



**Professional Fiduciaries Bureau (Bureau)
Advisory Committee Meeting**

**Wednesday August 19, 2015
10:00a.m. – 1:00p.m. or conclusion**

Meeting Location:

**Department of Consumer Affairs (DCA) – HQ2
1747 N. Market Boulevard, 1st Floor Hearing Room
Sacramento, CA 95834**

Committee Members

Barbara de Vries, Chair
Aileen Federizo, Vice Chair
Hang Le To
Kathleen Thomson
Jenny Chacon
Marguerite Lorenz

Webcast*

- 1) Call to Order – Barbara de Vries, Chair
- 2) Roll Call & Establishment of Quorum – Julia Ansel, Bureau Chief
- 3) Introductions
- 4) Professional Fiduciaries Bureau Mission Statement – Julia Ansel, Bureau Chief
- 5) Approval of the Advisory Committee Meeting Minutes from May 20, 2015
- 6) Updates from the Director's Office – DCA Executive Staff
- 7) Budget Report – DCA Budget Analyst
 - Budget Overview and Update
- 8) Legislative Update – DCA Legislative Analyst
 - Legislation Impacting the Bureau
 - AB 436
 - SB 589
 - Legislation Impacting All DCA Licensing Programs
 - AB 12
 - SB 467

9) Continuing Education Audit – Angela Bigelow, Program Analyst

10) Bureau Update – Julia Ansel, Bureau Chief

- Statistics
- E-Newsletter
- PFB Survey Update
- Teleconference Update

11) Continuing Education Course Approval Update

12) Future Agenda Items

13) Future Meeting Dates

14) Public Comment on Items Not on the Agenda (See "**Note**" below)

15) Adjournment

Please note: In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. Government Code Section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration. The public can participate in the discussion of any item on this agenda. If the committee does not offer public comment before going on to the next agenda item, the public may request the floor at the start of the next agenda item to comment on a prior agenda item.

Note: The Professional Fiduciaries Bureau Advisory Committee may take action on any of the above agenda items; however the 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 persons with disabilities. A person who needs 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.

*The Bureau plans to webcast this meeting on its website at www.fiduciary.ca.gov. Webcast availability cannot, however, be guaranteed due to limitations on resources. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location.

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.



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**Professional Fiduciaries Bureau (Bureau)
Advisory Committee Meeting
Wednesday, May 20, 2015**

Meeting Minutes

Committee Members Present

Barbara de Vries, Chair
Aileen Federizo, Vice Chair
Hang Le To
Jenny Chacon
Kathleen Thomson

Committee Members Absent

Marguerite Lorenz

DCA Staff Present

Julia Ansel, Bureau Chief
Angela Bigelow, Program Analyst
Angelique Scott, DCA Legal Counsel

- 1) Call to Order – Ms. Barbara de Vries called the meeting to order at 10:05 a.m.
- 2) Roll Call – Ms. Julia Ansel, Bureau Chief called roll. There were five members present, one member absent, and one vacant position. A quorum was established with five members present.
- 3) Introductions – Those in attendance introduced themselves.
- 4) Professional Fiduciaries Bureau Mission Statement – Ms. Ansel read the Bureau's mission statement and stated there would be the opportunity for public comment after each agenda item.
- 5) Approval of the Advisory Committee Meeting Minutes from February 4, 2015 – Ms. de Vries requested changes be made to the minutes as follows: page 2, line 27 change the word "document" to "documented". Page 3, line 10 change the word "that" to "who". Page 4, line 14 change the word "licensing" to "licensee".
Ms. Aileen Federizo motioned to approve the minutes with changes, Ms. Hang Le To seconded the motion, with a vote by roll call all were in favor, none were opposed, and the motion carried.
Public Comment: None.
- 6) Updates from the Director's Office – Department of Consumer Affairs (DCA) Deputy Director of Board and Bureau Relations Christine Lally announced the Senate Rules Committee confirmed Director Awet Kidane on May 5, 2015, with a vote of 4 to 0. A new member has joined the DCA Legislative team, Assistant Deputy Director Adam Quinonez. Ms. Lally thanked the members for

1 submitting their Form 700 on time and reminded the members 2015 is a mandatory year for all
2 employees to take the Sexual Harassment Prevention training.

