



DEPARTMENT OF CONSUMER AFFAIRS
BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.

CALIFORNIA STATE ATHLETIC COMMISSION
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Members of the Commission

John Carvelli, Chair
Mary Lehman, Vice Chair
John Frierson
Martha Shen-Urquidez
Van Gordon Sauter
Vernon Williams, MD
Luis Ayala

**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

Tuesday, March 14, 2017
10:00 a.m. - Conclusion of Business

Location:

*Ronald Reagan Building - Auditorium
300 South Spring Street
Los Angeles, CA 90013*

Commissioners Present

Chair John Carvelli
Commissioner Vernon Williams, MD
Commissioner John Frierson
Commissioner Martha Shen-Urquidez
Commissioner Luis Ayala
Commissioner Van Gordon Sauter

Staff Present

Andy Foster, Executive Officer
Gary Duke, Legal Counsel
Heather Jackson, CSAC Office Staff

Commissioners Absent

Vice Chair Mary Lehman

OPEN SESSION

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

The meeting was called to order at 10:00 am.

Agenda Item 2 –Welcome –Chairman’s opening remarks

Chairman Carvelli welcomed everyone to the meeting and stated that the Athletic Commission’s fund balance appears to be in good standing. He continued by expressing much concern with the continuous weight-cutting and dehydration issues happening in the industry and that it is something the Commission will continue to address moving forward.

Agenda Item 3 – Approval of the December 16, 2016, Commission Meeting Minutes

Revisions to the meeting minutes were discussed and approved. A public comment was heard from Mr. Greg Patchell regarding the delegated entities.

Commissioner Shen-Urquidez motioned to approve the December 16, 2016, Commission Meeting minutes as amended.

Commissioner Van Gordon Sauter seconded the motion.

The motion passed 6-0 by roll call vote.

Agenda Item 4 – Business and Professions Code section 18640.5 requires the Commission to invite stakeholder testimony at Commission meetings in order to identify actions that may lead to greater opportunities for licensees to participate in major professional boxing contests

There were no comments for this Agenda Item.

Agenda Item 5 – Executive Officer’s Report

a. Budget Update for the Support Fund (including DCA and State Pro Rata), the Neurological Fund, and Pension Program

Executive Officer (EO) Foster reported that the Commission’s budget through Fiscal Month 7 (January) is \$934,623 in revenue, \$852,594 in expenditures, and that the current fund balance (reserve fund) for economic uncertainties is \$1,127,960. He further reported that there have been increased expenses in inspector costs associated with C3 Logix testing, UCLA Olympic Analytical Laboratory, and Request-A-Test out of competition drug testing will appear in the next budget report.

He explained that the Governor’s budget for FY 17-18 was released and the pro rata charges paid to the DCA and to the state were increased again for FY 17-18. Consequently, he and the Chairman had a meeting with the DCA budget office so that the process could be explained. As a result, DCA’s budget analyst, Taylor Schick, assured Chairman Carvelli and EO Foster that they will have more input with the next budget cycle regarding how the DCA pro rata is calculated.

Last, EO Foster reported that the Department of Finance approved the Commission’s Budget Change Proposal that allows the Commission to request additional funding for inspectors and travel costs associated with regulating the events. However, the Legislature approval is still pending and a hearing is scheduled with the Assembly Sub 4 budget committee on March 28, 2017.

b. Report on Pending and Proposed Regulations and Legislation

EO Foster provided a summary of the pending regulations.

- Payment to Contestants
 - a. No updates since the last meeting. The Rulemaking file was published by OAL on August 12, 2016 and a public hearing was held on September 26, 2016. The final package was submitted to Legal Counsel for review and approval on October 31, 2016.

