

## **OUR MISSION**

To protect consumers through licensing, consumer education, and enforcement of the Professional Fiduciaries Act and promote and uphold competency and ethical standards across the profession.



**Professional Fiduciaries Bureau  
Advisory Committee Meeting  
Tuesday, March 19, 2024**

Committee Members Present

Bertha Hayden Sanchez, Chair (attending remotely)  
Elizabeth Ichikawa, Vice Chair (attending remotely)  
Joyce Anthony  
James Moore (attending remotely)  
Linda Ng (attending remotely)

Staff Present

Rebecca May, Bureau Chief, Professional Fiduciaries Bureau  
Helen Geoffroy, Legal Counsel, Department of Consumer Affairs

**AGENDA**

- 1) Call to Order – Bertha Sanchez Hayden, Chair

Ms. Sanchez Hayden called the meeting to order at 10:03 a.m.

- 2) Roll Call and Establishment of Quorum – Rebecca May, Bureau Chief

Ms. May called roll. Committee members Ms. Sanchez Hayden, Ms. Ichikawa, Ms. Anthony, Mr. Moore, and Ms. Ng were present. A quorum was established with five members present.

- 3) Advisory Committee Members, Bureau Chief, Staff and Legal Counsel Introductions

Committee members, Bureau staff, and legal counsel introduced themselves. Ms. Sanchez Hayden noted that Ms. Anthony, licensee, was appointed to the Advisory Committee the previous week.

- 4) Public Comment on Items Not on the Agenda

Ms. Sanchez Hayden explained this agenda item is intended for the public to comment on items not included on today's agenda.

Public Comment: Jodee Sussman stated that the Bureau's mission is to protect consumers, but consumers have not been protected. She further

stated that fiduciaries commit crimes against the elderly and special needs children for their own enrichment with the assistance of their attorneys. She notes professional fiduciaries commit fraud against the courts by filing false documents and with the assistance of judges overturn preexisting trust documents, advanced healthcare directives, wills, and power of attorneys; suppress the value of properties with fraudulent appraisals; force the sale of multigenerational properties with claims of the conservatee's need for 24/7 care and the cost of the conservatorship administration; and, evict family living with the conservatee. Ms. Sussman states the conservatee's care is of no concern, they ensure payment of their abusive inflated fees, and their crony vendors and attorneys. She asked for an update regarding the hiring of additional enforcement staff by the Bureau and asked the Bureau to follow through with investigations and complaints.

Farnaz R. – Ms. R. stated that she agrees with previous speaker.

- 5) Reading of the Professional Fiduciaries Bureau Mission Statement – Rebecca May, Bureau Chief

Ms. May read the Bureau's mission statement.

There were no comments from the committee members.

Public Comment: Farnaz R. asked how to obtain a licensee's non-public record and how a court order to provide those documents is processed.

Ms. Geoffroy responded that the commenter can call the Bureau and make a Public Records request. She noted that if the items requested are not publicly available, the Bureau will not be able to produce the items requested. She further noted that a specific response to her question would not be able to be answered during this agenda item or at this meeting.

Jodee Sussman stated that consumers are disheartened that professional fiduciaries and their cronies are keynote speakers at the Bureau's conventions. She noted that realtors, attorneys, judges, appraisers, and medical professionals that provide fraudulent diagnosis are all intertwined and work against families with no regard for human suffering. She stated that some have claimed that there is no conflict of interest between them, yet the fiduciaries share offices with their realtors and attorneys and vacation with judges. She asked how many decades of complaints must be made before there is any accountability.

Farnaz R. stated that according to the Bureau's website, non-public

documents must be requested through a subpoena, and can be provided if court ordered.

6) Discussion and Approval of the Advisory Committee Meeting Minutes from December 13, 2023 – Bertha Sanchez Hayden, Chair

No members suggested edits to the minutes. Linda Ng motioned to approve the meeting minutes and to allow Bureau staff to make non-substantive edits as needed. James Moore seconded the motion. There was no discussion from the committee members.

Public Comment: None.

A roll call vote was held. Ms. Sanchez Hayden, Ms. Ichikawa, Mr. Moore, and Ms. Ng voted to approve the motion. Ms. Anthony abstained. The motion carried with four votes. Ms. May noted that the minutes will be posted to the Bureau's website.