3 Public Comment: None.

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5 7) Budget Report – Mr. Matt Nishimine, DCA Budget Analyst presented the Bureau's fund condition
6 of actual money spent through April 2015. He stated the budget is close but he will be working
7 closely with the Bureau Chief through the end of the year to stay under budget.

8 Public Comment: None.

9

10 8) Legislative Update – Ms. Julia Bishop, Legislative Manager, presented on the legislative process,
11 defined legislation major terms, and identified legislative staff involved in the process. The
12 legislative process begins with an idea, an author is found, and the bill is introduced. At this time,
13 nothing can be done for 30 days to the bill in order to give everyone a chance to review the bill.
14 The bill is then referred to one or more policy committees at the same time. If the bill passes the
15 policy committee(s) and has a fiscal impact, the bill is referred to the appropriations committee.
16 The bill must be read by the floor twice and can be voted on with the third reading. The bill then
17 goes to the second house. If there are any changes in the second house, the bill has to go back
18 to the first house. Finally, the bill goes to the Governor's office and is either signed or vetoed.
19 Included were the Assembly and Senate deadline calendars.

20 Ms. de Vries commented this is a very important presentation and she would like a more
21 extended presentation. Ms. Angela Bigelow stated all members newly and reappointed are
22 required to take Board Member Orientation Training within one year and this presentation will be
23 part of the training. Ms. Federizo asked if the Committee could propose legislation and Ms.
24 Bishop answered, the Committee cannot sponsor legislation, but can recommend changes to the
25 Bureau Chief.

26 Public Comment: None.

27

28 Ms. Bishop introduced Ms. Natalie Martin-Rojas to speak on legislation impacting the Bureau and
29 DCA

30 • Legislation Impacting the Bureau –

31 ➤ **AB 436 (Jones) Guardian or conservator: powers and duties** - This bill
32 clarifies that attorneys appointed by the court to represent conservatees in
33 dementia powers cases are to be discharged by the court or ordered to
34 continue representation upon the granting or denial of those powers.

35 ➤ **SB 155 (Hertzberg) Decedent's estates** - This bill authorizes
36 the trustee of a decedent's previously established trust, to
37 petition the superior court for an order to transfer real and
38 personal property, of any amount or value, from the decedent's
39 "pour-over will" to the trust.

40 ➤ **SB 269 (Vidak) Conservator appointments: compensation** -
41 This bill allows interested parties who are successful in their
42 petition for appointment of another, more appropriate person as
43 conservator, to recover compensation, reimbursement of
44 attorneys' fees and other costs incurred in connection with that
45 petition.

46 ➤ **SB 589 (Block) Voting: voter registration: individuals with disabilities
47 and conservatees** - This bill prohibits disqualifying a conservatee from
48 voting if he or she would need to complete an affidavit for voter registration
49 with reasonable accommodations. This bill also provides that a person is

1 presumed competent to vote regardless of conservatorship status and
2 clarifies the judicial procedures through which an individual with a disability
3 or under a conservatorship would lose his or her ability to vote. In order to
4 deem a person mentally incompetent and disqualified from voting, this bill
5 would require a court to make a finding of clear and convincing evidence
6 that the person cannot communicate, with or without reasonable
7 accommodations, a desire to participate in the voting process.