- Examination of Boxer Applicants and Neurological Assessment
 - a. EO Foster explained that this is a separate item later in the agenda.
- Headgear – EMERGENCY Regulation
 - a. The Final Rulemaking File was approved by DCA and Agency on January 26, 2017 and submitted to OAL for final review and approval on February 10, 2017.
- Weighing Time, Time for Physical Examinations, and Dehydration and Rehydration – EMERGENCY Regulation
 - a. The Rulemaking file was published by OAL on July 29, 2016 and a public hearing was held on September 12, 2016. The final package was submitted to DCA for approval on October 31, 2016.
- Technical Zone
 - a. EO Foster explained that after the last changes that were made to the proposed language by the Commission and further discussion with Legal Counsel, it was determined that this regulation proposal would duplicate existing regulations. On March 3, 2017, a memorandum was sent to all Ringside Physicians and Lead Athletic Inspectors giving direction and clarification of California Code of Regulations section 294, Emergency Equipment Required.

c. Status Update of Delegated Entities

- **California Amateur Mixed Martial Arts Organization (CAMO)**
Mr. JT Steele, President, reported the status of CAMO's operations, mentioning that in the last 6 months they have been working on changing the California State Championship structure. He explained that under this new linear structure, the competitors must beat the current State Champion to win the belt. He further reported that within the next couple of months their new website will be live. With the new website update, licensing online and on smartphones will be an option as well as allowing more flexibility on their administrative side. Last, he confirmed CAMO's non-profit status, as requested.
- **USA Boxing**
Mr. Joe Zanders, USA Boxing National Coach, presented on behalf of Mr. Mike McAtee, Interim Executive Officer. He explained that USA Boxing continues to hold outstanding State and Regional championship competitions and that out of all the events last year, they experience only two injuries to their officials and none for any of their competitors.
- **International Kickboxing Federation (IKF)**
Mr. Steve Fossum, President, was unable to attend the meeting. EO Foster presented the Commission with his written report submitted in the meeting materials.
- **United State Fight League (USFL)**
Mr. John Frank, President, reported that USFL held their first event for the year on February 4, 2017, reporting that with regard to AB2007, that event successfully completed 100% compliance for all competitors and coaches. He requested that the Commission consider allowing a fee change for him to impose a late fee for coaches that apply late as there is now more background and processing involved.

d. Update on C3 Logix Sports Concussion Management Program

EO Foster reported that at the December 10, 2016, the Advisory Committee on Medical and Safety Standards (Medical Advisory Committee or MAC) established objectives for implementing the C3 Logix Sports Concussion Management Program (Program). He explained that MAC's target for the Program's first year is to complete baseline testing on 300 licensed athletes where priority is given to those who are considered high risk on the Boxing Severity Index, athletes making their pro-debut, and athletes 40 years of age and over.

e. Upcoming Event Schedule

EO Foster presented the Commission's attention to the following shows:

- March 23, 2017 – Golden Boy at Fantasy Springs – ESPN (Boxing)
- April 9, 2017 – Ringstar Sports at Club Nokia at LA Live – Fox Sports 1 (Boxing)
- April 22, 2017 – Top Rank at Stub Hub Center – HBO (Boxing)

Agenda Item 6 – Pension Fund Subcommittee (Commissioner Lehman and Ayala)

EO Foster reported what steps the Commission has taken since the last meeting to reach boxers. He stated that they have worked with Division of Investigations on obtaining current mailing addresses of boxers that had distributions due in 2016 and statements were mailed to all of those that we had addresses on. They have also provided the WBC with a list of boxers that the Commission was unable to locate and that the WBC used their office in Mexico to assist us with reaching out to potential claimants in Mexico. He also explained that Sophia has noticed an increase in email and telephone inquiries from Boxers regarding the plan and that many of those contacts were from individuals from Mexico.

Additionally, he reported that the Commission has developed future steps to reach boxers moving forward including scheduling a meeting with the Division of Investigation to discuss further what services they will provide the Commission with investigating further the location of potential late claimants.

Agenda Item 7 – Appointments of the Advisory Committee on Medical and Safety Standards

EO Foster reported that the Advisory Committee on Medical and Safety Standards has made great progress since the reorganization occurred last year. He explained that the physicians that are appointed to the MAC have attended and provided beneficial participation and that with the exception of Dr. Paul Wallace, who serves as the Chairperson, the rest of the members need to be re-authorized for another term.

EO Foster recommended that the Commission approve the following physicians to serve another term:

- Rudolph-Bear Gamboa, M.D. FAASM
- Brian K. Estwick, M.D.
- Diego Allende, D.O. (serving 1st term)
- Rhonda Rand, M.D.
- Jonathan A. Schleimer, M.D.

Commissioner Williams motioned to approve all proposed members to serve another term on the Advisory Committee on Medical and Safety Standards.

Commissioner Ayala seconded the motion.