7) Update from the Director's Office – DCA Executive Staff

Melissa Gear, Deputy Director, Board and Bureau Relations, provided an update on behalf of the Department of Consumer Affairs (DCA). Ms. Gear congratulated and welcomed Ms. Anthony to the Advisory Committee. She noted the Business, Consumer Services and Housing Agency welcomed Tomiquia Moss, the new agency secretary. She stated the Department of Finance has directed all state agencies to reduce current year expenditures with few exceptions. She thanked DCA boards and bureaus for reducing expenses and finding cost savings. She provided an update regarding DCA's Diversity, Equity and Inclusion (DEI) Steering Committee and stated DEI training continues to be a priority for DCA. She noted that DCA's SOLID trainers underwent a DEI certification training program and have developed 11 new courses. Ms. Gear stated that DCA Director Kimberly Kirchmeyer testified before the Senate Business and Professions Committee regarding interstate licensure compacts and urged the Legislature to consider the prioritization of consumer protection and licensing standards. She also announced that DCA's Division of Investigations updated the complaint prioritization guidelines for healing arts programs. Ms. Gear reminded Advisory Committee members of the requirement to attend a Board Member Orientation Training (BMOT) within one year of appointment and noted BMOT will be offered on June 18 and October 22. She also noted that all the Advisory Committee members have completed Sexual Harassment Prevention Training (SHPT). Lastly, she noted that future SHPT will be two hours.

Ms. Sanchez Hayden asked Ms. Gear to confirm the two-hour SHPT. Ms. Gear responded that DCA has increased SHPT from one hour to two

hours.

Public comment: None.

8) Budget Report – DCA Budget Analyst

Andrew Trute, Budget Analyst, Department of Consumer Affairs, provided the Bureau's budget update including the Bureau's expenditure projections and fund condition statement. Related to expenditures, Mr. Trute noted the projections are based on actual data through fiscal month seven and includes 2022-23 actual expenditures compared to the 2023-24 budgeted and projected expenditures. Mr. Trute stated the Bureau had budgeted approximately \$1.122 million and is projected to spend \$809,000 creating a reversion to the Bureau's fund of approximately \$313,000 or 27.81%. He further noted the Bureau's revenue projection document includes receipts collected through January and provides projected revenues to year end.

Mr. Trute reviewed the Bureau's fund condition statement. He noted the Bureau began fiscal year 2022-23 with a beginning balance of just over \$317,000 and collected \$657,000 in revenue, with \$78,000 from initial license fees, \$544,000 from license renewals, and \$35,000 from the issuance of citation fines, delinquent fees and other revenue. He reported the Bureau expended nearly \$720,000, which includes \$52,000 indirect draws to the fund for statewide pro-rata and pension payments. He estimated the Bureau will close fiscal year 2022-23 with \$254,000 reserve balance or 3.6 months in reserve.

Mr. Trute provided that for the current year, the Bureau projects revenues of \$779,000 which includes the new fee increase with approximately \$97,000 projected from initial license fees, \$646,000 from renewal fees and \$36,000 from the issuance of citation fines, delinquent fees and other revenues. He further provided the Bureau's fiscal year 2023-24 expenditures, based on the Budget Act, to be \$855,000 between authorized expenditures and direct draws to the fund, leaving the Bureau with a fund balance of \$178,000 or 1.8 months in reserve.

Mr. Trute stated the DCA Budget Office will continue to monitor the Bureau's revenues and expenditures and report back to the Bureau with monthly expenditure projections. He noted that the fund condition is a snapshot in time, and includes 2023-24 projected revenue including increased application, initial and renewal fees, noting the that increased renewal fee begins for licenses expiring on March 31, 2024, and after. He also noted that revenue is projected static in the out years.

He stated one of the main factors driving future expenditure increases is

personnel service adjustments including general salary increases, employee compensation, as well as retirement rate adjustments. He stated the Budget Office includes a conservative ongoing 3% increase to expenditures on the fund condition statement to account for ongoing, incremental adjustments. He noted any future legislation or unanticipated events could result in the need for additional resources which would create cost pressures on the fund.

Public comment: None.

