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**Professional Fiduciaries Bureau (Bureau)
Advisory Committee Meeting
Wednesday, February 4, 2015
Meeting Minutes**

**Department of Consumer Affairs (DCA) – HQ1
1625 N. Market Boulevard, 1st Floor Hearing Room
Sacramento, CA 95834**

Committee Members Present

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

DCA Staff Present

Julia Ansel, Bureau Chief
Jenny Turner
Angelique Scott, DCA Legal Counsel

- 1) Call to Order – Ms. Marguerite Lorenz called the meeting to order at 10:30 a.m.
- 2) Roll Call – Ms. Julia Ansel, Bureau Chief called roll. There were six members present one vacant position and a quorum was established.
- 3) Introductions – Each member introduced themselves. Ms. Ansel welcomed Jenny Chacon, the newest Committee Member. Ms. Ansel stated with AB 2720 passing on January 1, 2015, all votes would be taken by roll call on items that require action. The meeting started with Ms. Ansel reading the Professional Fiduciaries Bureau (Bureau) mission statement.
- 4) Approval of the Advisory Committee Meeting Minutes from November 18, 2014 – Ms. Kathleen Thomson motioned to approve the minutes as written, Ms. Aileen Federizo seconded the motion, with a vote by roll call all were in favor, none were opposed, and the motion carried.
Public Comment: None.
- 5) Updates from the Director's Office – DCA Deputy Director of Board and Bureau Relations Christine Lally reviewed training required to be completed by all Committee Members. Board Member Orientation Training is to be completed within one year of appointment and re-appointment. This training will be held March 18, 2015 in Sacramento, June 18, 2015 in southern California, and on a date to be determined in September 2015 in the bay area. Ethics training is to be completed within six months of appointment and repeated every two years. This is a two-hour on-line training. Sexual Harassment Prevention Training is required to be taken every odd

1 year and is provided as a webinar or in a classroom setting. Defensive driver training is an on-line
2 training and is required to be completed every four years.

3 Lastly, the deadline to turn in the Form 700 is April 1 of each year. Each Committee Member is
4 required to complete this form within 30 days of appointment, annually, and when leaving office.

5 Public Comment: None.

6
7 6) Budget Report – Mr. Tommy Nhan, DCA Budget Analyst presented the current budget for the
8 Fiscal Year 14/15 and Budget Year 15/16. Next year the Bureau Chief position will be increased
9 to a full-time position. The current year budget was set at \$610,637 and it is projected the Bureau
10 will spend \$607,915 which leaves a reversion of \$2,722 or .4%. The estimated revenue was set
11 at \$501,000 and is projected to be \$546,065. The Bureau's budget is always close, so the budget
12 office and the Bureau Chief work closely to stay on track.

13 Public Comment: None.

14
15 7) Legislative Update – Mr. Scott Allen, DCA Legislative Analyst presented on the following bills:

- 16 • Legislation Impacting the Bureau – Mr. Allen stated there have been no changes to any of
17 the bills since the Bureau's last meeting.
- 18 • Legislation Impacting All DCA Licensing Programs
 - 19 1. AB 809 only affects the Healing Arts Boards
 - 20 2. AB 1702 prohibits a licensing agency from denying a license based solely on an
21 applicant completing the requirements for licensing while incarcerated.

22
23 Ms. Lorenz asked if a license could be denied due to the crime? Ms. Scott answered, yes, but the
24 applicant cannot be denied based solely on the education being acquired while the applicant is
25 incarcerated.

- 26 3. AB 1711 requires state agencies to include an economic impact assessment in its
27 published initial statement of reasons documented for all proposed regulations.
28 The bill also requires the Department of Finance to provide, and periodically
29 update, instructions on how to prepare the economic impact assessment, which
30 will be placed in the State Administrative Manual.
- 31 4. AB 2396 prohibits a licensing authority under the Department from denying a
32 license based solely on a prior conviction if the conviction has been dismissed
33 pursuant to Penal Code expungement procedures.
- 34 5. AB 2720 amends the Bagley-Keene Open Act to require all state bodies, including
35 all licensing programs within the Department, to keep a record of, and publicly
36 report, every vote and abstention of each voting member on every action taken by
37 a board, committee, or commission.
- 38 6. SB 1159 requires all programs within the Department to accept an individual
39 taxpayer identification number (ITIN) from applicants in lieu of a social security
40 number (SSN) and explicitly directs the Department's licensing programs to issue
41 licenses to individuals qualified for licensure but are not legally present in the
42 United States.

43 Ms. Federizo asked does this allow an ITIN to be used in lieu of the SSN? Ms. Scott answered
44 according to Business and Professions Code section 30 individuals can provide either an ITIN or
45 SSN.

- 46 7. SB 1226 requires programs under the Department to expedite the licensure
47 process for individuals honorably discharged from the United States Armed Forces
48 and allows a program to assist the licensure process for these individuals.
- 49 8. SB 1243 makes a number of changes: 1) allows a program to provide a meeting
50 notice by regular mail, email, or both. 2) requires any program that intends to
51 webcast a meeting, indicate on the meeting notice it will be webcasted. 3) extends

current telephone disconnect authority from specific Department programs to all programs. 4) requires the Department to annually report additional enforcement statistics to the Legislature.

Ms. Ansel asked Mr. Allen to explain this bill further. Mr. Allen explained if a licensee is found to have advertised to offer services and is unlicensed; the program can contact the Public Utilities Commission to have the number disconnected.

