



Professional Fiduciaries Bureau
Post Office Box 989005
West Sacramento, CA 95798-9005
Telephone: (916) 574-7340 FAX (916) 574-8645
Website: www.fiduciary.ca.gov



Professional Fiduciaries Bureau Action Planning Meeting

**Tuesday, February 4, 2014
9:00a.m. – 4:00p.m**

**Meeting Location:
Department of Consumer Affairs – HQ1
1625 N. Market Boulevard, 1st Floor Hearing Room
Sacramento, CA 95834**

Committee Members

Marguerite Lorenz – Chair
Barbara de Vries, Vice Chair
Aileen Federizo
Prescott Cole
Kathleen Thomson
Diana Amaya
Hang Le To

- 1) Call to Order – Marguerite Lorenz, Chair
- 2) Roll Call – Julia Ansel, Bureau Chief
- 3) Introductions
- 4) Action Planning Session
- 5) Public Comment on Items Not on the Agenda (See "Note" below)
- 6) Adjournment

Note: The Professional Fiduciaries Bureau Advisory Committee may not discuss or take action on any matter raised that is not included in this agenda. The Committee may however decide to place the matter on the agenda of a future meeting.

Notice: The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting should make a request no later than five working days before the

meeting to the Bureau by contacting Angela Bigelow at (916) 574-7341, angela.bigelow@dca.ca.gov or by sending a written request to the Professional Fiduciaries Bureau, 1625 North Market Blvd., Ste. S-209, Sacramento, California 95834. Requests for further information should be directed to Ms. Bigelow at the same address and telephone number.

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MEMORANDUM

DATE	February 4, 2014
TO	Action Planning Meeting Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #1 - Call to Order- Marguerite Lorenz, Chair Agenda Item #2 – Roll Call – Julia Ansel, Bureau Chief

Advisory Committee Members:

Marguerite Lorenz – Chair

Barbara de Vries – Vice Chair

Aileen Federizo – California Licensed Professional Fiduciary

Prescott Cole – Governor Appointee – Nonprofit organization advocating on behalf of the elderly

Kathleen Thomson – Governor Appointee – Probate Court Investigator

Diana Amaya – Senate Appointee – Programs & Policy Coordinator for HOPE, a non-profit

Hang Le To – Speaker of the Assembly Appointee – Finance Coordinator for the San Francisco Labor Council



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MEMORANDUM

DATE	February 4, 2014
TO	Action Planning Meeting Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #3 - Introductions

Advisory Committee Members:

Marguerite Lorenz – Chair
 Barbara de Vries – Vice Chair
 Aileen Federizo – California Licensed Professional Fiduciary
 Prescott Cole – Governor Appointee – Nonprofit organization advocating on behalf of the elderly
 Kathleen Thomson – Governor Appointee – Probate Court Investigator
 Diana Amaya – Senate Appointee – Programs & Policy Coordinator for HOPE, a non-profit
 Hang Le To – Speaker of the Assembly Appointee – Finance Coordinator for the San Francisco Labor Council

PFB Staff Present:

Julia Ansel, Bureau Chief
 Sonja Merold, Chief, Division of Program & Policy Review
 Angelique Scott, DCA Legal Counsel
 Angela Bigelow, Program Analyst
 Jenny Turner, Staff Analyst



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MEMORANDUM

DATE	February 4, 2014
TO	Action Planning Meeting Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #4 – Action Planning Session

Attachment #1 - Strategic Plan

Attachment #1

DEPARTMENT OF CONSUMER AFFAIRS

PFB

PROFESSIONAL FIDUCIARIES BUREAU

Strategic Plan

2014-2016

**Professional
Fiduciaries
Bureau of California**

STATE OF CALIFORNIA

dca

DEPARTMENT OF CONSUMER AFFAIRS

**MEMBERS OF THE PROFESSIONAL FIDUCIARIES
ADVISORY COMMITTEE OF CALIFORNIA**

Marguerite Lorenz, California Licensed Professional Fiduciary,
(CLPF), Committee Chair

Barbara de Vries, CLPF, Committee Vice-Chair

Aileen Federizo, CLPF, Professional Member

Donna Estacio, Public Member

Prescott Cole, Elderly Advocate Representative

Kathleen Thomson, Probate Court Investigator

Julia Ansel, Bureau Chief

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MESSAGE FROM THE BUREAU CHIEF

It is with pleasure that I present the Professional Fiduciaries Bureau's (Bureau) 2014-2016 strategic plan. Our mission is "To protect consumers through licensing, education, and enforcement and by ensuring the competency and ethical standards of Professional Fiduciaries." To fulfill our mission, we must follow a realistic and achievable plan that focuses on accountability and attainable goals. This document will serve as a guide for the Bureau to continue to move forward as an effective and efficient organization.