9) Legislative Update and Discussion – DCA Legislative Analyst

Matthew Wainwright, Legislative Manager, Department of Consumer Affairs provided important upcoming 2024 legislative dates and noted this was the second year of a two-year legislative session. He provided an update regarding bills affecting the Bureau including information on the text and status of AB 2148 (Low) and SB 232 (Niello).

Ms. Sanchez Hayden requested AB 2800 be included in the next meeting's legislative update.

Public comment: Jodee Sussman stated that AB 2800 would require a preponderance of the evidence instead of clear and convincing evidence about elder abuse, and said consumers will be in more trouble, because what the attorneys use is preponderance against her and her loved ones. She asked if the Bureau was supporting the bill.

Ms. May responded that Ms. Sanchez Hayden asked to include AB 2800 on a future agenda for purposes of reviewing the legislation. She noted that the Bureau does not take positions of support or opposition to legislation, and that it is up to DCA to make a recommendation.

10) Presentation Regarding Incorporating Diversity, Equality and Inclusion (DEI) objectives in the Bureau's 2023-2026 Strategic Plan – DCA SOLID Staff

Ms. Sanchez Hayden noted that this agenda item has been tabled due to a scheduling conflict.

11) Bureau Updates – Rebecca May, Bureau Chief

- Application, Licensing and Enforcement Statistics - Ms. May presented application, licensing and enforcement statistics from July 1, 2023, through December 31, 2023. She noted that at the December meeting an applicant had commented that his experience with the processing timeline for applications did not align with what the Bureau reported. She clarified that the statistics provided reflect data that the Bureau

tracks and controls. She stated that once an application is received and approved by the Bureau, the Bureau lets the applicant and the examination provider, the Center for Guardianship Certification (CGC) know the applicant is eligible to take the examination. Ms. May noted that CGC has its own application process and background check, separate from the Bureau's, and that CGC's processing times are outside of the Bureau's control. She lastly stated that the Bureau works closely with CGC and shares feedback.

- Outreach Events - Ms. May noted she met with the Conservatorship workgroup from the California Elder & Disability Justice Coordinating Council, chaired by Ms. Sanchez Hayden, to discuss the Bureau. She noted there are no upcoming outreach events and encouraged meeting attendees to email the Bureau regarding outreach events.
- E-Newsletter - Ms. May stated the newsletter is published twice a year. She noted the last newsletter went out in December and the June newsletter is now in progress. She stated that newsletters are posted to the Bureau's website and disseminated via the interested parties email list. She also noted if there are items members would like to see in the newsletter to please email the Bureau.
- Website Updates – Ms. May noted there was no update at this time. She stated that the Bureau is working on multiple updates to the website including the applicant page, education page and how-to videos.
- Bill Implementation - Ms. May stated that the Bureau is continuing to implement AB 1194, through the fee increase regulation and recruiting for an enforcement analyst. She also noted there have been some cases related to AB 1194 and related costs from the Attorney General. She further noted that Bureau staff have implemented AB 1262 by updating internal processes and templates and will likely will promulgate regulations related to the bill.
- Continuing Education (CE) Audit - Ms. May noted the CE audit was complete and the Bureau plans to conduct another CE audit in the fall. She also noted that the Bureau will direct some of its outreach efforts to educating licensees regarding CE requirements.

- Implementation of New Application and Renewal Fees – Ms. May noted that the fee increase for applications and initial licenses went into effect January 1, 2024, and the fee increase for renewals begins with licenses expiring March 31 and after. She noted that Bureau staff worked closely with DCA to ensure its IT systems would generate initial license and renewal notices with the correct amounts, determine correct amounts are received prior to issuing a license or license renewal, and generate notices to licensees in case of an underpayment. She also stated that the Bureau is working with the Budget Office to track how the increase is impacting revenues.
- Regulatory Update – Ms. May noted that the Bureau is not actively promulgating any regulations at this time.
- Strategic Plan Update – Ms. May stated that the Bureau will soon recruit an enforcement analyst to implement AB 1194. She also noted that the California State Archives approved the Bureau’s retention schedule which will allow it to reduce the amount of paper in the office.

Public Comment: Farnaz R. asked if the Bureau’s website is correct in stating that the Bureau will provide the Court with confidential licensing information when asked by the Court.

