

DENTAL BOARD OF CALIFORNIA

2005 Evergreen Street, Suite 1550, Sacramento, CA 95815
P (916) 263-2300 F (916) 263-2140 www.dbc.ca.gov



NOTICE OF PUBLIC MEETING – Notice is hereby given that a public meeting of the Dental Board of California will be held as follows:

Thursday and Friday, May 19-20, 2011

Embassy Suites SFO - 150 Anza Blvd.

Burlingame, CA 94010

650-342-4600 or 916-263-2300

Public comments will be taken on agenda items at the time the specific item is raised. The Board may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. Time limitations for discussion and comment will be determined by the President. For verification of the meeting, call (916) 263-2300 or access the Board's Web Site at www.dbc.ca.gov. This Board meeting is open to the public and is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Richard DeCuir, Executive Officer at 2005 Evergreen Street, Suite 1550, Sacramento, CA 95815, or by phone at (916) 263-2300. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation

Thursday, May 19, 2011

While the Board intends to webcast this meeting, it may not be possible to webcast the entire open meeting due to limitations on resources.

**8:30 a.m. DENTAL BOARD OF CALIFORNIA – FULL BOARD
Open Session**

ROLL CALL..... Establishment of a Quorum

*** CLOSED SESSION - DISCIPLINARY MATTERS AND LITIGATION-FULL BOARD**

(a) Receive Advice from Counsel on Litigation

Michael L. Potts et al. v. Brian Stiger et al. No. 2:03-CV-00348-JAM DAD, US District Court,
Eastern District of Columbia

*The Board will meet in closed session as authorized by Government Code Section 11126(e).

(b) Deliberate and Take Action on Disciplinary Matters

*The Board will meet in closed session as authorized by Government Code Section 11126(c)(3).

***CLOSED SESSION – LICENSING, CERTIFICATION, AND PERMITS COMMITTEE**

Issuance of New License(s) to Replace Cancelled License(s)

*The Committee will meet in closed session as authorized by Government Code Section 11126(c)(2) to deliberate on applications for issuance of new license(s) to replace cancelled license(s)

***CLOSED SESSION - EXAMINATION APPEALS COMMITTEE**

Grant/Deny Appeals from California Examination Candidates

*The Committee will meet in closed session as authorized by Government Code Section 11126(c)(1).

OPEN SESSION RESUMES (approximately) 10:30 a.m.

COMMITTEE MEETINGS – SEE ATTACHED AGENDAS

➤ EXAMINATION COMMITTEE

See attached Examination Committee agenda

➤ LICENSING, CERTIFICATION, AND PERMITS COMMITTEE

See attached Licensing, Certification, and Permits Committee agenda

➤ DENTAL ASSISTING COMMITTEE

See attached Dental Assisting Committee agenda

- LEGISLATIVE AND REGULATORY COMMITTEE
See attached Legislative and Regulatory Committee agenda
- ENFORCEMENT COMMITTEE
See attached Enforcement Committee agenda

FULL BOARD MEETING RESUMES

AGENDA ITEM 1..... Presentation by The Children’s Partnership

AGENDA ITEM 2..... Discussion and Possible Action Regarding the Renewal Application of the Universidad De La Salle

AGENDA ITEM 3..... Discussion and Possible Action to Consider:

(A) Comments Received During the 45-Day Public Comment Period Relative to the Proposed Addition of Title 16, CCR, Section 1018.05 and the Proposed Amendment to Title 16, CCR, Section 1020 for the Consumer Protection Enforcement Initiative; and

(B) Adoption of the Proposed Addition of Title 16, CCR, Section 1018.05 and the Proposed Amendment to Title 16, CCR, Section 1020 for the Consumer Protection Enforcement Initiative

AGENDA ITEM 4..... Discussion and Possible Action Regarding:

(A) Status and Comments Received During the 45-day Public Comment Period for the Board’s Proposed Rulemaking to Amend Title 16, CCR, Sections 1018 and 1020.5 Regarding Uniform Standards for Substance Abusing Licensees and Disciplinary Guidelines

(B) Adoption of Proposed Amendments to Title 16, CCR, Sections 1018 and 1020.5 Regarding Uniform Standards for Substance Abusing Licensees and Disciplinary Guidelines

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Note: The Board may not discuss or take action on any matter raised during the Public Comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting. (Government Code Section 11125 and 11125.7(a))

RECESS

Friday, May 20, 2011

While the Board intends to webcast this meeting, it may not be possible to webcast the entire open meeting due to limitations on resources.

