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**Professional Fiduciaries Bureau (Bureau)  
Advisory Committee Meeting  
Wednesday, August 19, 2015**

**Meeting Minutes**

**Committee Members Present**

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

**Committee Members Absent**

Jenny Chacon

**DCA Staff Present**

Julia Ansel, Bureau Chief  
Angela Bigelow, Program Analyst  
Gary Duke, DCA Legal Counsel

- 1) Call to Order – Ms. Barbara de Vries called the meeting to order at 10:10 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 May 20, 2015 – Ms. de Vries motioned to approve the minutes as written, 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 new hires at DCA. Ricardo DeLaCruz was hired as Personnel Officer in August and Sherri Gastinell as Assistant Personnel Officer in July. Our training office SOLID has a new Manager, Dana Nelson effective in September. An Enforcement meeting will be held quarterly with the Executive office and Bureau Chiefs to allow better communication and sharing of best practices.  
A prorata study was done in July as required by SB 1243. This one-time study was required to determine how expenses are distributed and the study was done by CPS HR Consultants. The

1 DCA will be using this survey as a starting point to improve operations. The results of this survey  
2 are available on the DCA website. Ms. Lorenz asked how we could bring awareness of the  
3 Bureau to other DCA professions and Ms. Lally replied the DCA newsletter. Ms. Ansel also stated  
4 the Bureau is developing a new publication, which can be distributed to other boards and  
5 bureaus.

6 Public Comment: None.

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8 7) Budget Report – Ms. Cynthia Dines, Manager of the Budget Office, presented the Fiscal Month  
9 13, which is the final actual budget for the Fiscal Year 14/15. The final reversion is 1.9% a  
10 savings of \$11,695, which was tight, and the budget is being watched very closely. A comfortable  
11 reversion is 3-5%.

12 A two-year Attorney General augmentation Budget Change Proposal has been submitted to the  
13 Department of Finance.

14 The overall fund condition is good and the Bureau brought in revenue of \$22,000 more than  
15 projected.

16 Ms. Federizo asked what the line item PCSD Prorata is and Ms. Dines explained this is the  
17 Program Consumer Services Division which includes; Complaint Resolution Program, Public  
18 Affairs, Consumer Information Center, Correspondence, and Outreach.

19 Ms. Lorenz requested an expanded budget presentation at the next meeting.

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21 Ms. Dines returned after agenda item number 12 on the agenda to present the Fund Condition for  
22 the Actual budget for Fiscal Year 14/15 and the projected budget for the Fiscal Years 15/16,  
23 16/17, and 17/18.

24 Public Comment: Mr. Counts commented the Bureau should address the budget now before the  
25 Bureau runs out of money.

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27 8) Legislative Update – Ms. Natalie Martin-Rojas presented the following legislative updates.

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29 • Legislation Impacting the Bureau –

- 30 ➤ **SB 589 (Block) Voting: voter registration: individuals with disabilities**  
31 **and conservatees** - This bill prohibits disqualifying a conservatee from  
32 voting if he or she would need to complete an affidavit for voter registration  
33 with reasonable accommodations. This bill also provides that a person is  
34 presumed competent to vote regardless of conservatorship status and  
35 clarifies the judicial procedures through which an individual with a disability  
36 or under a conservatorship would lose his or her ability to vote. In order to  
37 deem a person mentally incompetent and disqualified from voting, this bill  
38 would require a court to make a finding of clear and convincing evidence  
39 that the person cannot communicate, with or without reasonable  
40 accommodations, a desire to participate in the voting process. *This bill is*  
41 *going to the Assembly for its third reading on 8/20/2015.*

42 • Legislation Impacting All DCA Licensing Programs -

- 43 ➤ **AB 12 (Cooley) State government: administrative**  
44 **regulations: review** - This bill would require every state  
45 agency, department, board, bureau or other entity to review and  
46 revise regulations to eliminate inconsistent, overlapping,  
47 duplicative, and outdated provisions and adopt the revisions as  
48 emergency regulations by January 1, 2018. Additionally, this bill  
49 would require the Business, Consumer Services, and Housing

1 Agency to submit a report to the Governor and Legislature  
2 affirming compliance with these provisions. These provisions  
3 would be repealed by January 1, 2019. *This bill is going to the*  
4 *Assembly Appropriations Committee to be heard on 8/24/2015.*

- 5 ➤ **SB 467 (Hill) Professions and vocations** - This bill would  
6 require the Legislature to approve pro rata distributions at the  
7 Department. This bill would also require the Attorney General to  
8 implement performance measures regarding case referrals. In  
9 addition, this bill would direct the Division of Investigation  
10 (Division) to work cooperatively with healing arts boards  
11 regarding standard case referral to the Division. Finally, this bill  
12 would extend the sunset for the Board of Accountancy. *This bill*  
13 *is in the Assembly Appropriations Committee suspense file.*