8 • Legislation Impacting All DCA Licensing Programs -

- 9 ➤ **AB 12 (Cooley) State government: administrative**
10 **regulations: review** - This bill would require every state
11 agency, department, board, bureau or other entity to review and
12 revise regulations to eliminate inconsistent, overlapping,
13 duplicative, and outdated provisions and adopt the revisions as
14 emergency regulations by January 1, 2018. Additionally, this bill
15 would require the Business, Consumer Services, and Housing
16 Agency to submit a report to the Governor and Legislature
17 affirming compliance with these provisions. These provisions
18 would be repealed by January 1, 2019.
- 19 ➤ **AB 750 (Low) Business and professions: licenses** - This bill
20 would allow all programs within the Department to issue a
21 retired license.
- 22 ➤ **AB 1060 (Bonilla) Professions and vocations: licensure** -
23 This bill would authorize a board, upon suspension or
24 revocation of a license, to provide the ex-licensee with certain
25 information pertaining to rehabilitation, reinstatement, or penalty
26 reduction through first-class mail or by electronic means.
- 27 ➤ **SB 467 (Hill) Professions and vocations** - This bill would
28 require the Legislature to approve pro rata distributions at the
29 Department. This bill would also require the Attorney General to
30 implement performance measures regarding case referrals. In
31 addition, this bill would direct the Division of Investigation
32 (Division) to work cooperatively with healing arts boards
33 regarding standard case referral to the Division. Finally, this bill
34 would extend the sunset for the Board of Accountancy.

35
36 Public Comment: None.

- 37
38 9) Continuing Education Audit – Ms. Bigelow announced that letters would be mailed to
39 approximately 5% of the licensee population for the upcoming continuing education audit. These
40 letters will be mailed within the next couple of weeks.

41 Public Comment: None.

42
43 10) Bureau Update –

- 44 • Statistics – Ms. Ansel presented the statistics for this Fiscal Year (FY) through
45 April 30, 2015, as follows:

Type	FY 4/15 through April 30, 2015	Comments
Licenses Issued	56	Last year at this time there were 72 issued. The Bureau is in line to issue approximately that many by the end of this FY
Active Licenses	655	
Total Licenses Issued	835	
Complaints Received	120	Usually approximately 100 per year so this number is up
Complaints Closed	72	
Complaints Pending	86	
Average Days to Close Complaint	75	
Accusations	3	
Citations	3	

1
2 Ms. Jenny Chacon asked if there is a target for the average days to close a complaint and Ms.
3 Bigelow answered the target is 180 days.

- 4
- 5 • E-Newsletter – The Bureau is waiting for the final approvals for the spring 2015 e-
6 newsletter and will be sending it out to the interested parties list as soon as the approvals
7 are received. The Bureau is now accepting articles for the winter 2015 edition.
 - 8 • Outreach – In the last six months the Bureau staff has attended approximately a half
9 dozen senior scam stopper events along with the Contractors State Licensing Board, a
10 senior rally at the State Capitol on May 6, 2015, and a senior health fair with approximately
11 50 vendors in Citrus Heights.
 - 12 • Professional Fiduciary Association of California Conference Update – The Bureau staff
13 attended this year's conference. There were approximately 750 attendees and the Bureau
14 hosted round table sessions about enforcement and complaints. The Bureau staff
15 received great questions as well as feedback from licensees and potential applicants.
 - 16 • PFB Survey Update – Ms. Ansel is working in conjunction with the DCA Strategic
17 Organization Leadership and Individual Development (SOLID) office to create a survey to
18 be sent to our licensees. The Survey will be sent out to the interested parties list with a
19 note that this survey is for licensees only.
 - 20 • General Bureau Updates – The Advisory committee now has six of the seven positions
21 filled and is working with the Governor's Office to fill the last position. Additionally, the
22 Bureau Chief will be full-time as of July 1, 2015.

