

**MINUTES OF THE CLTAC SUBCOMMITTEE ON PERSONNEL LICENSING  
REGULATIONS  
November 21, 2011**

**Videoconference Sites:**

**Department of Public Health, Richmond Campus, 850 Marina Bay Pkwy, Richmond, CA  
Kaiser Permanente Southern California, 22668 Sherman Way, North Hollywood, CA  
Telephone Bridge, 1-888-428-4470, access CLTAC  
Meeting replay 1-800-475-6701, access 224409**

**Subcommittee members participating**

Michael Borok, Marian Castella, Lori Dean-Yoakum, Robert Footlik, Laurie Fuller (Armour), Lee Hilborne, Morton Field, Lin Kissouni, Joseph Musallum, Jim Ottosen, Salim Rafidi, Les Revier, Becky Rosser, Michelle So, Fred Ung.

**CDPH staff participating**

Karen Nickel, Don Miyamoto, Bea OKeefe

**Welcome, general announcements**

Chairman Salim Rafidi opened the meeting, welcomed the participants, and thanked Kaiser Permanente for providing the videoconference site in southern California. He thanked Jim Ottosen for serving as co-chair of the subcommittee. He asked for a roll call of subcommittee participants and noted that 15 persons participating made a quorum of the subcommittee.

**Review of Clinical Laboratory Personnel Standards**

Salim Rafidi said the purpose of this meeting was to review and discuss the rough draft of the regulations which were sent to the subcommittee in September. He said he had spent the last month trying to figure them out. He said they were hard to follow and asked that a cleaner version be provided so the subcommittee could continue their evaluation.

Mr. Rafidi asked Bea OKeefe to give a background on the current version of the regulations.

Bea OKeefe said the original regulations were submitted for public comment in September 2010. LFS received about 10,000 comments from about 350 persons, groups or entities. LFS also received input from the CLTAC subcommittee. LFS made amendments to the regulations based on these comments and drafted a new version of the regulations in March 2011. These were sent to the Office of Regulations who felt the March 2011 regulations needed format changes for better clarity, consistency, etc and to remove redundancies. The Office of Regulations wrote their own version of the regulations and this redraft was sent to LFS in August. This version was sent to the CLTAC subcommittee in September 2011. The Office of Regulations' version is what the CLTAC subcommittee got, not the March 2011 version that LFS prepared.

Salim Rafidi opened the meeting to the subcommittee, asking them what they thought of the new regulations.

Robert Footlik. The Office of Regulations has no idea what they are doing. They produced garbage.

Les Revier. Agrees with Mr. Footlik. It is obvious that Office of Regulations missed the goal and the revised draft does not rise to the level of the previous draft. It is inconsistent, is incomplete and conflicts with current law. It would require a new law to be consistent. He said LFS should go back to the original draft regulations to incorporate any changes, then resubmit that back to the subcommittee. He does not want to spend any time trying to rewrite what they did.

Salim Rafidi. Agrees with Mr. Revier. Mr. Rafidi said he delayed the meeting of the subcommittee to try to put something together. It was impossible. LFS would need to pay him to work on this draft. It is unacceptable and impossible. LFS needs a whole new version. The CLTAC already voted on amendments which were not reflected in the current Office of Regulations draft.

Joseph Musallum: Agrees with the discussion.

Lee Hilborne. We all agree but what can the subcommittee do?

Les Revier. Mr. Review made a motion that the subcommittee tell the CLTAC (at their meeting on December 9) that they reject the current version. They further asked that LFS go back to the original version. When that is done, the LFS draft should go back to the subcommittee for review and advice, make any further changes, then out for public comment.

Joseph Musallum: Seconded the motion

Salim Rafidi asked for any discussion. Lee Hilborne asked that the subcommittee have access to the March version of the regulations. Karen Nickel said she was unsure whether the subcommittee would be allowed to see the March version. That would be up to the Office of Regulations. Salim Rafidi said the subcommittee should be allowed to see if their comments were incorporated into the March version. Salim Rafidi said the subcommittee needs a working draft to review, not the current version. The format was not important, just the substance of the regulations.

Salim Rafidi asked for a vote on the motion. The CLTAC subcommittee participants in Richmond, North Hollywood and on the telephone bridge voted unanimously to accept the motion that the current version of the regulations developed by the Office of Regulations be rejected.

Lin Kassouni observed that the comments of the subcommittee were different than the public comments that come later (because the law authorized input from the CLTAC for developing regulations). Salim Rafidi agreed.

Jim Ottosen asked what is the pathway now to getting the regulations finished? He would like to see the March version with and without CLTAC subcommittee amendments, before the full CLTAC sees them.

Becky Rosser asked who wrote the version that the subcommittee reviewed? Bea OKeefe said the Office of Regulations wrote the draft.

Michael Borok asked for a timeline when the subcommittee would get the March version. Could they get it before the next CLTAC meeting? Bea OKeefe said we would need Office of Regulations approval.

Salim Rafidi said as soon as the subcommittee gets a good version, they will turn it around in two weeks and then get back to the full CLTAC. Bea OKeefe thought that a month would be needed.

Hearing no further discussion, Salim Rafidi asked for a motion to adjourn the meeting. Becky Rosser moved for adjournment, Michele So seconded and the subcommittee unanimously voted to adjourn. Time of adjournment was 9:35AM