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Professional Fiduciaries Bureau Education Subcommittee Meeting Monday, February 3, 2014

**Department of Consumer Affairs – HQ1
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, Subcommittee Member

Staff Present

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

- I. Call to Order – Barbara de Vries, Subcommittee Chair
The meeting was called to order by Barbara de Vries at 9:35am.
- II. Introductions/Roll Call – Julia Ansel, Bureau Chief
Ms. Ansel took roll and there were three members present. Those in attendance introduced themselves.
- III. Approval of Minutes of the Education Subcommittee Minutes from the December 12, 2013 Meeting
Mr. Prescott moved to approve the minutes as written, the motion was second by Mr. Urbatsch. There were none opposed and the motion carried.
- IV. Examination Passage Rates – Julia Ansel, Bureau
Ms. Ansel stated the Center for Guardianship Certification (CGC) develops the national and state portions of the exam and the passage rates are reported to the Bureau by CGC. In 2012 the passage rate for the national portion of the exam was approximately 80% and in 2013 it was approximately 69%. In 2012 the passage rate for the state portion of the exam was approximately 70% and in 2013 it was approximately 59%. Ms. de Vries asked if it was the same exam both years and how often is the exam given. The exam was updated in August of 2012 and the exam is given on a daily basis. Ms. de Vries asked why there was a drop in the passage rates and Ms. Ansel answered she could not infer why there was a drop, but the exam was evaluated and changes were made in August of 2012. Mr. Urbatsch asked how many candidates took the exam and Ms. Ansel stated we would provide the number at the next subcommittee meeting. Mr. Cole asked if the candidate takes the same exam if he/she fails the first time and Ms.

Bigelow explained there are three versions of each portion and it is possible the candidate would receive the same exam after the third time.

Mr. Counts made a public comment and asked how many within this percentage have taken the exam more than one time and Ms. Ansel stated the Bureau will see if CGC can provide this information for the next subcommittee meeting.

V. Examination Process – Sonja Merold, Acting Chief, ~~of the~~ Division of Programs and Policy Review

Ms. Merold was on the agenda to discuss the Examination Process but Ms. Ansel stated that Ms. Merold was not able to attend this meeting due to a scheduling conflict and this agenda item would be tabled until the next subcommittee meeting. Mr. Cole would like an analysis of complaints against licensees and how many times the licensee took the exam to see if there is a correlation between the two. Ms. Lorenz made a public comment stating she has received feedback from applicants and licensees that they did not have the proper training needed to pass the exam and asked the subcommittee members to use the [PSI] Psychological Services, LLC candidate information bulletin as an outline to create or change education criteria.

VI. Dividing Education Hour Requirements by Subject Matter

Mr. Urbatsch asked if there is a study on areas licensees are interested in working in. Ms. de Vries stated [PFAC] Professional Fiduciaries Association of California has done a survey on this and Ms. Ansel suggested one of the subcommittee members work with PFAC if this information would be beneficial in dividing the hours. Mr. Cole stated the division should reflect the client's needs with at least 1/3 of the hours to be in elder advocacy and 2/3 for substantive material. Each subcommittee member has started a draft of how to divide the hours. Ms. de Vries would like the division to be: 1 - introduction to include conservatorships, trusts, power of attorney and decedent estates. 2 – conservatorships to include the person, estate and healthcare. 3 – trusts to include all types of trusts. 4 – accounting to include court accountings. 5 – use of other professions and how to interface with other professions. Mr. Cole suggested the hours be divided by percentages so if legislation changes in the future, the regulations will not have to be changed again. Mr. Urbatsch suggested the division be: Trustee, Conservatorship/Guardianship, Probate, Power of Attorney, and other roles. Ethics would be included in each section. Ms. de Vries asked that each subcommittee member return with a more formal division at the next subcommittee meeting and the subcommittee members can work to meld the recommendations together. Ms. Scott explained the regulations can be changed working within the hours approved in statute. The Bureau does not have authority to require the certificate programs to require a specific curriculum. Ms. Lorenz made a public comment stating she would like the subcommittee members to take notice that the exam outline is broken down by percentages and her concern is that the curriculum created may not be an exam requirement. By using the examination outline it would encourage the educational organizations to focus on these areas and ethics in each area the applicant will be tested on. The categories on the examination outline could help educational providers to focus on these areas. Ms. Lorenz would also encourage a survey be taken of licensees to determine in which areas they are working in. Mr. Counts made a public comment suggesting the subcommittee members use the Bureau's brochure as a starting point which has seven categories listed.

VII. Tasks to be Completed by Subcommittee Members Prior to the Next Meeting

All subcommittee members should bring their recommendations of how to divide content hours for education by percentage.

The Bureau will provide a copy of the laws and regulations pertaining to education for the next subcommittee meeting.

VIII. Future Agenda Items

Ms. de Vries will talk about the feasibility of internships in the certificate programs. Dividing hour requirements by subject matter by percentages.

Ms. Merold or the Office of Professional Examination Services will explain the exam process.

Ms. Lorenz made a public comment that the role of a Professional Fiduciary is not always due to the absence of family. Professional Fiduciaries are objective, neutral, professional third parties. Much of the elder abuse seen is perpetrated by family members.

IX. Future Subcommittee Meeting Date
Wednesday, April 2, 2014 at 10:00a.m.

X. Adjournment

The meeting was adjourned at 10:17a.m.