8:00 a.m. DENTAL BOARD OF CALIFORNIA – FULL BOARD

ROLL CALL..... Establishment of a Quorum

AGENDA ITEM 5..... Approval of the Full Board Meeting Minutes from February 24-25, 2011

AGENDA ITEM 6..... President’s Report

AGENDA ITEM 7..... Executive Officer’s Report

AGENDA ITEM 8..... DCA Director’s Report

AGENDA ITEM 9..... Update on Dental Hygiene Committee of California (DHCC) Activities

- AGENDA ITEM 10..... Budget Reports: Dental Fund & Dental Assisting Fund
- AGENDA ITEM 11..... Update on Dental Board of California’s Sunset Review Process and Discussion and Possible Action Regarding SB 540 (Price)
- AGENDA ITEM 12..... Discussion and Possible Action Regarding SB 544 (Price), Professions and Vocations: Regulatory Boards Relating to the Consumer Health Protection Enforcement Act
- AGENDA ITEM 13..... Examination Committee Report
The Board may take action on any items listed on the attached Examination Committee agenda.
- AGENDA ITEM 14..... Examination Appeals Committee Report
Recommendations to the Board to grant/deny appeals of exam candidates
- AGENDA ITEM 15..... Licensing, Certification & Permits Committee Report
(a)The Board may take action on any items listed on the attached Licensing, Certification & Permits Committee agenda.
(b)Recommendations to the Board regarding issuance of new licenses to replace cancelled licenses
- AGENDA ITEM 16..... Dental Assisting Committee Report
The Board may take action on any items listed on the attached Dental Assisting Committee agenda.
- AGENDA ITEM 17..... Legislative and Regulatory Committee Report
The Board may take action on any items listed on the attached Legislative and Regulatory Committee agenda.
- AGENDA ITEM 18..... Enforcement Committee Report
The Board may take action on any items listed on the attached Enforcement Committee agenda.
- AGENDA ITEM 19..... Update from Subcommittee Regarding Portfolio Licensure Examination for Dentistry (AB 1524, Stats 2010 ch 446)
- AGENDA ITEM 20..... Report on the April 27, 2011 meeting of the Elective Facial Cosmetic Surgery (EFCS) Permit Credentialing Committee, Discussion and Possible Action to Accept Committee and Subcommittee Recommendations for:
- (a) Issuance of Permits and Changes to the Board’s Web Site to Clarify the EFCS Permit Application Process
 - (b) Appointments of Credentialing Committee Member(s)
- AGENDA ITEM 21..... Discussion and Possible Action Regarding Subcommittee Report on Record Retention of Inactive Patient Records.
- AGENDA ITEM 22..... Discussion and Possible Action to Conduct a Feasibility Study for a Continuing Competency Program

PUBLIC COMMENT

ADJOURNMENT

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NOTICE OF PUBLIC MEETING – Notice is hereby given that a public meeting of Examination Committee of the Dental Board of California will be held as follows:

NOTICE OF EXAMINATION COMMITTEE MEETING

Thursday, May 19, 2011

Upon Conclusion of Closed Session
Embassy Suites SFO - 150 Anza Blvd.
Burlingame, CA 94010
650-342-4600 or 916-263-2300

EXAMINATION COMMITTEE

Chair – Stephen Casagrande, DDS
Vice Chair – Huong Le, DDS
Luis Dominicus, DDS
Rebecca Downing, Public Member
Judy Forsythe, RDA
Steven Morrow, DDS
Thomas Olinger, DDS

CALL TO ORDER

ROLL CALL AND ESTABLISHMENT OF QUORUM

EX 1 – Approval of the February 24, 2011 Examination Committee Meeting Minutes

EX 2 – Dental Assisting Program Examination Statistics

EX 3 – Calendar of Upcoming Dental & Dental Assisting Program Examinations

EX 4 – Western Regional Examination Board (WREB) Statistics and Update

EX 5 – Discussion and Possible Action Regarding Portfolio Pathways to Licensure for Registered Dental Assistants

