



Members of the Commission

John Carvelli, Chair
Mary Lehman, Vice Chair
John Frierson
Christopher Giza, MD
Martha Shen-Urquidez

**Agenda items may be taken out of order the
agenda except public comment.
Action may be taken on any item listed on**

CALIFORNIA STATE ATHLETIC COMMISSION

MEETING MINUTES

Wednesday, February 18, 2015
10:00 a.m. - conclusion of business

Location:

JUNIPERO SERRA OFFICE BUILDING
320 West Fourth Street, Carmel Room
Los Angeles, CA 90013

Commissioners Present

Chair John Frierson
Vice-Chair John Carvelli
Commissioner Christopher Giza, MD
Commissioner Mary Lehman
Commissioner Martha Shen-Urquidez

Staff Present

Andy Foster, Executive Officer
Spencer Walker, DCA Legal Counsel
Gary Duke, DCA Legal Counsel

OPEN SESSION

Agenda Item 1 – Call the meeting to Order / Roll Call / Pledge of Allegiance

The meeting was called to order at 11:10 a.m. and a quorum was present.

Agenda Item 2 – Chairman’s Opening Remarks

Chairman Frierson expressed gratitude to Executive Officer (EO) Andy Foster. He explained at the time he was appointed, the Governor gave him specific instructions to encourage diversity throughout the Commission. He acknowledged the EO's success in producing such an environment. Chairman further explained that on February 6, 2015, Speaker Atkins reappointed him to the Commission, with a term through 2019. Lastly, Mr. Frierson announced that he is stepping down as Chairman of the Commission.

Agenda Item 3 – Election of New Officers for 2015

The EO requested Commissioner Frierson to provide a nomination for new Chair. Commissioner Frierson selected Commissioner Carvelli, the nomination was accepted.

Roll Call Vote: Frierson - Aye, Carvelli - Aye, Giza - Aye, Lehman - Aye, Shen-Urquidez - Aye

The EO called on the full Commission for nomination of a Vice Chair.

Commissioner Shen-Urquidez nominated Commissioner Lehman, the nomination was accepted.

Roll Call Vote: Carvelli - Aye, Lehman - Aye, Frierson - Aye, Giza - Aye, Shen-Urquidez - Aye

Agenda Item 4 – Approval of December 3, 2014, Commission Meeting Minutes

Vice Chair Lehman motioned to approve the minutes as provided; Commissioner Shen-Urquidez seconded the motion.

Roll Call Vote: Carvelli - Aye, Lehman - Aye, Frierson - Aye, Giza - Aye, Shen-Urquidez - Aye

Motion passed 5-0 by roll call.

Agenda Item 5 – Executive Officer's Report

a. Budget Update

The EO presented his budget report, explaining the Commission's revenue through Fiscal Month 7 is \$856,653, with expenditures of \$833,155. He explained that he remains confident the Commission will meet the Fiscal Year budget of \$1,429,316.

b. Report on Pending Regulations

The EO outlined the status of the currently pending regulations and explained the Therapeutic Use Exemption (TUE) and the Neurological Assessment regulations will be discussed later in the meeting. The Final Rulemaking package for the Boxer's Pension Plan Regulation has been submitted to Department of Consumer Affairs (DCA) and Agency for review.

The Final Rulemaking package for the Television Broadcast Fee Regulation has been approved by DCA and will be submitted to Office of Administrative Law for review. The Transgender Athletes Regulation is currently in its 15-day comment period which will close on March 9, 2015.

Agenda Item 7 – Petition for Change of Decision: Tyson Cave vs. Oscar Escandon

The Commission postponed this item for later in the meeting to allow participants to arrive.

Agenda Item 8 – Petition for Change of Decision: James Chaney vs. Curtis Millender

The Commission postponed this item for later in the meeting to allow participants to arrive.

