-23 structural imbalance is projected at approximately \$300K and is anticipated to increase (and accelerate) in 2023-24, which will cause the Fund to become insolvent.

Because current law requires the Fund to remain viable and solvent, the Bureau is required to rectify these fundamental structural issues.

Action Required (future) – The Bureau will need to take action(s) to reduce or eliminate the structural imbalance to remain solvent. The Bureau has three options to reduce the structural imbalance: 1) reduce spending, 2) increase revenues, or 3) a combination of 1 and 2.

As previously noted, the Bureau had 2020-21 prior-year savings of approximately \$27K. However, the Bureau's costs are projected to increase from costs associated with new legislative mandates established by AB 1194 (Chapter 417, Statutes of 2021), which is drastically exacerbating the structural deficit.

The Bureau further notes, existing license fee types currently being assessed may be increased through regulations, which could eliminate the existing structural imbalance. Regulatory fee change proposals typically take 18 to 24 months for promulgate.

Bureau staff will be working with the DCA Budget Office to identify possible actions to reduce or eliminate the structural imbalance to ensure the Bureau remains solvent and able to fully meet its licensing and enforcement mandates.

Bureau staff will continue to update the Advisory Committee on its findings and potential strategies for addressing the structural imbalance as appropriate at future Advisory Committee meetings.

Department of Consumer Affairs

Expenditure Projection Report

Professional Fiduciaries Bureau

Reporting Structure(s): 11117000 Support

Fiscal Month: 10

Fiscal Year: 2021 - 2022

Run Date: 05/16/2022

PERSONAL SERVICES

Fiscal Code	Line Item	PY Budget	PY FM13	CY Budget	YTD	Projections to Year End	Balance
5100	PERMANENT POSITIONS	\$187,000	\$232,518	\$223,000	\$209,522	\$255,205	-\$32,205
5100	TEMPORARY POSITIONS	\$22,000	\$0	\$22,000	\$7,476	\$7,476	\$14,524
5105-5108	PER DIEM, OVERTIME, & LUMP SUM	\$0	\$600	\$0	\$0	\$600	-\$600
5150	STAFF BENEFITS	\$124,000	\$116,542	\$137,000	\$109,189	\$132,175	\$4,825
	PERSONAL SERVICES	\$333,000	\$349,660	\$382,000	\$326,187	\$395,456	-\$13,456

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	Line Item	PY Budget	PY FM13	Budget	YTD + Encumbrance	Projections to Year End	Balance
5301	GENERAL EXPENSE	\$5,000	\$248	\$2,000	\$231	\$431	\$1,569
5302	PRINTING	\$1,000	\$2,011	\$1,000	\$1,330	\$1,950	-\$950
5304	COMMUNICATIONS	\$1,000	\$335	\$1,000	\$404	\$404	\$596
5306	POSTAGE	\$2,000	\$176	\$2,000	\$84	\$200	\$1,800
5308	INSURANCE	\$0	\$41	\$0	\$0	\$41	-\$41
53202-204	IN STATE TRAVEL	\$4,000	\$0	\$4,000	\$0	\$0	\$4,000
5322	TRAINING	\$1,000	\$0	\$1,000	\$0	\$0	\$1,000
5324	FACILITIES	\$40,000	\$41,984	\$40,000	\$42,005	\$42,205	-\$2,205
53402-53403	C/P SERVICES (INTERNAL)	\$78,000	\$49,773	\$78,000	\$4,365	\$17,140	\$60,860
53404-53405	C/P SERVICES (EXTERNAL)	\$0	\$434	\$10,000	\$7,362	\$7,362	\$2,638
5342	DEPARTMENT PRORATA	\$107,000	\$103,500	\$125,000	\$125,000	\$125,000	\$0
5342	DEPARTMENTAL SERVICES	\$4,000	\$17	\$4,000	\$77	\$77	\$3,923
5344	CONSOLIDATED DATA CENTERS	\$0	\$1,405	\$0	\$0	\$1,405	-\$1,405
5346	INFORMATION TECHNOLOGY	\$1,000	\$211	\$1,000	\$531	\$531	\$469
5362-5368	EQUIPMENT	\$0	\$81	\$0	\$289	\$311	-\$311
54	SPECIAL ITEMS OF EXPENSE	\$0	\$194	\$0	\$0	\$0	\$0
	OPERATING EXPENSES & EQUIPMENT	\$244,000	\$200,411	\$269,000	\$181,678	\$197,057	\$71,943
	OVERALL TOTALS	\$577,000	\$550,071	\$651,000	\$507,865	\$592,513	\$58,487