PUBLIC COMMENT

ADJOURNMENT

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NOTICE OF PUBLIC MEETING – Notice is hereby given that a public meeting of Licensing, Certification and Permits Committee of the Dental Board of California will be held as follows:

NOTICE OF LICENSING, CERTIFICATION AND PERMITS COMMITTEE MEETING

Thursday, May 19, 2011

Upon Conclusion of Examination Committee Meeting
Embassy Suites SFO - 150 Anza Blvd.
Burlingame, CA 94010
650-342-4600 or 916-263-2300

**LICENSING, CERTIFICATION, AND
PERMITS COMMITTEE**

Chair – Bruce Whitcher, DDS
Vice Chair – Luis Dominicis, DDS
Steve Afriat, Public Member
Stephen Casagrande, DDS
Rebecca Downing, Public Member
Judith Forsythe, RDA
Suzanne McCormick, DDS

CALL TO ORDER

ROLL CALL AND ESTABLISHMENT OF QUORUM

LCP 1 – Approval of the February 24, 2011 Licensing,
Certification and Permits Committee Meeting Minutes

LCP 2 – Dental and Dental Assisting Program Licensure and Permit Statistics

LCP 3 – General Anesthesia/Conscious Sedation Permit Evaluation Statistics

LCP 4 – Update Regarding 2011 General Anesthesia Evaluator Calibration Courses

LCP 5 – Update Regarding Fingerprinting Requirements for Licensees

LCP 6 – Discussion and Possible Action Regarding Specialty Licensure

RETURN TO OPEN SESSION

PUBLIC COMMENT

ADJOURNMENT

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NOTICE OF PUBLIC MEETING – Notice is hereby given that a public meeting of the Dental Assisting Committee of the Dental Board of California will be held as follows:

NOTICE OF DENTAL ASSISTING COMMITTEE MEETING

Thursday, May 19, 2011

Upon Conclusion of Licensing, Certification and Permits Committee Meeting
Embassy Suites SFO - 150 Anza Blvd.
Burlingame, CA 94010
650-342-4600/916-263-2300

CALL TO ORDER

ROLL CALL AND ESTABLISHMENT OF QUORUM

DA 1 – Approval of the February 24, 2011 Dental Assisting Committee Meeting Minutes

DA 2 – Update Regarding Status of Dental Assisting Programs and Courses

DA 3 – Update on Examination Dates and Sites for the Registered Dental Assistant (RDA) Practical Exam

DA 4 – Dental Assisting Forum (DAF) Report and Recommendations

- (A) Discussion and Possible Action Regarding the DAF recommended Scope of Responsibility as stated in the DAF's April 7, 2010 minutes
- (B) Discussion and Possible Action Regarding the DAF Recommendation to Consider Adding Administration of Local Anesthesia as a New Allowable Duty for Registered Dental Assistants in Extended Functions (RDAEF) Licensed after January 1, 2010
- (C) Discussion and Possible Action to Consider the DAF's Request to Correct Prior Recommendation Regarding Changes to the Outline for the RDA Written Examination.
- (D) Discussion and Possible Action Regarding the DAF Recommendation to Split the RDAEF Examination into two Separate Parts

DA 5 – Staff Update on the Possibility of having the RDA and RDAEF Examinations at the same time, date and location. (Information only)

DA 6 – Discussion and Possible Action Regarding the Feasibility of Conducting a Survey of RDAEF Licensees for the Purpose of Analysis of Workforce and Barrier to Care Issues

PUBLIC COMMENT

ADJOURNMENT

DENTAL ASSISTING COMMITTEE

Chair – Judith Forsythe, RDA, Chair
Vice Chair – Bruce Whitcher, DDS
Fran Burton, Public Member
Luis Dominicis, DDS
Huong Le, DDS
Tom Olinger, DDS

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NOTICE OF PUBLIC MEETING – Notice is hereby given that a public meeting of the Legislative and Regulatory Committee of the Dental Board of California will be held as follows:

NOTICE OF LEGISLATIVE AND REGULATORY COMMITTEE MEETING

Thursday, May 19, 2011

Upon Conclusion of Dental Assisting Committee Meeting
Embassy Suites SFO - 150 Anza Blvd.
Burlingame, CA 94010
650-342-4600/916-263-2300

**LEGISLATIVE & REGULATORY
COMMITTEE**

Chair – Fran Burton, Public Member
Vice Chair – Stephen Casagrande, DDS
Steve Afriat, Public Member
Luis Dominicis, DDS
Huong Le, DDS
Suzanne McCormick, DDS
Steve Morrow, DDS

CALL TO ORDER

ROLL CALL AND ESTABLISHMENT OF QUORUM

LEG 1 – Approval of the February 24, 2011 Legislative and Regulatory Committee Meeting Minutes

LEG 2 – 2011 Tentative Legislative Calendar – Information Only

LEG 3 – Discussion and Possible Action on the Following Legislation:

- AB 127 (Logue) Regulations: effective date
 - AB 991 (Olsen) State government: licenses: California Licensing and Permit Center
 - AB 1088 (Eng) State agencies: collection of demographic data
 - SB 100 (Price) Healing arts
 - SB 103 (Liu) State government: meetings
 - SB 540 (Price) Dentistry
 - SB 541 (Price) Regulatory boards: expert consultants (SME contracts)
 - SB 544 (Price) Professions and vocations: regulatory boards
 - SB 694 (Padilla) Dental care
 - SB 943 (Committee on Business, Professions and Economic Development) Healing arts
- Other legislation impacting the Board that staff becomes aware of between the time the meeting notice is posted and the Board meeting.

LEG 4 – Update on Pending Regulatory Packages

- A. Retroactive Fingerprinting (*California Code of Regulations, Title 16, Sections 1007, 1008, and 1017.2*)
- B. Dental Assisting Educational Programs and Courses (*California Code of Regulations, Title 16, Sections 1070, 1070.1, 1070.2, 1070.6, 1070.7, 1070.8 and 1071*)
- C. Minimum Standards for Infection Control (*California Code of Regulations, Title 16, Section 1005*)
- D. Consumer Protection Enforcement Initiative (*California Code of Regulations, Title 16, Sections 1018.05 and 1020*)
- E. Uniform Standards Relating to Substance Abusing Licensees and Disciplinary Guidelines (*California Code of Regulations, Title 16, Sections 1018 and 1020.5*)
- F. Sponsored Free Health Care Events (*California Code of Regulations, Title 16, Sections 1023.15, 1023.16, 1023.17, and 1023.18*)

LEG 5 – Prospective Legislative Proposals

Request for proposals - Stakeholders Are Encouraged to Submit Proposals in Writing to the Board Before or During the Meeting for Possible Consideration by the Board at a Future Meeting

PUBLIC COMMENT

ADJOURNMENT

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NOTICE OF PUBLIC MEETING – Notice is hereby given that a public meeting of the Enforcement Committee of the Dental Board of California will be held as follows:

NOTICE OF ENFORCEMENT COMMITTEE MEETING

Thursday, May 19, 2011

Upon Conclusion of Legislative and Regulatory Committee Meeting
Embassy Suites SFO - 150 Anza Blvd.
Burlingame, CA 94010
650-342-4600 or 916-263-2300

ENFORCEMENT COMMITTEE

Chair – Rebecca Downing, Public Member
Vice Chair – John Bettinger, DDS
Steven Afriat, Public Member
Stephen Casagrande, DDS
Huong Le, DDS
Thomas Olinger, DDS

CALL TO ORDER

ROLL CALL AND ESTABLISHMENT OF QUORUM

ENF 1 – Approval of the February 24, 2011 Enforcement Committee Meeting Minutes

ENF 2 – Investigator Activity Reporting (IAR) Update

ENF 3 – Enforcement Statistics/Improved Report Templates

ENF 4 – Discussion and Possible Action Regarding Time Limitations for Posting Cite and Fine Actions on the Board's Website.

ENF 5 – Diversion Statistics

ENF 6 – Report on Dental Consultant Calibration Course for Complaint and Compliance Unit

ENF 7 - Update on Enforcement Process Improvements

PUBLIC COMMENT

ADJOURNMENT

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