Ms. May responded that the Bureau does provide information to the Courts upon request. Ms. Geoffroy stated that individual case information cannot be discussed at the meeting.

## 12) Future Agenda Items

Ms. Sanchez Hayden asked Ms. May what items she has noted from today’s meeting for inclusion on a future agenda. Ms. May noted that Ms. Sanchez Hayden requested to include AB 2800 in the next legislative update.

Public Comment: None.

## 13) Future Meeting Dates

Ms. Sanchez Hayden provided the following future meeting dates:

Wednesday, June 12, 2024

Wednesday, September 11, 2024



Wednesday, December 11, 2024

Public Comment: None.

- 12) Adjournment  
The meeting was adjourned at 11:06 a.m.

DRAFT

Department of Consumer Affairs

Expenditure Projection Report

Professional Fiduciaries Bureau

Reporting Structure(s): 11117000 Support

Fiscal Month: 10

Fiscal Year: 2023 - 2024

Run Date: 05/31/2024

**PERSONAL SERVICES**

Fiscal Code	Line Item	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5100	PERMANENT POSITIONS	\$341,000	\$280,061	\$351,000	\$23,905	\$237,190	\$0	\$237,190	\$290,064	\$60,936
5100	TEMPORARY POSITIONS	\$22,000	\$0	\$22,000	\$0	\$0	\$0	\$0	\$0	\$22,000
5105-5108	PER DIEM, OVERTIME, & LUMP SUM	\$0	\$1,100	\$0	\$0	\$800	\$0	\$800	\$1,200	-\$1,200
5150	STAFF BENEFITS	\$228,000	\$155,565	\$237,000	\$15,486	\$149,583	\$0	\$149,583	\$182,927	\$54,073
	<b>PERSONAL SERVICES</b>	<b>\$591,000</b>	<b>\$436,727</b>	<b>\$610,000</b>	<b>\$39,391</b>	<b>\$387,573</b>	<b>\$0</b>	<b>\$387,573</b>	<b>\$474,191</b>	<b>\$135,809</b>

**OPERATING EXPENSES & EQUIPMENT**

Fiscal Code	Line Item	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5301	GENERAL EXPENSE	\$10,000	\$891	\$10,000	\$17	\$17	\$0	\$17	\$532	\$9,468
5302	PRINTING	\$4,000	\$1,840	\$4,000	\$226	\$1,592	\$1,708	\$3,300	\$3,300	\$700
5304	COMMUNICATIONS	\$4,000	\$2,867	\$4,000	-\$160	\$575	\$0	\$575	\$636	\$3,364
5306	POSTAGE	\$4,000	\$668	\$4,000	\$121	\$748	\$0	\$748	\$775	\$3,225
5308	INSURANCE	\$0	\$6	\$0	\$0	\$8	\$0	\$8	\$8	-\$8
53202-204	IN STATE TRAVEL	\$9,000	\$0	\$9,000	\$0	\$255	\$0	\$255	\$255	\$8,745
5322	TRAINING	\$3,000	\$0	\$3,000	\$0	\$0	\$0	\$0	\$0	\$3,000
5324	FACILITIES	\$51,000	\$44,695	\$51,000	\$3,669	\$36,606	\$7,085	\$43,691	\$44,895	\$6,105
53402-53403	C/P SERVICES (INTERNAL)	\$199,000	\$42,961	\$199,000	\$18,986	\$60,082	\$0	\$60,082	\$113,783	\$85,217
5340310000	Legal - Attorney General	\$196,000	\$42,565	\$196,000	\$14,696	\$53,905	\$0	\$53,905	\$95,473	\$100,527
5340320000	Office of Adminis Hearings	\$0	\$0	\$0	\$4,290	\$6,177	\$0	\$6,177	\$18,280	-\$18,280
53404-53405	C/P SERVICES (EXTERNAL)	\$35,000	\$6,360	\$35,000	\$9	\$759	\$1,191	\$1,950	\$3,300	\$31,700
5342	DEPARTMENT PRORATA	\$141,000	\$128,406	\$182,000	\$43,250	\$173,000	\$0	\$173,000	\$182,000	\$0
5342	DEPARTMENTAL SERVICES	\$4,000	\$39	\$4,000	\$0	\$2	\$0	\$2	\$40	\$3,960
5344	CONSOLIDATED DATA CENTERS	\$6,000	\$1,188	\$6,000	\$0	\$0	\$0	\$0	\$1,188	\$4,812
5346	INFORMATION TECHNOLOGY	\$1,000	\$529	\$1,000	\$0	\$20	\$370	\$389	\$389	\$611
5362-5368	EQUIPMENT	\$16,000	\$340	\$0	\$284	\$284	\$0	\$284	\$2,340	-\$2,340
54	SPECIAL ITEMS OF EXPENSE	\$0	\$21	\$0	\$0	\$0	\$0	\$0	\$25	-\$25
	<b>OPERATING EXPENSES &amp; EQUIPMENT</b>	<b>\$487,000</b>	<b>\$230,812</b>	<b>\$512,000</b>	<b>\$66,400</b>	<b>\$273,948</b>	<b>\$10,353</b>	<b>\$284,301</b>	<b>\$353,467</b>	<b>\$158,533</b>