23 Public Comment: None.

24 11) Discussion on Pre-licensing Segmentation – Ms. Ansel has assessed the proposal with the DCA
25 Legal, Legislative, and Executive offices and has decided not to implement this proposal at this
26 time. The Bureau is not seeing any indication that the structure of education requirements has
27 any correlation with complaints received. The Bureau would like to encourage the growth of this
28 industry and the Bureau will continue to stay focused on core responsibilities. However, the work
29 done by the Education Subcommittee was not in vain, the Bureau would like to use this
30 information to evaluate providers and courses for prelicensing and continuing education.

31 Public Comment: None.

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33 12) Future Agenda Items

34 -Evaluation of continuing education provider and course criteria.

35 Public Comment: None.

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- 2 13) Future Meeting Dates
- 3 -August 19, 2015, a request was made to look at doing a conference call meeting.
- 4
- 5 14) Public Comment on Items Not on the Agenda – None.
- 6
- 7 15) Adjournment – The meeting was adjourned at 11:23 a.m.

DEPARTMENT OF CONSUMER AFFAIRS
Fund 3108 - PROFESSIONAL FIDUCIARIES BUREAU

BUDGET REPORT
FISCAL YEAR 2014-15
ACTUAL EXPENDITURES
CALSTARS REPORT AS OF 6/30/2015

OBJECT DESCRIPTION	BUDGET ALLOTMENT	PERCENT SPENT	ACTUAL (MONTH 13)	UNENCUMBERED BALANCE
PERSONNEL SERVICES				
Salary & Wages	\$ 109,756	93.1%	\$ 102,193	\$ 7,563
Statutory Exempt	\$ 57,212	102.0%	\$ 58,355	\$ (1,143)
Temp Help (Seasonal)	\$ 22,000	50.9%	\$ 11,196	\$ 10,804
Committee Members	\$ 3,500	65.7%	\$ 2,300	\$ 1,200
Staff Benefits	\$ 81,945	116%	\$ 94,781	\$ (12,836)
TOTALS, PERSONNEL SVCS	\$ 274,413	98.0%	\$ 268,825	\$ 5,588
OPERATING EXPENSE AND EQUIPMENT				
General Expense	\$ 3,689	98.2%	\$ 3,623	\$ 66
Minor Equipment	\$ 4,700	20.6%	\$ 970	\$ 3,730
Printing	\$ 1,000	268.4%	\$ 2,684	\$ (1,684)
Communication	\$ 1,463	28.6%	\$ 419	\$ 1,044
Postage	\$ 2,014	99.9%	\$ 2,012	\$ 2
Facilities Operations	\$ 9,794	336.4%	\$ 32,947	\$ (23,153)
OIS Billing	\$ 20,818	97.9%	\$ 20,371	\$ 447
Public Affairs Prorata	\$ 598	4.7%	\$ 28	\$ 570
PCSD Prorata	\$ 168,895	96.9%	\$ 163,730	\$ 5,165
DP Maintenance & Supplies	\$ 1,162	82.0%	\$ 953	\$ 209
Central Admin Services - Pro Rata	\$ 35,027	100.8%	\$ 35,297	\$ (270)
Attorney General	\$ 50,000	72.3%	\$ 36,168	\$ 13,832
TOTALS, OE&E	\$ 339,806	98.2%	\$ 333,699	\$ 6,107
TOTAL EXPENSES	\$ 614,219	98.1%	\$ 602,524	\$ 11,695
NET APPROPRIATION	\$ 614,219	98.1%	\$ 602,524	\$ 11,695
Surplus/(Deficit):				1.9%

Professional Fiduciaries Bureau – Legislative Update

Legislation Related to the Bureau

SB 589 (Block) Voting: voter registration: individuals with disabilities and conservatees

This bill prohibits disqualifying a conservatee from voting if he or she would need to complete an affidavit for voter registration with reasonable accommodations. This bill also provides that a person is presumed competent to vote regardless of conservatorship status and clarifies the judicial procedures through which an individual with a disability or under a conservatorship would lose his or her ability to vote. In order to deem a person mentally incompetent and disqualified from voting, this bill would require a court to make a finding of clear and convincing evidence that the person cannot communicate, with or without reasonable accommodations, a desire to participate in the vote process.

