



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 Education Subcommittee Meeting Thursday, December 12, 2013

**Myers Urbatsch P.C.
625 Market Street, 4th Floor
San Francisco, CA 94105**

Committee Members Present

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

Staff Present

Julia Ansel, Bureau Chief
Angela Bigelow, Program Analyst

- I. Call to Order – Barbara de Vries, Subcommittee Chair
The meeting was called to order by Barbara de Vries at 10:04am.
- II. Introductions/Roll Call – Julia Ansel, Bureau Chief
Those in attendance introduced themselves. Ms. Ansel took roll call and there were three members present.
- III. Approval of Minutes of the Education Subcommittee Minutes from the November 19, 2013 Meeting
Mr. Urbatsch moved to approve the minutes and written, the motion was seconded by Mr. Prescott. There were none opposed and the motion carried.
- IV. Purpose of Subcommittee – Julia Ansel, Bureau
 - Discussion on Committee Developing a Criteria List to Assist Bureau in Evaluating/Approving Providers
The purpose of the subcommittee is to create criteria for the Bureau to use in order to evaluate new educational providers. The Bureau has had several requests from providers to obtain approval from the Bureau. Applicable laws and regulation were included in the meeting packet to assist the subcommittee members with the creation of this criteria. Mr. Urbatsch asked if current staffing is sufficient to add this to the Bureau's workload.
 - Review of Current Laws and Regulations that pertain to Education
Ms. Bigelow explained the Bureau has authority to approve courses but does not have a procedure in place and once there is a procedure, the Bureau will determine if more staff is needed. Ms. Ansel stated it will depend on how many requests are made to the Bureau.

All the subcommittee members agreed that having control over which courses are approved would be important for the Bureau.

Ms. Bessey of PFAC will provide vetting formulas and criteria used by PFAC to assist with the subcommittee's review.

V. Internship Discussion – Barbara de Vries, Subcommittee

- **Feasibility of Requiring Internship**
Ms. de Vries would like to see a requirement of internship prior to licensure for Professional Fiduciaries. She has checked with her errors and omissions insurance provider and was told having an intern in her office would be covered by her insurance.
- **Feasibility of Continuing Education Provider Requiring Internship**
In order for the certificate programs to require internship as part of their program, the law would have to be changed to require a certificate program be completed in order to apply for licensure. At this time many students are not completing the certificate programs and it may be because the requirement for licensure is thirty hours.
- **Feasibility of the Bureau Requiring Internship**
The Bureau cannot require an internship program at this time unless it falls within the thirty hours of prelicensing education stated in statute. PFAC will look into pursuing a legislative change in this section.

VI. Specific Subject Matter Requirements for Continuing Education – Prescott

A Professional Fiduciary Licensee must have the ability to navigate a client through California's long-term care system and be able to protect the client from being financially exploited. The educational requirements to become a licensed Professional Fiduciary Licensee should specify that, among the tasks and knowledge a practitioner is expected to possess is a basic knowledge of California's long-term care system, elder financial scams involving unsuitable products or services, and a rudimentary understanding of California senior consumer protection laws.

- **Advocacy**
To become licensed the fiduciary should be exposed to all aspects that may be required and know where to look if more information is needed. The Professional Fiduciary needs to know what to do when a client begins to decline and needs assisted living or nursing care and need to know the difference between the different levels of care.
 1. Nursing Homes
 2. Residential Facilities
 3. Assisted Living Facilities
- **Spotting Scams**
Professionals prey on elderly clients and the Professional Fiduciary needs to have updated training on current scams and what types of services may be unsuitable for their client.
- **Government Benefits and Programs**
A Professional Fiduciary should be aware of and determine which government benefits and programs their client may qualify for. For example, Medi-cal does not require a person to be completely impoverished to qualify. The Professional Fiduciary needs to know the various programs and requirements so that they can best serve the client.

Mr. Cole included fact sheets with helpful information in the meeting packet and basic laws Professional Fiduciaries should be aware to best serve their clients. He would like this components included in the education requirements and believes they would best fit under the ethics section.

VII. Practical Component and Increasing Pre-licensing and Continuing Education Hours Requirements – Kevin Urbatsch, Subcommittee Vice Chair

- Including a Practical Component within the Required Education Hours
This subject was discussed earlier in the meeting.
- Specify within the Hours Requirement the Number or Percentage of Hours Required in Each Subject
The subcommittee discussed possible ways to break up the hour requirements. It was decided that the members will come to the next meeting with the percentage of education they believe should be required for each subject area.
- Increase the Number of Required Hours
As discussed earlier in this meeting, PFAC will look into pursuing a legislative change to allow the Bureau to increase the number of prelicensing hours required.

VIII. Tasks to be Completed by Subcommittee Members Prior to the Next Meeting
Each of the subcommittee members will return to the next meeting with their suggestion of how education hours should be divided into sections and what subject matters should be included in each section.

Ms. de Vries will reach out to the certificate programs for their feedback on requiring internships in the certificate program.

The Bureau staff will ask the DCA Legislative office if it is possible to add legislative changes in the sunset review. The Bureau will also provide updated exam passage rates. Finally, the Bureau will arrange a presentation on the approved process for exam creation and evaluation.

IX. Future Agenda Items

Breaking up education hour requirements

Exam passage rates

Exam presentation

Certificate program feedback on requiring internships

Discussion on appropriate criteria for course approval

X. Future Meeting Dates

February 5, 2014 at 9:00a.m. in Sacramento.

XI. Adjournment

The meeting was adjourned at 12p.m.