- 14 • Inactive and Enrolled Legislation –

- 15 ➤ **AB 436 (Jones) Guardian or conservator:powers and duties**  
16 – This bill clarifies that attorneys appointed by the court to  
17 represent conservatees in dementia powers cases are to be  
18 discharged by the court or ordered to continue representation  
19 upon the granting or denial of those powers. *This is a 2-year bill*  
20 *and was chaptered 8/13/2015.*
- 21 ➤ **AB 750 (Low) Business and professions: licenses** – This bill  
22 would allow all programs within the Department to issue a  
23 retired license. *This is a 2-year bill.*
- 24 ➤ **AB 1060 (Bonilla) Cancer clinical trials** – This bill would  
25 create the Cancer Clinical Trials Foundation in the Health and  
26 Human Services Agency, to be governed by a board of trustees.  
27 Members of the board would be appointed as specified. The bill  
28 would also create the Cancer Clinical Trials Fund, and would  
29 continuously appropriate this fund to the board, thereby making  
30 an appropriation. The bill would authorize the board to solicit  
31 and receive money, as specified. *This bill was amended to*  
32 *address a topic of program unrelated to the Department.*
- 33 ➤ **SB 155 (Hertzberg) Decedent’s estates** – This bill authorizes  
34 the trustee of a decedent’s previously established trust, to  
35 petition the superior court for an order to transfer real and  
36 personal property, of any amount or value, from the decedent’s  
37 “pour-over will” to the trust. *This is a 2-year bill.*
- 38 ➤ **SB 269 (Vidak) Conservator appointments: compensation** –  
39 This bill allows interested parties who are successful in their  
40 petition for appointment of another, more appropriate person as  
41 conservator, to recover compensation, reimbursement of  
42 attorney’s fees and other costs incurred in connection with that  
43 petition. *This is a 2-year bill.*

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45 Public Comment: None.  
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1 9) Continuing Education Audit – Ms. Bigelow announced the Bureau is in process with the review of  
2 its second annual continuing education audit. Audit letters were sent to approximately 5% of the  
3 total licensing population on 6/19/2015 or 45 active licensees. Once the Bureau has completed  
4 the audit review, the findings will be listed in the bi-annual e-newsletter.

5 Public Comment: None.

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7 10) Bureau Update –

- 8 • Statistics – Ms. Ansel presented the statistics for this Fiscal Year (FY) through  
9 June 30, 2015 and a comparison to the two prior FYs, as follows:

Type	FY 14/15 through June 30, 2015	FY 13/14	FY 12/13
Licenses Issued	72	72	78
Active Licenses	669	645	614
Total Licenses Issued	851	779	707
Complaints Received	148	103	99
Complaints Closed	97	95	122
Complaints Pending	85	35	27
Average Days to Close Complaint	121	100	184
Accusations	4	2	3
Citations	7	5	10

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13 Ms. Lorenz asked if there is a reason for the increased complaints received and what is the  
14 nature of the complaints. Ms. Ansel believes the increase may be due to outreach and more  
15 consumers becoming aware of the Bureau and there is a wide range of types of complaints  
16 but mostly education. Ms. Thomson asked for a definition of Accusation and Mr. Gary Duke  
17 responded this is a formal charging document filed by the Attorney General office.

18 Public Comment: Mr. Counts commented the total active licenses might be showing a trend of net  
19 decrease in active licensees.

- 20 • E-Newsletter – The Bureau distributed the e-newsletter to the interested parties list on  
21 June 4<sup>th</sup>. The Bureau is now accepting articles for the fall 2015 edition and any ideas on  
22 how to improve the newsletter.
- 23 • PFB Survey Update – Within the next couple of weeks, the Bureau will be sending out a  
24 25 question anonymous survey to obtain general feedback in regards to practice, trends,  
25 and challenges via the interested parties list with a note that this survey is for licensees  
26 only.
- 27 • Teleconference Update – The Bureau has reserved this room for the November meeting in  
28 order to allow committee members to access the meeting via conference call in lieu of  
29 attending in person. Please notify Ms. Bigelow by October 1, 2015 if you would like to  
30 attend via conference call. The location you are calling from must be at a location that is  
31 ADA compliant and open to the public. The location address will be posted on the  
32 agenda.

33 Public Comment: None.

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36 11) Continuing Education Course Approval Update – Ms. Bigelow presented two new forms, which  
37 will be posted on the Bureau’s website to be completed and submitted to the Bureau by education  
38 providers who wish to have their courses approved by the Bureau for pre-licensing and continuing

1 education. Until now, providers of education have had to obtain approval from the providers listed  
2 on the Bureau's website and in section 4446 of the California Code of Regulations. The names of  
3 these providers were set in regulations when the Bureau first started. Now a provider will be able  
4 to request authorization to provide a course directly from the Bureau and the course will be listed  
5 on the Bureau's website once the course is approved.

6 Public Comment: None.

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8 12) Future Agenda Items

9 -PCSD Prorata extended budget report.

10 -CE Audit update.

11 -Survey update.

12 -Report on approved courses

13 -New "What is a Professional Fiduciary" publication update.

14 Public Comment: None.

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16 13) Future Meeting Dates

17 -November 18, 2015 – Teleconference available (please request by Oct 1, 2015).

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19 14) Public Comment on Items Not on the Agenda – None.

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21 15) Adjournment – The meeting was adjourned at 11:46 a.m.