9. SB 1256 requires all healing arts licensees to present patients with a specified notice and treatment plan that includes estimated costs and items to be pre-paid prior to facilitating a third-party line of credit for payment of medical expenses. The bill also forbids the arrangement of such a credit plan with a patient who is under the influence of anesthesia.

Public Comment: Mr. Jerry Desmond would like the record to reflect the Professional Fiduciary Association of California (PFAC) was in support of AB 2741 and AB 2024.

8) Bureau Update –

- Statistics – Ms. Ansel presented the statistics for this Fiscal Year (FY) through December 31, 2014 as follows and compared to the same timeframe last Fiscal Year through December 31, 2013:

Type	FY 13/14 (Dec 2013)	FY 14/15 (Dec 2014)	FY 14/15 (Jan 2015)
Licenses Issued	42	37	
Active Licenses	628	648	654
Total Licenses Issued	751	816	822
Complaints Received	54	81	
Complaints Closed	55	33	
Complaints Pending	26	83	91
Average Days to Close Complaint	87	82	120 (still under target Of 180 days)
Accusations	0	1	
Citations	2	2	

Ms. Federizo asked if the Bureau staff asks callers how they heard about the Bureau and Ms. Ansel answered this is something the Bureau may start doing.

- E-Newsletter – The Bureau is hoping to get the winter/spring edition out in March 2015 and is still accepting articles for the upcoming edition.
- Strategic Plan
 1. Update on Bureau's Completed Items – The Strategic Plan is posted on the Bureau's website. The Bureau has completed the following items: 1) AB 2024 passed and the Bureau can now work on regulations for retired and cancelled license statuses. 2) Item 2.2 has been completed with the hire of a full-time enforcement analyst. 3) Item 2.3 has been completed with a link on the website to the definition of mandated reporting and how to provide a report. 4) The Bureau is working on the disciplinary guidelines. 5) Media opportunities – the Bureau is now on Facebook and Twitter and attending Senior Scam Stoppers in the area. 6) Item 4.1 standardize prelicensing education – the Education Subcommittee has submitted a proposal to the Bureau Chief for consideration.
 2. Ms. Ansel asked that if any of the Committee Members have updates to please let the Bureau know.
- Collect Citation \$ through Franchise Tax Board (FTB) – Ms. Ansel informed the Committee there is a program through the FTB called Intercept which some Boards and Bureaus use to collect fines owed through the licensees tax refund payment. The Bureau is not

1 planning to use this service at this time as there is no issue in the collection of fines for the
2 Bureau.
3 Public Comment: None.
4
5 9) Bureau's New Publications – Ms. Ansel presented two new brochures one for licensees and a
6 checklist for consumers to use when interviewing to hire a fiduciary.
7 Public Comment: None.
8
9 11:35-11:45 – Break
10
11 10) Continuing Education (CE) Report – Ms. Ansel reported the Bureau can educate licensees about
12 CE requirements through the e-newsletter, interested parties list, and the home page of the
13 Bureau's website. The annual CE audit is coming up and the Bureau will be sending letters to
14 approximately 5% of the licensee population.
15 Public Comment: Ms. Bessey stated PFAC proposed to require PFAC Members to take a certain
16 number of hours in specific topics and the proposal was voted down. PFAC would like to see the
17 Bureau change the requirements.
18
19 11) Review Suggestions on Pre-licensing Segmentation – Ms. Ansel presented an outline of the
20 Education Sub-Committee combined recommendation with the recommended four categories of
21 study and subtopics within each of those categories. It was suggested if the Bureau does not go
22 ahead with regulations to segment the hours, that this list be used as a recommendation to
23 applicants and licensees of classes that should be taken to satisfy education requirements. The
24 following changes were recommend during the discussion:
25 Introduction to Being a Fiduciary and Best Practices
26 Change “Developing systems and practices in your office” to “Developing standards of practice,
27 internal controls, accounting systems, and record keeping”
28 Change “Bonding” to “Bonding and Professional Liability Insurance”
29 Services Dealing with the Person
30 Change “Hiring case managers” to “Hiring case managers and other vendors”
31 Services Dealing with Finances
32 Change “Basics of Estate Management” to “Basics of Estate/Probate Administration”
33 Understanding Public Benefits
34 No Changes
35 Public Comment – Ms. Bessey suggested adding, “Developing a Business Model” to the Introduction
36 section.
37 Ms. Ansel will make these edits and review with Ms. de Vries and talk with DCA staff and report back
38 to the Advisory Committee Members.
39
40 12) Committee Elections
41 • Chair – Ms. Thomson nominated Ms. de Vries, Ms. Aileen Federizo seconded the motion,
42 with a vote by roll call, all were in favor, none were opposed, and the motion carried.
43 • Vice Chair – Ms. de Vries nominated Ms. Federizo, Ms. To seconded the motion, with a
44 vote by roll call, all were in favor, none were opposed, and the motion carried.
45 Public Comment: None.
46
47 13) Future Agenda Items
48 -Posting education segmentation document as a recommendation on the Bureau's website.
49 -Outreach
50 Public Comment – None
51

- 1 14) Future Meeting Dates
- 2 -May 6, 2015 may be changed as the new Committee Chair cannot attend this date.
- 3 -August 19, 2015, or November 18, 2015, may be moved to Southern California.
- 4
- 5 15) Public Comment on Items Not on the Agenda – None.
- 6
- 7 16) Adjournment – The meeting was adjourned at 12:42p.m.