Agenda Item 9 – Appeal of License Suspension from Robert Emerson

Mr. Emerson explained to the Commission his struggle with a condition his entire life in which he was prescribed medication to treat. He further explained that he was unaware this medication was a performance enhancing drug and requested the Commission consider granting a reduction of the original suspension of 9-months and \$2,500 fine.

After much discussion regarding the timing and disclosure of Mr. Emerson's prescription, Vice Chair Lehman motioned to maintain the fine amount of \$2,500 and reduce the length of the suspension to 5-months, instead of 9-months. Commissioner Frierson seconded the motion.

The EO asked the Commission to consider allowing Mr. Emerson to pay the full fine amount out of his purse in his next CA fight.

Roll Call Vote: Carvelli - Aye, Lehman - Aye, Frierson - Aye, Giza - Nay, Shen-Urquidez - Aye

Motion passed 4-1 by roll call.

Agenda Item 7 – Petition for Change of Decision: Tyson Cave vs. Oscar Escandon

Commissioner Shen-Urquidez motioned to deny the petition for change of decision.

Commissioner Giza seconded the motion.

Roll Call Vote: Carvelli - Aye, Lehman - Aye, Frierson - Aye, Giza - Aye, Shen-Urquidez - Aye

Motion passed 5-0 by roll call.

Agenda Item 8 – Petition for Change of Decision: James Chaney vs. Curtis Millender

Vice Chair Lehman motioned to deny the petition for change of decision. Commissioner Shen-Urquidez seconded the motion.

Public Comment: Ms. Sharon Sands requested that the Commission review the content of the petition and explain what grounds the requestor had to petition the decision.

Roll Call Vote: Carvelli - Aye, Lehman - Aye, Frierson - Aye, Giza - Aye, Shen-Urquidez - Aye
Motion passed 5-0 by roll call.

Agenda Item 6 – Athletic Inspector and Licensed Official - Awards of Recognition, 2014

The Commission presented an award to Inspector Rick Estrada. The EO explained the tremendous commitment that Mr. Estrada provides to the Commission and expressed appreciation for all of his hard work.

Agenda Item 10 – Review and Approval of Modifications to the Neurological Assessment Proposed Regulation Language

Mr. Spencer Walker summarized this item explaining DCA's concerns with the original regulation language not including a medical examination requirement. He further explained that the revised language, does in fact, address the issues that the Department raised.

Commissioner Giza proposed a revision to the language to read as follows: *Magnetic Resonance Imaging (MRI) including Susceptibility Weighted Imaging (SWI), shall be completed by a licensed neurologist, neurosurgeon or neuroradiologist.*

He also suggested a correction to the EKG requirement to read as follows: *Electrocardiogram (EKG) must be performed by a licensed physician. This medical test is only required once, or at the discretion of the licensed examining physician.*

Commissioner Giza motioned to approve the modified text as revised. Commissioner Shen-Urquidez seconded the motion.

Roll Call Vote: Carvelli - Aye, Lehman - Aye, Frierson - Aye, Giza - Aye, Shen-Urquidez - Aye
Motion passed 5-0 by roll call.

Agenda Item 12 – Discussion and Possible Action Regarding Proposed Adoption of Section 424 of Article 14 of Division 2 of Title 4 of the California Code of Regulations – Therapeutic Use Exemption.

The EO recommended that the Commission withdraw this proposal until DCA is able to revise the TUE Regulation language. Commissioner Shen-Urquidez agreed with the EO's recommendation and suggested a small work group to discuss such revisions.

Commissioner Giza suggested that the 21-day review period in the language indicate that a "*complete*" application must be submitted for approval and allowed 21 days. The concern is the Commission will receive partial applications leaving them with a shorter review period for the remaining sections.

In addition, Commissioner Giza would like the language to clearly detail who is to be reviewing the applications. He suggested that if it is determined that an administrative review is appropriate, he would like to see a checklist produced and utilized for all such applications.

It was suggested that the TUE subcommittee be involved in the work group discussions. Since

this subcommittee lost a member, Commissioner Shen-Urquidez suggested Vice Chair Lehman's participation since she has worked on a similar regulation.