<b>OVERALL TOTALS</b>		<b>\$1,078,000</b>	<b>\$667,539</b>	<b>\$1,122,000</b>	<b>\$105,791</b>	<b>\$661,520</b>	<b>\$10,353</b>	<b>\$671,874</b>	<b>\$827,658</b>	<b>\$294,342</b>
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<b>REIMBURSMENTS</b>		<b>-\$1,000</b>	<b>\$0</b>	<b>-\$1,000</b>					<b>\$0</b>	
<b>OVERALL NET TOTALS</b>		<b>\$1,077,000</b>	<b>\$667,539</b>	<b>\$1,121,000</b>	<b>\$105,791</b>	<b>\$661,520</b>	<b>\$10,353</b>	<b>\$671,874</b>	<b>\$827,658</b>	<b>\$293,342</b>

26.17%

**Department of Consumer Affairs**  
**Revenue Projection Report**

Reporting Structure(s): 11117000 Support  
 Fiscal Month: 10  
 Fiscal Year: 2023 - 2024  
 Run Date: 05/31/2024

**Revenue**

Fiscal Code	Line Item	Budget	July	August	September	October	November	December	January	February	March	April	Year to Date	Projection To Year End
	<b>Delinquent Fees</b>	\$3,000	\$600	\$150	\$300	\$300	\$600	\$150	\$0	\$300	\$0	\$0	\$2,400	\$2,650
	<b>Other Regulatory Fees</b>	\$29,000	\$2,500	\$775	\$1,500	\$500	\$1,500	\$0	\$3,275	\$500	\$2,225	\$5,125	\$17,900	\$23,325
	<b>Other Regulatory License and Permits</b>	\$100,000	\$11,414	\$10,658	\$6,949	\$7,074	\$6,282	\$6,032	\$15,571	\$14,166	\$13,800	\$9,750	\$101,696	\$115,496
	<b>Other Revenue</b>	\$0	\$0	\$0	\$0	\$3,202	\$0	\$0	\$3,516	\$0	\$0	\$3,655	\$10,374	\$10,374
	<b>Renewal Fees</b>	\$662,000	\$59,300	\$50,600	\$65,450	\$88,500	\$48,700	\$35,700	\$57,200	\$52,650	\$98,350	\$65,950	\$622,400	\$653,100
	<b>Revenue</b>	<b>\$794,000</b>	<b>\$73,814</b>	<b>\$62,183</b>	<b>\$74,199</b>	<b>\$99,576</b>	<b>\$57,082</b>	<b>\$41,882</b>	<b>\$79,562</b>	<b>\$67,616</b>	<b>\$114,375</b>	<b>\$84,480</b>	<b>\$754,770</b>	<b>\$804,945</b>

