



**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*
Michael Luszczak, D.O.
Cyrus Buhari, D.O.

**MEMBERS
ABSENT:**

Michael Kim, D.O.
Elizabeth Jensen-Blumberg, D.O.
Hemesh Patel, D.O.

**STAFF
PRESENT:**

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

**MEMBERS OF
THE AUDIENCE:**

Michelle Monserrat-Ramos, *Consumer Watchdog*
Maria Ibarra-Navarrette, *Consumer Watchdog*
Kimberly Turbin, *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*
Harmony DeFilippo, *DCA Budgets*

Agenda Item 1 Call to Order

The Board Meeting of the Osteopathic Medical Board of California (OMBC) was called to order by Madame President, Denise Pines at 10:23 a.m. The meeting was held at Touro University California located at Farragut Inn, 1750 Club Drive Vallejo, CA 94592.

Agenda Item 2 Roll Call / Establishment of a Quorum

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

Agenda Item 3 Reading of the Board's Mission Statement - Erika Calderon, Executive Director

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

Agenda Item 4 Review and Possible Approval of the January 2024 Board Meeting Minutes - Beth Dutchler, Associate Governmental Program Analyst

Agenda Item 4 can be found [here](#).

Madame President called for a motion to adopt the minutes.

Motion – Dr. Buhari

Second – Mr. Moreno

Roll Call Vote Taken

- Adamyan – Aye
- Buhari – Aye
- Luszczak – Aye
- Moreno – Aye
- Pines – Aye

Motion carried to adopt the January 2024 Board Meeting Minutes.

No comments from the Board Members or public in attendance.

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

Comments were made by:

Michele Monserratt-Ramos, Consumer Watchdogs

BREAK - To Fix Audio

Agenda Item 5 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.

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

Agenda Item 6 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. Madame President is looking to present guidelines for the use of AI in the fall of 2024.

Madame President took a moment to thank Dr. Buhari for his role as former president and his 8 years of service. Madame President also thanked Dr. Jensen for her service on the Board. 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 Discussion and Possible Action on Proposed 2025 Board Meeting Dates - Denise Pines, MBA, Board President

Proposed dates:

Thursday, January 23, 2025	Department of Consumer Affairs – HQ1
Thursday, May 15, 2025	Western University of Health Sciences
Thursday August 14, 2025	Toro University College of Osteopathic Medicine – Mare Island
Thursday November 13, 2025	Department of Consumer Affairs – HQ1

Madame President reviewed and checked with the members for any conflicts.

No comments from the Board Members or public in attendance
No comments from the public online.

Agenda Item 8 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. Currently there are no vacancies at the Board and staff are still working under a hybrid telework model. The lease agreement has been finalized with the lessor and minor office improvements have been completed. The final

phase of the Board's 2024-2028 Strategic Plan has been completed. The Board has eliminated paper applications for address changes, name changes, and endorsement/license verifications letter. The Board continues to use and update the social media accounts, Board website and is currently getting ready to publish its second edition of the Osteoscope. The materials for which were included in the Board meeting material and can be found [here](#).

Madame President Pines opened comments for Agenda Item 8.

No comments from the Board Members or public in attendance.

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

Comments were made by:

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

Agenda Item 9 Intergovernmental Relations Reports and Administrative Services Update

A. DCA Update - Melissa Gear, Deputy Director, Board and Bureau Relations, DCA

DCA has become aware of a rise in scammers who are targeting licensees. The scammers attempt to gather personal information and financial information by posing as a board employee. Boards are urged to be vigilant and proactive in providing licensees with tips to avoid scams.

Diversity, Equity, and Inclusion (DEI) Steering Committee held its quarterly meeting and the next will be held on July 26, 2024. The DEI would like to remind the Board Members of DEI related trainings are available.

Reminder to submit you travel claims before the fiscal end, June 30, 2024.

The filing for the Form 700 Statement of Economic Interests has ended.

This concludes the Board and Bureau Relations update. The full audio of Agenda Item 9 can be found [here](#).

Madame President Pines opened comments for Agenda Item 9(a).

No comments from the Board Members or public in attendance.
No comments from the public online.

B. Budget Update - Harmony DiFilippo, SSMI, Budget Office, DCA

Harmony DiFilippo from the DCA's Budget Office provided an update on the Board's budget. The board meeting materials can be found [here](#).

Madame President Pines opened comments for Agenda Item 9(b).

No comments from Board Members or the public in attendance.
No comments from the public online.

15 MINUTE BREAK

Agenda Item 10 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 [10\(a\)](#) and [10\(b\)](#).

Madame President Pines opened comments for Agenda Item 10.

No comments from the Board Members or public in attendance.
No comments from the public online.

Agenda Item 11 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 [11\(a\)](#).

Madame President Pines opened comments for Agenda Item 11.

Executive Director Erika Calderon elaborated on why the Board was not getting those renewals. An email will be sent with their entity number allowing licensees to put their application in the Breeze system. There should be no issues moving forward.

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

Agenda Item 12 Enforcement Program Summary, including enforcement unit updates, and statistics - *Robin Matson, Enforcement Analyst*

Ms. Matson 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 [12\(a\)](#).

Madame President Pines opened comments for Agenda Item 12.

