



**Osteopathic Medical Board of California
Board Meeting Minutes
May 16, 2024**

**MEMBERS
PRESENT:**

Denise Pines, MBA, *Board President*
Andrew Moreno, Esq., *Vice President*
Gor Adamyan, *Secretary*
Brett Lockman, D.O.
Hemesh Patel, D.O.
Matthew Swain, D.O.

**MEMBERS
ABSENT:**

John M. Cummins, J.D.

**STAFF
PRESENT:**

Erika Calderon, *Executive Director*
Yuping Lin, *Attorney, Legal Counsel DCA*
Machiko Chong, *SSM I, Licensing Program Unit*
Terri Thorfinnson, *SSM I, Administrative Program Unit*
Ralph Correa, *Probation Monitor*

**MEMBERS OF
THE AUDIENCE:**

Michelle Monserrat-Ramos, *Consumer Watchdog*
Maria Ibarra-Navarrette, *Consumer Watchdog*
Tracy Dominguez, *Consumer Watchdog*
Holly Macriss, *Executive Director, Osteopathic Physician and Surgeons of California (OPSC)*
Melissa Gear, *Deputy Director, Board and Bureau Relations*
Judie Bucciarelli, *SSMI, DCA Executive Office*
Harmony DeFilippo, *DCA Budgets*
Kirsten Cox, *DCA Budgets*

Agenda Item 1 Call to Order / Roll Call / Establishment of a Quorum

The Board Meeting of the Osteopathic Medical Board of California (OMBC) was called to order by Madame President, Denise Pines at 9:06 a.m. The meeting was held at California Health Sciences University, 2500 Alluvial Ave (Classroom 179) Clovis, CA 93611.

Machiko Chong, SSM I, called roll and determined a quorum was present. Due notice was provided to all interested parties.

Agenda Item 2 Reading of the Board's Mission Statement - *Erika Calderon, Executive Director*

Erika Calderon, Executive Director, read the Board's mission statement.

Agenda Item 3 Review and Possible Approval of the January 2024 Board Meeting Minutes - *Beth Dutchler, Associate Governmental Program Analyst*

Agenda Item 3 can be found [here](#). The full audio of the Agenda Item 3 can be heard [here](#).

Madame President called for a motion to adopt the minutes.

Motion – Mr. Moreno

Second – Dr. Lockman

Roll Call Vote Taken

- Lockman – Aye
- Moreno – Aye
- Pate – Obstain
- Pines – Aye
- Swain – Aye

Motion carried to adopt the August 2024 Board Meeting Minutes.

No comments from the Board Members or public in attendance.

The following comments from the public attending remotely can be heard [here](#).

Comments were made by:

Michele Monserratt-Ramos, Consumer Watchdog

Maria Ibarra-Navarrette, Consumer Watchdog

Agenda Item 4 Public Comment on Items Not on the Agenda

The Board may not discuss or take action on any matter raised during this public comment section except to decide whether to place the matter on the agenda of a future meeting. (Government Code sections 11125, 11125.7(a).)

Madame President opened public comment for items not on the agenda and reminded the public and the Board Members that comments are welcome under the open meetings act. The Board may not take action on issues raised by public comment that are not on the agenda other than to decide if the issue will be added to a future meeting. The full audio of Agenda Item 4 can be heard [here](#).

No comments from the public in attendance.
No comments from the public online.

Agenda Item 5 President's Report - Denise Pines, MBA

Madame President Pines addressed the President's Report. The Board has worked hard in the first quarter to meet objectives for enhancing consumer protection and the Board is dedicated to advancing consumer protection goals. Erika Calderon has been instrumental in shaping meeting agendas and progressing Board projects.

Madame President Pines took a moment to acknowledge two Board Members and their service. The Board would like to thank Dr. Michael Kim, D.O. and Dr Michael Luszczak, D.O. for their service to the Board and the public.

Madame President Pines introduced three new Board Members, Mr. John Cummins, Dr. Matthew Swain, and Dr. Brett Lockman. All new Board Members present were sworn in.

The full audio of Agenda Item 5 can be heard [here](#).

No comments from the public in attendance.
No comments from the public online.

Agenda Item 6 Board Member Communications with Interested Parties - Denise Pines, MBA, Board President

Madame President Pines asked the Board Members if they had any disclosures to announce.

The full audio of Agenda Item 6 can be heard [here](#).

No comments from the public in attendance.
No comments from the public online.

Agenda Item 7 Executive Director's Report - Erika Calderon Administrative services, including personnel, and technology updates

Executive Director, Erika Calderon, provided updates on the Board's personnel, administrative functions and projects. The Board Meeting materials for Agenda Item 7 can be found [here](#). The full audio of Agenda Item 7 can be found [here](#).

Madame President Pines opened comments for Agenda Item 7.

Comments from the Board Members can be heard [here](#).
Comments were made by:

Ms. Pines, Board President

Dr. Patel, Board Member
Ms. Calderon, Executive Director
Mr. Moreno, Board Member

Comments from the public in attendance can be heard [here](#).