	REIMBURSEMENTS (LESS)					-\$874	
	OVERALL NET TOTALS	\$577,000	\$550,071	\$651,000	\$507,865	\$591,639	\$59,361

9.12%

**3108 - Professional Fiduciaries Bureau Fund Analysis of Fund Condition
(Dollars in Thousands)**

Prepared 5.17.2022

2022-23 Governor's Budget with 2021-22 FM 10 Projections

	PY 2020-21	CY 2021-22	BY 2022-23	BY +1 2023-24	BY +2 2024-25
BEGINNING BALANCE	\$ 265	\$ 343	\$ 332	\$ 38	\$ -296
Prior Year Adjustment	\$ -7	\$ 0	\$ 0	\$ 0	\$ 0
Adjusted Beginning Balance	\$ 258	\$ 343	\$ 332	\$ 38	\$ -296
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$ 3	\$ 3	\$ 4	\$ 4	\$ 4
4127400 - Renewal fees	\$ 523	\$ 512	\$ 576	\$ 576	\$ 576
4129200 - Other regulatory fees	\$ 29	\$ 16	\$ 57	\$ 57	\$ 57
4129400 - Other regulatory licenses and permits	\$ 122	\$ 100	\$ 163	\$ 163	\$ 163
4163000 - Income from surplus money investments	\$ 2	\$ 1	\$ 8	\$ 0	\$ 0
Totals, Revenues	\$ 679	\$ 632	\$ 808	\$ 800	\$ 800
Totals, Transfers and Other Adjustments	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 679	\$ 632	\$ 808	\$ 800	\$ 800
TOTAL RESOURCES	\$ 937	\$ 975	\$ 1,140	\$ 838	\$ 505
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 550	\$ 592	\$ 1,050	\$ 1,082	\$ 1,114
9892 Supplemental Pension Payments (State Operations)	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 32	\$ 39	\$ 40	\$ 40	\$ 40
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 594	\$ 643	\$ 1,102	\$ 1,134	\$ 1,166
FUND BALANCE					
Reserve for economic uncertainties	\$ 343	\$ 332	\$ 38	\$ -296	\$ -661
Months in Reserve	6.4	3.6	0.4	-3.0	-6.8

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.
Expenditure growth projected at 3% beginning BY +1.
Expenditures General Salary 4.55% increase.

Professional Fiduciaries Bureau June 22, 2022 Legislative Update

Important Dates

- **Aug. 25**-Last day to amend bills on the floor
- **Aug. 31**-Last day for each house to pass bills

2022 Legislation Related to the Bureau

AB 1662 (Gipson) Licensing boards: disqualification from licensure: criminal conviction

Status: Pending referral to a committee by the Senate Rules Committee.

This bill would require a board to establish a process by which prospective applicants may request a preapplication determination as to whether their criminal history could be cause for denial of licensure by the board. The bill states that the preapplication determination may be requested by the prospective applicant at any time prior to the submission of an application and would require the board to include specified written information regarding the criteria used to evaluate criminal history and how the prospective applicant may challenge a denial by the board. It provides that a preapplication determination does not constitute a denial or disqualification of an application and prohibits requiring a preapplication determination for licensure or for participation in any education or training program. The bill would require a board to publish information regarding its process for requesting a preapplication determination on its website and authorizes the board to charge a fee, to be deposited by the board into the appropriate fund and available only upon appropriation by the Legislature.

AB 1663 (Maienschein) Protective proceedings

Status: Pending referral to a committee by the Senate Rules Committee.

This bill would revise various procedures in the conservatorship process. It would provide that, when equally qualified as other potential conservators, the Director of Developmental Services would be appointed subject to the existing order of preference. The bill would prohibit a regional center from acting as a conservator but would authorize the regional center to act as a designee of the director. The bill would only permit the appointment of the director as conservator if the proposed conservatee has not chosen another qualified person and would require the court to provide conservatees with written information regarding their rights and options, including a personalized list of the rights the conservatee retains. The bill would expand the annual duties and reporting requirements of court investigators conducting required visits to assess the progress of the conservatorship. The bill would revise the procedures for termination of a limited conservatorships by requiring the court to terminate an uncontested petition for termination under specified circumstances, without a hearing.