**3108 - Professional Fiduciaries Bureau Fund Analysis of Fund Condition**  
(Dollars in Thousands)

Prepared 5.31.2024

2024-25 Governor's Budget With FM 10 Projections

	PY 2022-23	CY 2023-24	BY 2024-25	BY +1 2025-26	BY +2 2026-27
<b>BEGINNING BALANCE</b>	\$ 311	\$ 254	\$ 185	\$ 163	\$ 109
Prior Year Adjustment	\$ 6	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 317	\$ 254	\$ 185	\$ 163	\$ 109
<b>REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>					
Revenues					
4121200 - Delinquent fees	\$ 4	\$ 3	\$ 3	\$ 3	\$ 3
4127400 - Renewal fees	\$ 544	\$ 653	\$ 1,013	\$ 1,013	\$ 1,013
4129200 - Other regulatory fees	\$ 22	\$ 23	\$ 29	\$ 29	\$ 29
4129400 - Other regulatory licenses and permits	\$ 78	\$ 116	\$ 118	\$ 118	\$ 118
4163000 - Income from surplus money investments	\$ 9	\$ 10	\$ 7	\$ 2	\$ -
Totals, Revenues	\$ 657	\$ 805	\$ 1,170	\$ 1,165	\$ 1,163
Totals, Transfers and Other Adjustments	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>	\$ 657	\$ 805	\$ 1,170	\$ 1,165	\$ 1,163
<b>TOTAL RESOURCES</b>	\$ 974	\$ 1,059	\$ 1,355	\$ 1,328	\$ 1,272
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 668	\$ 828	\$ 1,123	\$ 1,157	\$ 1,191
9892 Supplemental Pension Payments (State Operations)	\$ 12	\$ 8	\$ 7	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 40	\$ 38	\$ 62	\$ 62	\$ 62
<b>TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS</b>	\$ 720	\$ 874	\$ 1,192	\$ 1,219	\$ 1,253
<b>FUND BALANCE</b>					
Reserve for economic uncertainties	\$ 254	\$ 185	\$ 163	\$ 109	\$ 19
Months in Reserve	3.5	1.9	1.6	1.0	0.2

**NOTES:**

1. Assumes workload and revenue projections are realized in BY +1 and ongoing.
2. Expenditure growth projected at 3% beginning BY +1 and ongoing.

**Professional Fiduciaries Bureau  
June 12, 2024, Legislative Update**

**Important Dates**

- **June 15-** Budget Bill must be passed by midnight.
- **July 3-** Last day for policy committees to meet and report bills. Beginning of Summer Recess.
- **Aug 5-** Legislature reconvenes.
- **Aug 16-** Last day for fiscal committees to meet and report bills.
- **Aug 31-** Last day for each house to pass bills.
- **Sept 30-** Last day for Governor to sign or veto bills passed by the Legislature.

**2023-2024 Legislation Related to the Bureau**

**AB 2148 (Low) Professional fiduciaries.**

**Status:** Referred to the Assembly Committee on Appropriation's Suspense File. This bill would require the Bureau to issue a certificate of registration to a fiduciary corporation to render professional services after meeting specified requirements. This bill would also allow the Bureau to set the fee to obtain and annually renew a certificate of registration. Additionally, this bill would amend the Probate Code to prohibit a superior court from appointing an unlicensed fiduciary or unregistered entity as a guardian, conservator, trustee, or other officer, or permit a professional fiduciary to continue in any of those offices unless the professional fiduciary either holds a current unsuspended license to act as a professional fiduciary or they are exempt from the licensing requirements as specified in the Professional Fiduciaries Act.

**AB 2800 (Kalra) Elder Abuse and Dependent Civil Protection Act.**

**Status:** This bill failed passage and is dead. This bill was a "spot bill" (A spot bill proposes non-substantive amendments to a code section with the intent it will be amended substantively in the future) related to elder abuse and the Dependent Civil Protection Act at the time of the last Advisory Committee Meeting. This bill was last amended March 21, 2024, and would have expanded the definition of "neglect" in the Welfare and Institutions Code to include failure to implement a treatment plan; failure to provide or arrange for necessary services; or carelessness that produces or could reasonably be expected to result in serious physical injury, mental suffering, or death. This bill would have also revised the definition of "physical abuse" to include the use of a physical or chemical restraint or psychotropic medication for discipline or convenience when not required to treat the

resident's medical symptoms and administered by a long-term health care facility, as defined in Section 1418 of Health and Safety Code, or by a residential care facility for the elderly, as defined in Section 1569.2 of the Health and Safety Code.