The motion passed 6-0 by roll call vote.

Public Comment:

- Mr. Greg Patchell requested to be placed on the next MAC Meeting agenda.
- Dr. Lou Moret recommended that the Commission consider Dr. Jim Jenkins for the next round of appointments for the MAC.

Agenda Item 8 – Discussion on the way the Commission views the “show money” and the “win bonus” in relation to the overall purse in mixed martial arts bout agreements

EO Foster explained to the Commission that Mixed Martial Arts (MMA) and Boxing athletes are contracted and paid in a different manner. He added that most of the MMA athletes that compete in California regulated events are paid a “show purse” and a “win bonus” and that he is beginning to see a trend in MMA regarding the fines associated with violating bout contract terms when athletes come in overweight. He detailed that the penalty for MMA fighters weighing in over their contracted weight has only been assessed from their “show purse” and not their “win bonus” and that this practice has become a health and safety issue as it relates to dehydration and weight cutting.

In addition, he outlined various measures that can be taken to ensure the health and safety of professional athletes as it relates to this issue. He proposed changing the bout agreement to obtain parity with boxing, increasing the financial penalty for missing weight and a potential license suspension, licensing by weight class, requesting weight class certified as safe and healthy by the licensing physician on the licensing physical, random weight checks in the field for licensed athletes, and mandatory weight class restrictions for fighters who miss weight. Last, he explained that the Commission has already taken steps to address the dehydration and rehydration issues with the regulation package approved last year, but that more needs to be done.

Commissioner Shen-Urquidez commented that it would be a good idea to penalize the prize money (win bonus). She asked if the Commission has a regulation or statutory authority to conduct random weight testing. Chairman Carvelli requested that legal counsel research what authority the Commission has in with respect to weight testing. Mr. Gary Duke, legal counsel, stated that he believes the Commission may need to create a regulation to do something like this, but that he will further research and report back.

After much discussion Commissioner Sauter directed EO Foster to spearhead the development of a plan to address the weight cutting and dehydration issues. He further instructed that the plan should include a set of strategies that will create a safer environment and enhance the sport as a whole.

The Commission established a subcommittee (Commissioner Williams & Commissioner Frierson) to advise and provide recommendations on how to address the challenges of weight gain and loss in the sport.

Agenda Item 9 – Review and Approval to withdraw proposed language to amend section 280, of Article 6, of Division 2, of Title 4 of the California Code of Regulations - "Examination of Boxer Applicants"

EO Foster provided background to the Commission regarding the status of the proposed regulation. He explained that the Administrative Procedure Act allows the Commission one year

to complete the rulemaking process on proposed language and that significant changes have been suggested to the neurological assessment, section 280 (h) of the proposed language. He added that the changes are as a result of implementation of the C3 Logix Program, as well as the change in the Commission's appropriation of the Neurological Fund. Consequently, Commission staff needs additional time to complete the factual basis/rationale of the changes and he does not anticipate this package being completed by August 2017.

Commissioner Shen-Urquidez motioned to withdraw the regulation package to amend section 280, of Article 6, of Division 2, of Title 4 of the California Code of Regulations - "Examination of Boxer Applicants."

Commissioner Sauter seconded the motion.

The motion passed 5-0 by roll call vote.

Agenda Item 10 – Review and approval of Petition to Change the Decision for Jumoke Hunter vs. Kailan Hill at the Dragon House event on January 7, 2017

EO Foster reviewed the appeal package with the Commission which had previously viewed the video of the bout. He recommended that, based on the evidence, the Commission should consider changing the result of the bout to reflect a 'no decision.'

Commissioner Shen-Urquidez motioned to change the decision of the bout to a 'no decision.'

Commissioner Ayala seconded the motion.

The motion passed 6-0 by roll call vote.

Agenda Item 11 – Public Comment On Items Not On The Agenda

- Mr. Greg Patchell requested to be placed on the next Commission Meeting agenda to speak to the Commission about Sports MMA.
- Mr. Jonathan Bu provided some feedback on working with IKF with regard to determining athletes' eligibility to compete as amateurs as well as the approval process for shin and elbow pads.

Agenda Item 12 – Next Meeting Scheduled for May 16, 2017

Proposed meeting on Tuesday, May 16, 2017, in Orange County.

Agenda Item 13 – ADJOURNMENT