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Professional Fiduciaries Bureau Education Subcommittee Meeting November 19, 2013

**Department of Consumer Affairs
1625 N. Market Blvd., 1st Floor Hearing Room
Sacramento, CA 95834**

Committee Members Present

Barbara de Vries, Subcommittee Chair
Kevin Urbatsch, Subcommittee Vice Chair
Prescott Cole

Staff Present

Julia Ansel, Bureau Chief
Sonja Merold, Acting Chief, Division of Programs and Policy Review
Angelique Scott, DCA Legal Counsel
Angela Bigelow, Program Analyst

I. Call to Order – Barbara de Vries, Subcommittee Chair
The meeting was called to order by Ms. Lorenz at 9:08am.

II. Introductions/Role of Subcommittee – Julia Ansel, Bureau Chief
Those in attendance introduced themselves. Ms. Ansel explained according to the minutes from the April 3, 2013 Advisory Committee meeting, the role of the education Subcommittee is to: explore new education opportunities, review existing opportunities and suggest improvements, and look at improving the existing regulations. The Subcommittee should report back to the full Advisory Committee.

III. Purpose of Subcommittee – Julia Ansel, Bureau Chief
Ms. Ansel stated according to the minutes from the April 3, 2013 Advisory Committee meeting, the Bureau asked that the Subcommittee offer advice and direction for Bureau staff on how to approve education providers and education courses. This would help to assist the Bureau in the future. Ms. de Vries asked if the criteria would also be used to look at existing providers and possibly remove the providers from the Bureau's existing list. Ms. Scott stated the subcommittee can develop criteria for the Bureau and the Bureau staff can advise current providers if they no longer qualify and the Bureau could work with the provider to re-qualify if possible. The provider will have to re-apply once criteria is established. At this time the providers are in the actual regulation and cannot be removed without a regulation change.

IV. Bagley-Keene Open Meeting Act – Julia Ansel, Bureau Chief
Ms. Ansel explained the Bagley-Keene Act does apply to subcommittees and referred the committee members to page 3, paragraph 3 which defines a public meeting to be a

meeting when 3 or more committee members are present. This subcommittee consists of 3 persons and is required to be noticed and open to the public. The meetings can be held as it is today, prior to the full Advisory Committee Meeting or by teleconference. If the meeting is held by teleconference, all locations must be open to the public and meet the requirements of the Bagley-Keene Act and must also be ADA compliant. The Subcommittee Chair must work with the Bureau staff to notice the meeting and Bureau staff must be present at the meetings.

V. Discussion on adding additional members to the committee

Ms. Ansel explained the subcommittee can decide to add additional members to the subcommittee. If the subcommittee decides to add additional members, the subcommittee will also need to decide how those members will be recruited/accepted into the subcommittee.

Mr. Cole stated he believes it is essential to start with a small core and feels a committee of 3 is sufficient at this time.

Ms. de Vries stated she has had a request for someone to join but feels if the meetings are open to the public, then it is fine to leave the committee at 3 members and allow public comment to be received at the public meetings. Mr. Urbatsch agreed and stated that more members could be added at a later date if needed.

VI. Committee to discuss items to be addressed in regard to education

Ms. de Vries stated the subcommittee has had the certificate programs present at the Advisory Committee. Today will be UC Riverside. Next time will be Berkeley. Then the subcommittee can work on standardization between the programs and make recommendations.

Ms. de Vries would like to see applicants complete an internship before entering the programs. The internship requirement would be to serve a specific amount of time working with a licensed Professional Fiduciary or mentoring group. Ms. Ansel asked if this would be required by the certificate program or the Bureau. Ms. de Vries would like to research this. Ms. Scott stated if this is going to be a requirement prior to licensure it could be part of the 30 hour requirement. Also, it could be a requirement in the section for approving providers.

Mr. Cole would like to have a category that requires providers to include in their educational packet areas of advocacy for the client. This would include education of what is going on in nursing homes, residential facilities, and assisted living facilities so Professional Fiduciaries would understand what is happening and how best to advocate for their clients. Also, there is a need for understanding government programs such as Medicare and long term care and how you qualify for these programs. Another area the Professional Fiduciaries should be trained in is spotting scams. There are a lot of scams and traps out there and the licensee should know how to spot these scams.

Mr. Urbatsch would like to see a practical component as well as adding in the advocacy material. Mr. Urbatsch would like to see that within the requirement those hours be carved out and specific hour requirements be given to each component. Mr. Urbatsch would also like to see the hours required increased. Ms. Scott stated the hours cannot be increased without a change in legislation. Ms. Scott asked that the subcommittee members review the regulations for education requirements specifically sections 4440 through 4444. The subcommittee can recommend to the Bureau how to split up the hours and request the regulations be amended. Any internship hours would also have to be included within the hours required in the regulations, the Bureau cannot make this a separate section. Mr. Urbatsch asked if the Bureau has the authority to require the

certificate programs to include an internship component. Ms. Scott replied the Bureau has authority only in what applicants are required to complete.

Mr. Cole asked if the subcommittee members can share information with each other outside of the meetings. Ms. Scott replied it would be best to forward to the Bureau staff and the staff can distribute the information.

Ms. Bigelow clarified the topics that would be shared at the Advisory Committee Meeting:

Including internship within the 30 hour prelicensing requirement and whether this would be a requirement by the providers or the Bureau. Including advocacy with information on nursing homes, residential facilities, and assisted living facilities to be included in education requirements. Also including spotting scams and information about government benefits. A practical component to be included in the education hours and breaking the hours up and requiring a certain number of hours on each topic.

Ms. Lorenz suggested requirements of ICB.com be looked at as the training is set up much like what she heard at this meeting. She has talked to new licensees who have stated CSUF classes are disconnected from the Professional Fiduciary exam and the preparation is not relevant to prepare for the exam. She suggested that as education requirements are improved, the exam should also be updated to reflect the changes.

Ms. Bessey stated she is in agreement with segmenting credits and PFAC is looking at doing this also. Internship is a concern for PFAC as there is a liability for the licensee. PFAC does agree with mentoring.

Ms. Scott reviewed items that were brought up in previous meetings in regard to the education subcommittee. Adding a self-study quiz on the e-newsletter was suggested at a previous meeting. Mr. Cole stated this would be low on the list for the subcommittee.

Ms. Scott also stated there was a request to change the list of providers in CCR 4446.

Ms. de Vries asked for clarification. Ms. Bigelow clarified the providers are written in the regulations and to add, delete, or change providers requires a regulation change. Most other Boards and Bureaus list them on the website not in regulations.

VII. Future Meeting Dates

Ms. Ansel stated the subcommittee members could decide if they would like to meet prior to the full Advisory Committee Meeting or by teleconference. Ms. Bigelow explained the notice must be posted on the website and mailed to the interested parties list at least 10 days prior to the meeting. Mr. Cole asked if all materials have to be posted for the public. Ms. Scott stated yes they would need to be available for the public at the meeting. Mr. Cole suggested the meetings be held by teleconference due to the location of the members and that the meetings should be held more than once a quarter. The Education Subcommittee will meet on December 12, 2013 at 9:30am.

VIII. Adjournment

The meeting was adjourned at 10:05a.m.