Comments were made by:

Holly Macriss, Executive Director, Osteopathic Physician and Surgeons of California (OPSC)

Comments from the public attending remotely can be heard [here](#).

Comments were made by:

Michele Monserratt-Ramos, Consumer Watchdog
Kimberly Turbin, Consumer Watchdog
Tracy Dominguez, Consumer Watchdog
Maria Ibarra- Navarrette, Consumer Watchdog

Agenda Item 8 Intergovernmental Relations Reports and Administrative Services Update

A. DCA Update – Judie Bucciarelli, SSMI, DCA Executive Office

Ms. Bucciarelli updated the Board on the budget position cuts, new appointments in the State, updated workplace violence prevention policy and training requirements. Board members must attend Board Member training, this will be available online and must be completed in a year of appointment. Update of the DCA Military licensing and resources. The DEI steering committee met and included discussion of training, expanding language access and inclusion in the annual report. Some Boards are expanding their languages in printed material for the consumers. There is a phishing alert for all Boards and Bureaus. Please report and incidents immediately to the Office of Information Security. The full audio of Agenda Item 8(a) can be found [here](#).

Madame President Pines opened comments for Agenda Item 8(a).

The Board Members discussed the Intergovernmental Relations and Administrative report with Ms. Bucciarelli.

No comments from the public in attendance.

No comments from the public online.

B. Budget Update - Harmony DiFilippo, SSMI, Budget Office and Kirsten Cox, Budget Analyst, Budget Office

Ms. Cox from the DCA's Budget Office provided an update on the Board's budget. The Board Meeting materials can be found [here](#). The full audio of Agenda Item 8(b) can be heard [here](#).

Madame President Pines opened comments for Agenda Item 8(b).

No comments from Board Members or the public in attendance.

No comments from the public online.

15 MINUTE BREAK

Machiko Chong, Licensing Program Manager, called roll and determined a quorum was present.

Agenda Item 9 Licensing Program Summary, including licensing unit updates, and statistics - *Machiko Chong, Licensing Program Manager*

Ms. Chong, Licensing Program Manager, provided a licensing unit summary, including licensing unit updates and statistics. The board meeting materials can be found [here](#), including attachment [9\(a\)](#) and [9\(b\)](#). Full audio of Agenda Item 9 can be heard [here](#).

Madame President Pines opened comments for Agenda Item 9.

Board Members discussed the Licensing Program Summary and received answers from Ms. Chong.

No comments from public in attendance.

No comments from the public online.

Agenda Item 10 Administrative Services Program Summary, including licensing unit updates, and statistics - *Terri Thorfinnson, Administrative Services Program Manager*

Ms. Thorfinnson, Administrative Services Program Manager, provided an update on the administrative services program, which included the transition of fictitious name permits and name changes to online applications. Ms. Thorfinnson also presented the statistics for the Administrative Services Program. The board meeting materials can be found [here](#), including attachment [10\(a\)](#). Full audio of Agenda Item 10 can be heard [here](#).

Madame President Pines opened comments for Agenda Item 10.

Board Members discussed the Administrative Services Program Summary and had their questions answered by Ms. Thorfinnson and Ms. Calderon.

No comments from the public in attendance.

No comments from the public online.

Agenda Item 11 Enforcement Program Summary, including enforcement unit updates, and statistics – *Erika Calderon, Executive Director*

Ms. Calderon gave an update on the Board's Enforcement Program, including enforcement unit updates and statistics, which was included in the board meeting material [here](#) and attachment [11\(a\)](#). The full audio of Agenda Item 11 can be found [here](#).

Madame President Pines opened comments for Agenda Item 11.

No comments from Board Members.

Comments from the public in attendance can be heard [here](#).

Comments were made by:

Holly Macriss, Executive Director, OPSC

Comments from the public attending remotely can be heard [here](#).

Comments were made by:

Tracy Dominguez, Consumer Watchdog

Agenda Item 12 Probation Program Summary, including probation unit updates and statistics - *Ralph Correa, Probation Monitor*

Mr. Correa, Probation Monitor, presented the total number of probationers, new probationers, non-compliant probationers, and the diversion program statistics. The licensee website and all discipline summaries are now up to date. The Board meeting materials can be found [here](#). The full audio of Agenda Item 12 can be found [here](#).

Madame President Pines opened comments for Agenda Item 12.

Board members discussed the Probation Summary and had their questions answered by Mr. Correa and Ms. Calderon

No comments from the public in attendance.

Comments from the public attending remotely can be heard [here](#).

Comments were made by:

Michele Monserat Ramos, Consumer Watchdog

45 MINUTE BREAK FOR LUNCH

Machiko Chong, Licensing Program Manager, called roll and determined a quorum was present.