# California Department of Consumer Affairs

## DIVERSITY, EQUITY, AND INCLUSION

### FACT SHEET

MISSION STATEMENT: TO ADVANCE A DIVERSE, EQUITABLE, AND INCLUSIVE CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS FOR ALL

#### WHAT DOES DIVERSITY, EQUITY, AND INCLUSION (DEI) MEAN?

##### DIVERSITY

The inherent and acquired qualities, characteristics, and experiences that make us unique as individuals and the groups to which we belong.

##### EQUITY

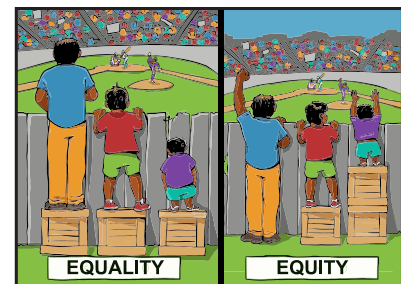
Creates paths to equal outcomes by recognizing that some people and communities have unequal starting points driven by different histories, historical treatment, circumstances, strengths, and needs.

##### INCLUSION

A practice to maintain a positive environment where all individuals feel recognized, understood, and valued.

#### UNDERSTANDING THE DIFFERENCE BETWEEN EQUALITY AND EQUITY

Do equality and equity mean the same thing? Though they sound similar, equality and equity are different and it's important to understand the difference between the two. As demonstrated in the image to the right, equality is providing someone the same, equal treatment. Whereas equity is creating paths to equal outcomes by recognizing that some people and communities have unequal starting points.



#### WHAT ARE THE CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS' (DCA) 2023 DEI INITIATIVES?

**1** Support Workplace Inclusion and Diversity

**2** Expand Culturally Competent Communications

**3** Provide DEI-Related Training to All Staff

#### WHAT DCA SERVICES SUPPORT DEI EFFORTS?

##### *Diversity, Equity, and Inclusion Steering Committee*

In 2022, Director Kimberly Kirchmeyer established the Diversity, Equity, and Inclusion Steering Committee, which is the primary deliberative body for DEI initiatives within the Department. The role of the committee is to spearhead DEI initiatives that build a diverse workforce and create a work environment that is equitable and inclusive for everyone.

Contact: **Tonya Corcoran, DCA Compliance and Equity Officer, [Tonya.Corcoran@dca.ca.gov](mailto:Tonya.Corcoran@dca.ca.gov)**



From left: Christine Lally, Reji Varghese, Angela Jemmott, Melissa Gear, Nicole Le, Marlon McManus, Monica Vargas, Paul Sanchez, Yeaphana La Marr, and Tonya Corcoran. Not pictured: Yvonne Dorantes and Ken Garcia.

#### Tribal Consultation



Yeaphana "Phana" La Marr serves as the DCA tribal liaison to facilitate effective communication between the Department and Native American tribes and tribal communities and to provide meaningful input into the development of regulations, rules, policies, programs, projects, plans, and activities that may affect tribal communities. La Marr is Pit River and Paiute and an enrolled member of the Susanville Indian Rancheria.

Contact: **Phana La Marr, DCA Tribal Liaison, [Yeaphana.LaMarr@dca.ca.gov](mailto:Yeaphana.LaMarr@dca.ca.gov)**  
Additional resource: **[DCA Tribal Policy](#)**

## Multilingual Language Assistance

DCA provides language access services that are available to all DCA programs:

- The Equal Employment Opportunity (EEO) Office administers the American Sign Language and real-time captioning services contract.
- The EEO Office conducts the Departmentwide language survey to identify the public it serves, the language(s) spoken, and the bilingual resources available to ensure equal access to DCA services is provided for all consumers.
- The Office of Human Resources administers the bilingual pay program including the establishment of bilingual positions.
- The Consumer Information Center administers the contract that provides phone language services to consumers in over 200 languages.
- The Office of Publications, Design and Editing coordinates requests for the translation of written materials.

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## DEI-Related Training/Strategic Planning Services

DCA's Strategic Organizational Leadership and Individual Development (SOLID) Training and Planning Solutions offers DEI-related trainings to all Department staff at no cost. The current trainings include:

- Understanding Diversity, Equity, and Inclusion.
- Unconscious Bias.
- Generational Differences.
- Color Lingo: Communication Styles.