Professional Fiduciaries work with individuals who may be vulnerable to abuse or financial exploitation. This strategic plan assists the Bureau in identifying key goals that will help improve our ability to continue to protect these potentially vulnerable consumers. Protection of the public is the highest priority for the Bureau in exercising its licensing, regulatory, and disciplinary functions. We are committed to informing and educating consumers about the vital role that Professional Fiduciaries serve in our State.

I would like to thank the members of the Bureau's Advisory Committee for their contribution to this document. Their willingness and enthusiasm to lend their professional knowledge to the Bureau is appreciated and admired.

As an advocate for consumer protection, I present the Professional Fiduciaries Bureau's strategic plan to the staff, consumers, licensees, and stakeholders as my pledge to continue to improve and enhance services the Bureau provides in this State.

Julia G. Ansel, Chief
Professional Fiduciaries Bureau
Department of Consumer Affairs

ABOUT THE PROFESSIONAL FIDUCIARIES BUREAU OF CALIFORNIA

Legislation enacted into law in 2007 established the Professional Fiduciaries Bureau (Bureau) for the purpose of regulating non-family member professional fiduciaries, including conservators, guardians, trustees, and agents under durable power of attorney as defined by the Professional Fiduciaries Act. The Professional Fiduciaries Act is comprised of the Business and Professions Code Section 6500, et. seq. and the California Code of Regulations, Title 16, Section 4400 - 4622.

Professional Fiduciaries provide critical services to seniors, persons with disabilities, and minors. Professional Fiduciaries manage matters for clients such as daily care, housing and medical needs along with offering financial management services ranging from bill paying to estate and investment management.

Requirements for licensing include passing an examination, completing thirty (30) hours of approved education courses, and earning fifteen (15) hours of continuing education credit each year for license renewal.

The mandate of the Bureau is to protect and serve the consumer by licensing and by enforcing the Professional Fiduciary Act and its regulations. To accomplish this, the Bureau ensures only applicants possessing the required education experience qualifications and examination requirements receive licenses.

The enabling statute to license Professional Fiduciaries was signed into law in 2007, thus establishing the Professional Fiduciary Advisory Committee. The Committee is comprised of a total of seven (7) members as outlined in the table below:

COMMITTEE MEMBER	MEMBERS	APPOINTED BY
Public Members	2	One member by Senate Rules Committee and one member by Speaker of the Assembly
Certified licensed professional fiduciary members	3	Governor
Probate court investigator	1	Governor
Non-profit organization advocating on	1	Governor

behalf of the elderly		
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The Governor also appoints the Bureau Chief. Bureau staff consists of 1.7 permanent positions.

The Bureau continually strives to enforce its mandate and mission in the most efficient manner by exploring new and/or revised policies, programs, and processes. The Bureau also actively works to increase the quality and availability of services, as well as providing courteous and competent service to all stakeholders.

RECENT ACCOMPLISHMENTS

As a part of the strategic planning process, the Advisory Committee evaluated its previous strategic plan goals and identified which objectives were accomplished. The following are the significant Bureau accomplishments since the 2010 strategic plan was adopted:

- Reduced expenses by implementing provisions of Senate Bill 543, Steinberg (Chapter 448, Statutes of 2011) authorizing the Bureau to enter into stipulated agreements with applicants and licensees.
- Conducted an occupational analysis and made revisions to the State and National portions of the licensing exam.
- Implemented a Cite-and-Fine program.
- Successfully partnered with the Department of Consumer Affairs' Division of Investigation to investigate complaints of misconduct and pursue unlicensed activity.
- Created and implemented an expert consultant process enabling the Bureau to conduct enforcement investigations more quickly and effectively.
- Improved education to consumers and licensees through updates to the Bureau's website, e-newsletter, brochures, and other promotional materials.
- Posted formal disciplinary accusations and cite and fines against licensed professionals on the Bureau's website.
- Created a social media presence for gathering and disseminating consumer information via YouTube and Twitter.
- Participated in the creation of the Senior Gateway web portal which is the Department of Consumer Affairs' one-stop website that connects seniors, their families, and caregivers with the information, services, and resources needed to find answers and solve problems.
- Recruited and appointed a new Bureau Chief with Professional Fiduciary experience.

OUR VISION

To protect, maintain, and enhance the quality of life for consumers by promoting the highest Professional Fiduciary standards.

OUR MISSION

To protect consumers through licensing, education, and enforcement by ensuring the competency and ethical standards of Professional Fiduciaries.

OUR VALUES

Consumer Protection – We make effective and informed decisions in the best interest of the consumer.