The bill would require the Judicial Council to establish a conservatorship alternatives program, within each self-help center, in each superior court. The conservatorship alternatives program would identify petitions for conservatorships in which less restrictive alternatives could be used to avoid conservatorship, including supported decision

making. The bill would designate the duties of court staff reviewing petitions under the conservatorship alternatives program, and would make communications with the program confidential.

The bill would establish, and define, a supported decision making process for adults with disabilities. It would authorize an adult with a disability to request, and have, adults or supporters present in any meeting or communication and would set forth the duties of supporters. The supportive decision making agreement would be informal or memorialized in writing, and would specify the elements of a written agreement. The bill would provide that a supported decision making agreement may be terminated by the adult with a disability, the supporters, or the terms of the agreement. The agreement would also be terminated, with respect to any supporter who is found liable for specified offenses. The bill would require the Judicial Council to establish and staff Supported Decision making Technical Assistance Program (SDM-TAP), which would be administered in consultation with a nonprofit organization with specified experience. The bill would require the SDM-TAP to provide support, education, and technical assistance, and to administer grants to expand and strengthen supported decision making. The bill would appropriate \$10,000,000 from the General Fund to the Judicial Council, to be allocated for purposes of implementing the conservatorship alternatives program and the SDM-TAP.

AB 1733 (Quirk) State bodies: open meetings

Status: Referred to the Assembly Committees on Governmental Organization and Business and Professions.

This bill would specify that a “meeting” under the act, includes a meeting held entirely by teleconference. The bill would require all open meetings to be held by teleconference, would allow for use of teleconference in closed sessions, and would remove existing provisions of the act that require each teleconference location to be identified in the notice and agenda and accessible to the public. The bill would instead require the state body to provide a means by which the public may remotely hear, or hear and observe, the meeting and may remotely address the state body via two-way audio-visual platform or two-way telephonic service, as specified, and would require information to be provided in any notice to the public indicating how the public can access the meeting remotely. The bill would require the state body to provide an opportunity for members of the public to address the state body. The bill would require the state body to provide members of the public a physical location to hear, observe, and address the state body, and would authorize the members of the state body to participate in a meeting remotely or at a designated physical meeting location, and specify that physical presence at any physical meeting location is not necessary for the member to be deemed present at the meeting. The bill would require the agenda to be posted 10 days in advance of the meeting, or as provided in accordance with the provisions applicable to a special or emergency meeting, as well as posted on the state body’s internet website and, on the day of the meeting, at any physical meeting location designated in the notice. The bill would also provide that the notice of the meeting is required to specify the means by which a meeting may be accessed by teleconference. The bill would prohibit the notice and agenda from disclosing any information regarding any remote location from which a member is participating, and

require members attending a meeting from a remote location to disclose whether any other individuals 18 years of age or older are present in the room, as specified. This bill would also exempt a board from the requirement to meet in northern and southern California each once a year if the board's meetings are held entirely by teleconference.

AB 2616 (Low D) Conservatorship and guardianship

Status: Held in the Assembly Appropriations Committee.

This bill removes the requirement that the Legislature makes an appropriation before certain duties imposed on court investigations and court oversight of guardianships and conservatorships are required. It would also require a guardian or conservator to avoid all conflicts of interest, and even the appearance of conflicts of interest. It would require a guardian or conservator to avoid interaction with an entity that benefits the guardian or conservator and that is not directly in the best interest of the ward or conservatee.

SB 602 (Laird) Review of conservatorships: care plans

Status: Referred to the Assembly Judiciary Committee.

This bill would require a conservator, within 30 days of appointment and 30 days before a hearing, to submit a care plan to specified persons regarding the care, custody, and control of the conservatee. The bill would require the Judicial Council to develop a form for the care plan, which would be required to include specified information, including descriptions of the conservatee's living arrangement and level of care and any plans to modify those within the next 12 months. This bill would impose sanctions for failure to timely submit a care plan; including a court imposed civil penalty of up to \$5,000 unless the court determines there is good cause to not impose a penalty. This bill would require the most recent care plan to be included within the court investigator's report, and would require the court to review the most recent care plan in determining the continuation or termination of the conservatorship.