Legislation Affecting all Departmental Programs

AB 12 (Cooley) State government: administrative regulations: review

This bill would require every state agency, department, board, bureau or other entity to review and revise regulations to eliminate inconsistent, overlapping, duplicative, and outdated provisions and adopt the revisions as emergency regulations by January 1, 2018. Additionally, this bill would require the Business, Consumer Services, and Housing Agency to submit a report to the Governor and Legislature affirming compliance with these provisions. These provisions would be repealed by January 1, 2019.

SB 467 (Hill) Professions and vocations

This bill would require the Legislature to approve pro rata distributions at the Department. This bill would also require the Attorney General to implement performance measures regarding case referrals. In addition, this bill would direct the Division of Investigation (Division) to work cooperatively with healing arts boards regarding standard case referral to the Division. Finally, this bill would extend the sunset for the Board of Accountancy.

Inactive and Enrolled Legislation

AB 436 (Jones) Guardian or conservator: powers and duties

This bill clarifies that attorneys appointed by the court to represent conservatees in dementia powers cases are to be discharged by the court or ordered to continue representation upon the granting or denial of those powers.

This is a 2-year bill

AB 750 (Low) Business and professions: licenses

This bill would allow all programs within the Department to issue a retired license.

This is a 2-year bill

AB 1060 (Bonilla) Cancer clinical trials

This bill would create the Cancer Clinical Trials Foundation in the Health and Human Services Agency, to be governed by a board of trustees. Members of the board would be appointed as specified. The bill would also create the Cancer Clinical Trials Fund, and would continuously appropriate this fund to the board, thereby making an appropriation. The bill would authorize the board to solicit and receive money, as specified.

This bill was amended to address a topic or program unrelated to the Department

SB 155 (Hertzberg) Decedent's estates

This bill authorizes the trustee of a decedent's previously established trust, to petition the superior court for an order to transfer real and personal property, of any amount or value, from the decedent's "pour-over will" to the trust.