DCA strategic planning services include surveying stakeholders, planning sessions and facilitation, and drafting strategic plans.

Contact: [SOLID@dca.ca.gov](mailto:SOLID@dca.ca.gov)

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## Disability Advisory Committee

The Department's Disability Advisory Committee currently consists of 10 employees who have an interest in increasing the hiring and retention opportunities for people with disabilities. The committee promotes its mission of inclusion by developing and sponsoring employee awareness programs and events.

Contact: *Shamekia McBride, DAC Coordinator and EEO Investigator, [Shamekia.McBride@dca.ca.gov](mailto:Shamekia.McBride@dca.ca.gov)*

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## THINGS TO CONSIDER

### ✓ *Include feedback from the public in strategic planning.*

- Identify organizations and communities that utilize your Board's services to garner input from all Californians.
- Review information collected through the new environmental scans that incorporate diversity, equity, and inclusion questions.
- Develop objectives that guide the Board to achieving the goal of embedding equity in policies and processes of the Board.

### ✓ *Review policy decisions including regulatory, statutory, and continuing education requirements with equity in mind.* *Consider:*

- Who will benefit from or be burdened by the particular decision/proposal?
- Are there needs that may be different for demographic or geographic groups? Once implemented, how will boards measure impacts on impacted populations?
- What data/metrics will be used to evaluate the impacts?

### ✓ *Other common terminology in DEI:*

- **Belonging:** From the [Othering and Belonging Institute at U.C. Berkeley](#), "[B]elonging describes values and practices where no person is left out of our circle of concern. Belonging means more than having just access, it means having a meaningful voice and the opportunity to participate in the design of political, social, and cultural structures. Belonging includes the right to both contribute and make demands upon society and political institutions."
- **Accessibility:** From the [U.S. Department of Justice Civil Rights Division](#) in relation to the [American with Disabilities Act](#), "Title II requires that state and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g., public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings)."

### ✓ *For consistency across DCA, boards, and bureaus, the standard terminology is "Diversity, Equity, and Inclusion."*







# LICENSING AND ENFORCEMENT STATISTICS

## JULY 1, 2023–MARCH 31, 2024

### LICENSING STATISTICS

FISCAL YEAR 2023-24 (Q1-Q3)

#### TOTAL LICENSES ISSUED SINCE JULY 1, 2008

1,423

#### NUMBER OF LICENSES BY STATUS AS OF MARCH 31, 2024

Active: 853  
Inactive: 7  
Retired: 14

#### APPLICATIONS

Initial Applications Received FY 23–24: 79

Initial Licenses Issued FY 23–24: 51

#### PROCESSING TIME FOR COMPLETE APPLICATIONS

##### Quarter 1 (July–Sep):

17 days from receipt to approval to sit for exam  
8 days from passing exam to issuance of license

##### Quarter 2 (Oct–Dec):

21 days from receipt to approval to sit for exam  
8 days from passing exam to issuance of license

##### Quarter 3 (Jan–Mar)

24 days from receipt to approval to sit for exam  
10 days from passing the exam to issuance of license

#### RENEWALS

##### Renewals Processed:

Quarter 1 (July–Sep): 224  
Quarter 2 (Oct–Dec): 204  
Quarter 3 (Jan–Mar): 167  
**TOTAL: 595**

##### Processing Timeline:

Quarter 1 (July–Sep): 13 days  
Quarter 2 (Oct–Dec): 11 days  
Quarter 3 (Jan–Mar): 18 days

### ENFORCEMENT STATISTICS

FISCAL YEAR 2023-24 (Q1-Q3)

#### COMPLAINTS RECEIVED

86

#### COMPLAINTS CLOSED

Opened In FY 19-20: 1  
Opened in FY 20–21: 0  
Opened in FY 21–22: 7  
Opened in FY 22–23: 36  
Opened in FY 23–24: 91

**TOTAL CLOSED: 135**

#### AVERAGE DAYS TO CLOSE

153

#### COMPLAINTS PENDING

Opened in FY 20–21: 4  
Opened in FY 21–22: 3  
Opened in FY 22–23: 26  
Opened in FY 23–24: 60

**TOTAL PENDING: 93**

#### CITATIONS ISSUED

25

#### ATTORNEY GENERAL CASES INITIATED

3