Accountability – We are accountable to consumers and licensees. We operate transparently and encourage public participation in our decision-making.

Professionalism – We are qualified, competent and skilled.

Integrity – We are honest, fair, respectful, and ethical.

Effectiveness – We make informed decisions in order to achieve positive, measurable results.

Initiative – We proactively seek solutions and improvements.

GOAL 1: LICENSURE

Promote licensing standards to protect consumers and allow access to the profession.

The objectives to meet this goal are listed below in order of priority.

1.1 Partner with other government agencies, professional associations and advocacy organizations to educate about Professional Fiduciary licensing requirements.

1.2 Create legislation for a Retired, Deceased, and/ or Cancelled license designation. Additionally, create legislation to allow reinstatement of a license when appropriate.

1.3 Update the Bureau's website to include current information on the licensing process.

1.4 Research the feasibility of creating a Specialty and/or Certification license type.

1.5 Research the feasibility of creating an Entry Level license type.

GOAL 2: ENFORCEMENT

Consumer quality of life is protected by the enforcement of laws and regulations governing the fiduciary profession.

The objectives to meet this goal are listed below in order of priority.

- 2.1** Actively seek out unlicensed activity in partnership with other government agencies.
- 2.2** Ensure adequate enforcement staffing levels to comply with Departmental enforcement timeframes.
- 2.3** Clarify the complaint process on the Bureau's website to better inform stakeholders. Provide information about mandated reporting on the complaint form.
- 2.4** Establish regulations for the Bureau's disciplinary guidelines.
- 2.5** Research and identify multi-professional licensees to determine potential conflict of interest or misuse of their Professional Fiduciary license.

GOAL 3: COMMUNICATION & OUTREACH

Consumers and licensees are proactively informed about the practice, regulation, and developments that affect the fiduciary profession.

The objectives to meet this goal are listed below in order of priority.

- 3.1** Establish relationships with other regulatory agencies, professional associations and advocacy organizations to educate consumers about the Professional Fiduciary Bureau.
- 3.2** Identify and use media opportunities to increase Bureau visibility and its activities.
- 3.3** Establish an electronic subscriber list for the e-newsletter and increase circulation by 30%.
- 3.4** Gather and disseminate stakeholder article submissions through the e-newsletter.
- 3.5** Identify other professional license types held by licensees to target Professional Fiduciary education and outreach efforts in these disciplines.

GOAL 4: PROFESSIONAL EDUCATION

Consumer protection is enhanced through initial and continuing education requirements for licensees.

The objectives to meet this goal are listed below in order of priority.

4.1 Standardize pre-licensing requisites for approved Professional Fiduciary educational programs.

4.2 Standardize continuing education requisites for approved Professional Fiduciary continuing education vendors.

4.3 Explore the legality and feasibility of providing self-study continuing education units through the Bureau's e-newsletter.

GOAL 5: REGULATION AND LEGISLATION

Protect consumers by enhancing regulation and legislation to meet evolving industry challenges.

The objectives to meet this goal are listed below in order of priority.

5.1 Establish regulations to require a licensee's Professional Fiduciary license number on advertisements.

5.2 Establish regulations for record retention and/or disclosure requirements.

5.3 If creation of an Entry Level license type is feasible, pursue legislative and regulatory changes and implement.

5.4 If creation of Specialty and/or Certification license types is feasible, pursue legislative and regulatory changes and implement.

5.5 Assess feasibility (and modify if appropriate) CCR 4446 to remove the list of approved education providers.

5.6 Establish legislation requiring licensees to disclose professional liability insurance.

5.7 Establish legislation to expand Professional Fiduciary licensure to include estate/probate administration, personal representatives and special administrators in parity with Business & Professions Code 6501(f)(2).

GOAL 6: ADMINISTRATION

Efficiently use resources and personnel to meet Bureau goals and objectives.

The objectives to meet this goal are listed below in order of priority.

6.1 Continue to monitor staffing levels to achieve Bureau's mandated goals and objectives in the areas of licensing, enforcement, and education.

6.2 Finalize internal Bureau policy and procedures manual.

6.3 Work to ensure successful implementation of the BreEZe system.

6.4 Create an assessment tool for staff in the Complaint Resolution Program to assist in triaging Bureau complaints to better protect the public and to reduce enforcement cycle times.

DEPARTMENT OF CONSUMER AFFAIRS

PFB

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MEMORANDUM

DATE	February 4, 2014
TO	Action Planning Meeting Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #5 – Public Comments on items not on the agenda (See “ Note ” below)

Public Comment:



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MEMORANDUM

DATE	February 4, 2014
TO	Action Planning Meeting Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #6 – Adjournment