This is a 2-year bill

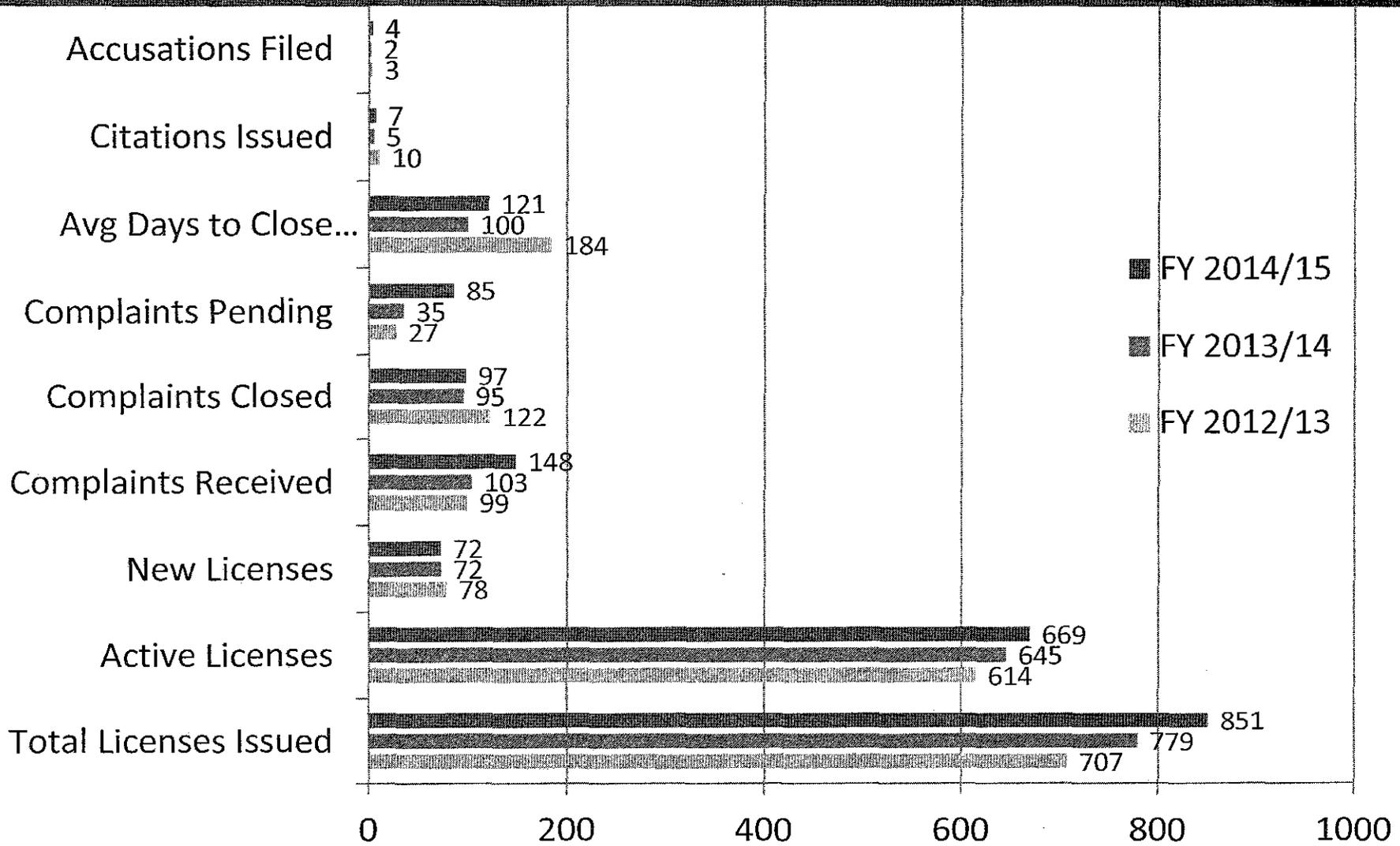
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This is a 2-year bill



Fiscal Year to Date Statistics





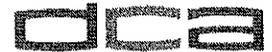
Professional Fiduciaries Bureau

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West Sacramento, CA 95798-9005

Telephone: (916) 574-7340 FAX (916) 574-8645

Website: www.fiduciary.ca.gov



CONTINUING EDUCATION COURSE APPROVAL CHECKLIST

The following checklist may help you be sure your application packet is complete. This will facilitate the timely processing of your application. Please check to make sure you have:

- Typed or clearly printed all sections of the application.
- Included a contact name and phone number.
- Signed and dated the application.
- Included a copy of the course syllabus.



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



COURSE APPROVAL OR CANCELLATION APPLICATION

California Code of Regulations, Title 16, sections 4444 and 4448 (e)

- COURSE APPROVAL**—Check this box for course approval. Type or print all entries and provide a copy of the course syllabus.
- COURSE CANCELLATION**—Check this box for cancellation of a class and complete Provider/Business Name and sections 1, 2, and 3 only. Type or print all entries.

PROVIDER/BUSINESS NAME: _____

1. Course Title:
2. Instructor(s) Name:
3. Date(s) Course Will be Offered:
4. Course Location:
5. Course Delivery: <input type="checkbox"/> Classroom <input type="checkbox"/> Online <input type="checkbox"/> Video <input type="checkbox"/> Other (please specify) _____
6. Overview/Description (please use additional sheet if needed):
7. Course Topic: <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Trusts <input type="checkbox"/> Durable Power of Attorney <input type="checkbox"/> California Court Systems <input type="checkbox"/> Ethics
8. Credit Type and Number of Hours: ___ General ___ Ethics
9. Contact Person: Name _____ Signature _____ Phone Number _____ Date _____