



**Professional Fiduciaries Bureau (Bureau)
Advisory Committee Meeting
Wednesday, June 17, 2020**

Meeting Minutes

Committee Members Present

Wendy Hatch, Vice Chair
James Moore
Chi Elder
Bertha Sanchez Hayden

Department of Consumer Affairs (DCA) Staff Present

Rebecca May, Bureau Chief
Angela Cuadra, Bureau Program Analyst
Fred Chan-You, DCA Legal Counsel

- 1) Call to Order – Ms. Hatch called the meeting to order at 10:11 a.m. and stated the meeting was being held via WebEx with no physical public locations due to the Governor’s executive order N-29-20.
- 2) Roll Call & Establishment of Quorum –
Ms. Cuadra called roll. Committee members Ms. Wendy Hatch, Mr. James Moore, Ms. Chi Elder, and Ms. Bertha Sanchez Hayden were present via WebEx. A quorum was established with four members present.
- 3) Advisory Committee, Bureau Chief, Staff and Legal Counsel Introductions – Committee Members, Bureau staff, and Legal Counsel introduced themselves.
- 4) Reading of the Professional Fiduciaries Bureau Mission Statement –
Ms. May read the Bureau’s mission statement.

Public Comment: A member of the public commented the Bureau should create a program to train licensees to protect consumers. An additional comment was made that licensees should take care of the elderly with nurturing instead of attacking.

- 5) Discussion and Possible Approval of the Advisory Committee Meeting Minutes from August 14, 2019 –
Mr. Moore motioned to approve the minutes as written. Ms. Sanchez Hayden seconded the motion. A vote by roll call was made: Ms. Hatch, Mr. Moore, Ms. Elder, and Ms. Sanchez Hayden were in favor. There was no discussion from the committee members

and the motion carried with four votes. Ms. Cuadra stated the minutes would be posted to the website as written.

Ms. Elder asked for an update on increasing the enforcement budget and Ms. May stated there would be a further discussion during item number seven on the agenda.

Public Comment: None.

6) Update from the Director's Office –

Ms. Carrie Holmes, Deputy Director of Board and Bureau Relations, welcomed new committee members Chi Elder and Bertha Sanchez Hayden and reported new appointments made by Governor Newsom since the last meeting. Ms. Holmes stated Department of Consumer Affairs (DCA) has altered its way of doing business to help slow the spread of the corona virus by closing its offices to the public in March and allowing telework for employees who are able to work from home. DCA has issued 24 waivers under the Governor's authority for continuing education, telehealth, and license reinstatement during this time. DCA is working to bring the websites of all its boards and bureaus into compliance with ADA laws by the end of the year. Finally, DCA will be offering live on-line Board Member Orientation training on July 21 and July 31.

Public Comment: None.

7) Budget Report –

Ms. Karen Munoz, DCA Budget Manager, presented the budget projection report and fund condition for the Bureau. She stated the Bureau is looking at a four percent reversion for the year which is consistent with the last few years.

Public Comment: A comment was made requesting the Bureau add funding in the budget for training licensees regarding the right to visitation for their clients.

8) Legislative Update and Discussion –

Ms. Bianca Angulo, DCA Legislative Affairs Analyst, updated the committee regarding the status of the state budget, the legislative calendar, and the status of current bills of interest to the bureau.

Committee members asked for clarification on how training will be handled under AB 1396 and why AB 2657 was not moving forward. Ms. Angulo stated she will research AB 1396 and report at the next meeting. She also speculated that AB 2657 had been held because, the Legislature focused on Covid 19 related bills which caused non-related bills to be put on hold. She stated that those held bills will likely be reintroduced next year.

Public Comment: A comment was made that the Bureau should educate licensees on SB 338. An additional comment was made regarding the Professional Fiduciaries Association of California’s support of SB 1016.

9) Bureau Updates – Ms. May presented the statistics as of April 30, 2020.

- Application Licensing and Enforcement Statistics –

July 1, 2019 – April 30, 2020	
New Licenses	47
Active Licenses	767
Total Licenses Issued	1,164
New Applications Received	88
AG Cases Initiated	6
Citations Issued	29
Complaints Received	127
Complaints Closed	78
Complaints Pending	95
Average Days to Close	168

- Outreach – Ms. May read the list of events attended by the Bureau since its last meeting. Ms. May asked the committee to inform the Bureau of any outreach events by email.
- E-Newsletter – Ms. May asked committee members for suggestions for the next newsletter.

Public Comment: Comments were made suggesting the newsletter include an article to educate licensees on the right to visitation and to add an advocate corner. A commentator stated that he did not understand why certain complaints are closed and does not understand how a licensee can work more than 24 hours in one day. A request was made to add dates and times of scheduled hearings for licensees with the Office of Administrative Hearings.

10) Proposed Rulemakings –

Ms. May reported the inactive/retired license and client notification proposed regulations are in the pre-approval process. The proposed regulation for substantial relationship and rehabilitation criteria is in its final few weeks of the process.

Public Comment: None.

11) Future Agenda Items –

Ms. Cuadra listed the following suggested agenda items as requested by Advisory Committee members and members of the public:

-Training for licensees to align with the mission statement of the Bureau.

- Budget for training licensees on handling of conservatorships.
- Update on how training will be held for AB 1396.
- Budget for training on SB 338 for licensees on the visitation for conservatees.
- Answer from the Bureau how a fiduciary can work more than 24 hours in a day.
- List of hearings for actions taken against licensees be added to the Bureau's website.
- Add an advocate corner to the newsletter.
- List of future agenda items added to the newsletter.
- How to add an item to the agenda.

Public Comment: A member of the public asked for a list of agenda items from past meetings be added to the agenda and listed in the newsletter. Another public member asked why the addition to the newsletter was not discussed and Mr. Chan-You explained the item cannot be discussed because it is not on the agenda and it will be considered as a public comment.

12) Future Meeting Dates

- Wednesday, September 2, 2020
- Wednesday, December 2, 2020

Committee members did not mention any scheduling conflicts and were asked to contact Ms. Cuadra if there are any conflicts.

Public Comment: A public member commented that members of the public are confounded on how to get items on the agenda and would like to have an item on the next agenda of how to get items on the agenda. A member of the public asked the criteria to have an item added to the agenda and Mr. Chan-You stated that is decided by the Bureau.

13)Public Comment on Items Not on the Agenda –

Ms. Hatch explained the purpose of the public comment on items not on the agenda and that there will be a two-minute limit for each commenter.

A member of the public stated that the bureau does not have any oversight and should have a state audit. Ms. May responded that the bureau undergoes oversight by the Legislature every four years via the sunset review process. The bureau's last sunset review was conducted in 2018 and the Legislature extended the bureau's sunset by four years at that time.

14)Adjournment – The meeting was adjourned at 11:16 a.m.