SB 1005 (Wieckowski) Conservatorship: sale of personal residence

Status: Referred to the Assembly Judiciary Committee.

This bill would revise the provisions authorizing the sale of a conservatee's personal residence or other real or personal property of the estate, to specifically include the power to partition, or bring an action to partition, the personal residence or other real or personal property of the estate. This bill would also subject partition of the conservatee's present or former personal residence to the same conditions as would be applicable to the sale of the residence.

SB 1024 (Jones) Replacement of an incapacitated or deceased professional fiduciary

Status: Referred to the Assembly Judiciary Committee.

This bill would authorize specified parties to petition for the appointment of a professional fiduciary practice administrator to act as a temporary professional fiduciary when a professional fiduciary either becomes incapacitated or dies and a vacancy exists. It would require the petition to allege the estimated value of assets in each matter in which the professional fiduciary practice administrator will be acting in a temporary representative capacity. The bill would require the court to appoint the professional fiduciary practice administrator, and to require the professional fiduciary practice administrator to file a surety

bond in each matter in which they are appointed temporary successor. The bill would set forth compensation requirements for the professional fiduciary practice administrator and would also authorize the professional fiduciary practice administrator to petition for the appointment of a permanent successor. The bill would specify that the bill does not limit the authority granted to a court to remove or replace a guardian or conservator, personal representative, or trustee in accordance with specified provisions

[SB 1365 \(Jones\)](#) Licensing boards: procedures

Status: Held in Senate Appropriations Committee.

This bill would require each board within the department to publicly post on its website a list of criteria used to evaluate applicants with criminal convictions so that potential applicants for licensure may be better informed about their possibilities of gaining licensure before investing time and resources into education, training, and application fees. The bill would require the department to establish a process to assist each board in developing its internet website, as specified.

The bill would also require the department to develop a process for each board to use in verifying applicant information and performing background checks of applicants, and would require that process to require applicants with convictions to provide certified court documents, instead of listing convictions on application documents. The bill would also require the board to develop a procedure to provide for an informal appeals process that would occur between an initial license denial and an administrative law hearing.



LICENSING AND ENFORCEMENT STATISTICS

JULY 1, 2021-MAY 31, 2022

LICENSING STATISTICS

FISCAL YEAR 2021-22

TOTAL LICENSES ISSUED SINCE JULY 1, 2008

1,323

NUMBER OF ACTIVE LICENSES AS OF MAY 31, 2022

842

APPLICATIONS

Initial Applications Received FY 21-22: 80

Initial Licenses Issued FY 21-22: 68

PROCESSING TIME FOR COMPLETE APPLICATIONS

Quarter 1 (July-Sep):

25 days from receipt to approval to sit for exam
 22 days from passing exam to issuance of license

Quarter 2 (Oct-Dec):

23 days from receipt to approval to sit for exam
 15 days from passing exam to issuance of license

Quarter 3 (Jan-Mar):

15 days from receipt to approval to sit for exam
 5 days from passing exam to issuance of license

RENEWALS

Renewals Processed:

Quarter 1 (July-Sep): 205
 Quarter 2 (Oct-Dec): 207
 Quarter 3 (Jan-Mar): 173

TOTAL: 585

Processing Timeline:

Quarter 1 (July-Sep): 27 days
 Quarter 2 (Oct-Dec): 15 days
 Quarter 3 (Jan-Mar): 8 days

ENFORCEMENT STATISTICS

FISCAL YEAR 2021-22

COMPLAINTS RECEIVED

100

COMPLAINTS CLOSED

Opened in FY 18-19: 6
 Opened in FY 19-20: 40
 Opened in FY 20-21: 43
 Opened in FY 21-22: 39
TOTAL CLOSED: 128

AVERAGE DAYS TO CLOSE

459

COMPLAINTS PENDING

Opened in FY 18-19: 2
 Opened in FY 19-20: 3
 Opened in FY 20-21: 19
 Opened in FY 21-22: 61
TOTAL PENDING: 85

CITATIONS ISSUED

0

ATTORNEY GENERAL CASES INITIATED

0



OUTREACH EVENTS

Since the last Advisory meeting

- April 30, 2022 – Dixon Senior Resource Fair.

Upcoming Events

- None.