Agenda Item 13 Discussion and Possible Action to Reconsider Previously Approved Text, and to Consider Initiation of a Rulemaking to Amend Sections 1635, 1636, 1638, 1641, 1646, 1659.30, 1659.31, 1659.32, 1659.33, 1659.34 and 1659.35 and Repeal Sections 1639 and 1640 in Title 16 of the California Code of Regulations (Requirements for Continuing Medical Education and Citation and Fines) - Terri Thorfinnson, Program Manager and Kristy Schieldge, Attorney IV, Legal Affairs Regulations Unit, DCA

Ms. Thorfinnson, Administrative Services Program Manager and Kristy Schieldge, Attorney IV, provided an update on the Boards possible action to amend and repeal some section in the pending regulatory package. The board meeting materials can be found [here](#). The full audio for Agenda Item 13 can be heard [here](#).

Madame President called for a motion to adopt the proposed changes.

Motion – Dr. Patel

Second – Dr. Swain

Roll Call Vote Taken

- Lockman – Aye
- Moreno – Aye
- Patel – Aye
- Pines – Aye
- Swain – Aye

Motion carried to adopt the proposed changes.

No comments from the public in attendance.
No comments from the public online.

Agenda Item 14 Discussion and Possible Action to Initiate a Rulemaking to Amend Sections 1609, 1610; 1611, 1612, 1613, 1615, 1628, 1630, 1637, 1646, 1647, 1650, 1651, 1656, 1658, 1678, and 1690, and to adopt Section 1648, and to repeal Section 1691 in Division 16 of Title 16 of the California Code of Regulations (Applications, Petitions, Fees, Retired License and Processing Times) - Terri Thorfinnson, Administrative Services Program Manager and Kristy Schieldge, Attorney IV, Legal Affairs Regulations Unit, DCA

Ms. Thorfinnson, Administrative Services Program Manager and Kristy Schieldge, Attorney IV, provided an update on the Boards possible action to amend and repeal some section in the pending regulatory package. The Board meeting materials can be found [here](#). Detailed discussion of the regulatory items can be viewed [here](#).

Madame President called for a motion to adopt the proposed changes.

Motion – Dr. Swain

Second – Dr. Lockman

Roll Call Vote Taken

- Lockman – Aye
- Moreno – Aye
- Patel – Aye
- Pines – Aye
- Swain – Aye

Motion carried to adopt the proposed changes.

No comments from the public in attendance.
No comments from the public online.

Madame President called for a second motion adopt.

Motion – Dr. Swain

Second – Dr. Lockman

Roll Call Vote Taken

- Lockman – Aye
- Moreno – Aye
- Patel – Aye
- Pines – Aye
- Swain – Aye

Motion carried to adopt.

5 MINUTE BREAK

Machiko Chong, Licensing Program Manager, called roll and determined a quorum was present.

Agenda Item 15 Discussion and Possible Action on Legislation – Terri Thorfinnson, *Administrative Services Program Manager*

Ms. Thorfinnson gave a summary of the current legislation and legislation for the Board to consider taking action on. The board meeting materials can be found [here](#). The full audio of Agenda Item 15 can be heard [here](#).

2024 Legislation for the Board to Consider Taking Possible Action On

SB 233	(Skinner) Abortions and abortion-related care for Arizona patients
SB 1451	(Ashby) Title Protection Physician and Surgeons
AB 2164	(Berman) Impairment Question on Applications
AB 1991	(Bonta) HCAI Survey: Healing Arts: Workforce Data
AB 2862	(Gipson) Expedite license for African American applicants
AB 2270	(Maienschein) CME: Menopausal Mental Health or Physical Health
AB 2581	(Maienschein) CME: Maternal Mental Health
AB 2442	(Zbur) Expedite License: Gender Affirming Care or Mental Health
AB 3119	(Low) Long Covid CME
AB 639	(Limon) CME: Special Needs of Dementia Patient Care
AB 3030	(Calderon) Health Care Services: AI disclosure
SB 607	(Portantino) Controlled Substance: Patient Education: Adults
SB 636	(Cortese) Workers' Compensation Utilization Review
AB 3127	(McKinnor) Mandatory Reporting: Physicians
SB 1067	(Smallwood Cuevas) License Expedite for medically underserved areas within Healing Arts Boards
AB 2269	(Flora) Board Membership: Conflict of Interest
SB 1012	(Weiner) Psychedelic Facilitators: Establish Regulatory Body
AB 3146	(Essayli) Prohibition of Sex Re-Assignment for Minor

Comments from the public in attendance and Board members can be heard [here](#).

Comments were made by:

Holly Macriss, Executive Director, OPSC

Agenda Item 16 Future Agenda Items

There will be a presentation on the "Aging Brain" in November of 2024. Also it has been requested that the AG provide a detailed presentation on the disciplinary process.

Madame President Pines would like to propose establishing 3 committees. An Executive Committee, Licensing Committee, Discipline Committee and Education Committee.

Possible legislation day. To let our legislatures know who we are, what we do and advocate for ourselves.

The full audio for Agenda Item 16 can be heard [here](#).

Comments from the public can be heard [here](#).

Comments were made by:

Michelle Monserrat-Ramos, *Consumer Watchdog*

CLOSED SESSION

Deliberation on disciplinary matters, including proposed decision, non-adopt proposed decisions, and stipulations (Government Code section 11126 (c)(3)).

No closed session discussion.

Agenda Item 17 Adjournment

Adjourned at 3:58 pm.