Gor Adamyan posed a question about performance measure 1, and wanted to know why convictions are down. Executive Director Erika Calderon addressed the question. It's a fluctuation from year to year. Licensees are educated with outreach and awareness.

Dr. Michael Luszczak, D.O. posed a question about cycle time for AG, and how it runs from the time received until completed. Executive Director Calderon clarified the AG timeline. The timeline has extended, and the Board is transmitting more cases. AG timeline is separate from our timeline.

Gor Adamyan posed a question about how long a complaint gets initiated. Executive Director Calderon answered that desk investigations are acknowledged they are opened within 10 days, and the unit is working to get the initial investigation completed within 180 days.

No comments from the public in attendance.

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

Comments were made by:

Tracy Dominguez, Consumer Watchdog

Maria Ibarra-Navarrette, Consumer Watchdog

Agenda Item 13 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](#).

Madame President Pines opened comments for Agenda Item 13. The full audio of the questions regarding Agenda Item 13 can be found [here](#).

Madame President had a question about compliance guidance. For clarification, records were not properly kept making it hard to show compliance. The new documents are for continuity and documentation for the Board.

Dr. Luszczak asked a question about the probationers enrolled in the Boards diversion programs, and wanted to know if there were situations of relapse. Mr. Correa clarified that it was not an issue of relapse, but the probationers need to come to the Board for lapses in time during probation, aka, tolled time. The diversion program was not notifying the Board of some elements of the probation.

Executive Director Erika Calderon spoke about the vendor and the current contracts regarding the Board and the vendor. Dr. Luszczak discussed the matter with Director Calderon.

No comments from the public in attendance. Comments from the public online can be heard [here](#).

Comments were made by:

Kimberly Turbin, Consumer Watchdog

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 14 Update on pending regulatory packages – Terri Thorfinnson, Administrative Services Program Manager

Ms. Thorfinnson, Administrative Services Program Manager, provided an update on the Boards pending regulatory packages. Detailed discussion of the regulatory items can be viewed [here](#).

No comments from the Board Members or public in attendance.

No comments from the public online.

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

Ms. Thorfinnson gives a summary of the current legislation and legislation for the Board to consider taking action on. The board meeting materials can be found [here](#) including attachment [15\(a\)](#) and [15\(b\)](#).

2024 Legislation for the Board to Consider Taking Possible Action On

SB 233	(Skinner) Abortions and abortion-related care for Arizona patients
AB 765	(Wood) Osteopathic Physician and Surgeon Title
SB 1451	(Ashby) Title Protection Physician and Surgeons
AB 2164	(Berman) Impairment Question on Applications Attachment (14a) Osteopathic Physician and Surgeon Application Attachment (14b) Postgraduate Training License Application
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 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
AB 3137	(Flora) DCA Clean-up Bill
SB 935	(Becker) Penal Code: Crime to Distribute Digital Images of sexual or intimate body parts
SB 1012	(Weiner) Psychedelic Facilitators: Establish Regulatory Body AB 3146

- (Essayli) Prohibition of Sex Re-Assignment for Minor
[SB 1385](#) (Roth Professions and Vocations) Medi-Cal: Community Health Worker
Supervisor Reimbursement: Claim Federal Financial Participation
[SB 1485](#) (Gonzalez) DCA: Consumer Complaints: Spot bill

Discussion on SB 1451.

The full audio can be heard [here](#).

Madame President called for a motion to oppose SB 1451.

Motion – Dr. Buhari

Second – Mr. Adamyan

Roll Call Vote Taken

- Adamyan – Aye
- Buhari – Aye
- Luszczak – Aye
- Moreno – Aye
- Pines – Aye

Motion carried for SB 1451.

No comments from the public in attendance.

Comments from the public online for SB 1451 can be heard [here](#).

Comments were made by:

Holly Macriss, (OPSC)

Kimberly Turbin, Consumer Watchdog

Discussion on SB 2194 – Support if amended. Executive Director Calderon weighed in on the bill and the language of the bill.

Madame President called for a motion for AB 2164, support if amended.

Motion – Dr. Buhari

Second – Mr. Adamyan

Roll Call Vote Taken

- Adamyan – Aye
- Buhari – Aye
- Luszczak – Aye
- Moreno – Aye
- Pines – Aye

Motion carried for AB 2164.

Comments from the public online for AB 2164 can be heard [here](#).

Comments were made by:

Holly Macriss, (OPSC)

Abhinaya Narayanan

Lucas Evensen

Kimberly Turbin, Consumer Watchdog

Maria Ibarra-Navarrette, Consumer Watchdog

Discussion on AB 3030 - Health Care Services: AI disclosure.

Madame President Pines would like to discuss AB 2862. Full audio can be found [here](#).

No comments from the public in attendance.

Comments from the public online for AB 2862 can be heard [here](#).

Comments were made by:

Holly Macriss, (OPSC)

Agenda Item 16 Future Agenda Items

Future presentation of the “Aging Brain” will be in November of 2024. Also it is requested that the AG will provide detailed presentation on the disciplinary process.

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

Comments were made by:

Michelle Monserrat-Ramos, *Consumer Watchdog*

Agenda Item 17 Adjournment

Adjourn at 3:29 pm.