Vice Chair Lehman motioned to withdraw the proposal to adopt the TUE Regulation. Commissioner Giza seconded the motion.

Roll Call Vote: Carvelli - Aye, Lehman - Aye, Frierson - Aye, Giza - Aye, Shen-Urquidez - Aye
Motion passed 5-0 by roll call.

Agenda Item 15 – International Kickboxing Federation (IKF) 6-month Review

The EO presented the Commission with an overview of the report of events submitted by IKF. He explained that IKF has been successful in regulating amateur kick-boxing and suggested that the Commission consider extending the delegation for another 6 months. Vice Chair Lehman asked Mr. Fossum, President of IKF, to speak on the reporting of injuries for each event. She requested, for future reports, an additional document to be included that shows suspensions and injuries for all shows. Vice Chair Lehman further requested a full report of all accumulative expenses and income, in reports moving forward.

Commissioner Shen-Urquidez requested that the reports received from each delegation be consistent with each other. She also asked that the IKF website be revised to exclude "Pro-Am Kickboxing" information from the California specific website, as they are only responsible for the amateur kickboxing events.

Commissioner Giza motioned to extend the IKF delegation for 6 months. Commissioner Shen-Urquidez seconded the motion.

Roll Call Vote: Lehman - Aye, Frierson - Aye, Giza - Aye, Shen-Urquidez - Aye
Motion passed 4-0 by roll call.

Agenda Item 14 – Review and Possible Approval of Association of Ringside Physician's Dehydration Informative Flyer

The EO gave a brief background regarding weight cutting issues in the sport. He presented the Commission with the Association of Ringside Physician's (ARP) Dehydration Informative Flyer and suggested that with the Commission's approval, he would like to add the flyer as a supplement to all licensing applications and create pamphlets/posters to distribute to industry.

Commissioner Shen-Urquidez motioned to approve the ARP informative flyer with direction to EO to distribute (website, licensing packages, all delegate organizations, etc.) and create a translated version to Spanish. Commissioner Giza seconded the motion.

Roll Call Vote: Lehman - Aye, Frierson - Aye, Giza - Aye, Shen-Urquidez - Aye
Motion passed 4-0 by roll call.

Agenda Item 7a – Pod Index Official Review of Tyson Cave vs. Oscar Escandon Scoring

The EO presented the Commission with the Pod Index review of the Tyson Cave vs. Oscar Escandon fight that occurred at Pechanga Resort and Casino on December 11, 2014. He explained that the Commission was highly criticized for the result of this bout and mentioned that Pod Index is a tool that the Commission is able to use as an educational device for CSAC officials.

Commissioner Giza asked the EO to explain how the Pod Index creates such a report. The EO explained that there are 5 experienced judges selected to review and score the bout. He ensured that although the reviewers are anonymous, they are typically officials that work in other States on high-level fights.

Public Comment: Mr. Tony Crebs, CSAC Official, requested an explanation of how the participants are instructed to watch the fights. He suggested that the reviewers watching the fight on a television with the ability to pause and replaying portions, does not give an accurate representation of how a bout is scored in real-time from each judges vantage point.

Mr. Raul Caiz, Jr, CSAC Official, spoke to the Commission regarding the 10-point must system of scoring and how the concentration and view of an official may influence a judges scoring.

Vice Chair Lehman established a subcommittee for training for CSAC Judges. The subcommittee will consist of herself and Commissioner Shen-Urquidez.

Agenda Item 17 – Public Comment on Items not on the Agenda

There was no public comment.

Agenda Item 11 – MMA Lysophosphatidic Acid (LPA) study - Lpath

This item was tabled for a future meeting.

Agenda Item 13 – Development of new Strategic Plan

This item was tabled for a future meeting.

Next meeting is scheduled for Tuesday, April 28, 2015 in San Diego, CA.

ADJOURNMENT