



## **BOARD MEETING AGENDA**

**May 29-30, 2014**

Red Lion Hotel

150 Hegenberger Road, Oakland, CA 94621

510-635-5300 or 916-263-2300

### **Members of the Board**

Fran Burton, MSW, Public Member, President

Bruce Whitcher, DDS, Vice President

Judith Forsythe, RDA, Secretary

Steven Afriat, Public Member

Stephen Casagrande, DDS

Yvette Chappell-Ingram, Public Member

Katie Dawson, RDH

Luis Dominicis, DDS

Kathleen King, Public Member

Ross Lai, DDS

Huong Le, DDS, MA

Meredith McKenzie, Public Member

Steven Morrow, DDS, MS

Thomas Stewart, DDS

Debra Woo, DDS

During this two-day meeting, the Dental Board of California will consider and may take action on any of the agenda items. It is anticipated that the items of business before the Board on the first day of this meeting will be fully completed on that date. However, should items not be completed, it is possible that it could be carried over and be heard beginning at 9:00 a.m. on the following day. Anyone wishing to be present when the Board takes action on any item on this agenda must be prepared to attend the two-day meeting in its entirety.

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 website at [www.dbc.ca.gov](http://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 Karen M. Fischer, MPA, 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.

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

# Thursday, May 29, 2014

## 9:00 A.M. FULL BOARD MEETING – OPEN SESSION

1. Call to Order/Roll Call/Establishment of Quorum

### **CLOSED SESSION – FULL BOARD**

Deliberate and Take Action on Disciplinary Matters

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

### **RETURN TO OPEN SESSION – FULL BOARD**

2. Report from the Licensing, Certification and Permits Committee Regarding Closed Session  
The Board may take action on recommendations by the Licensing Certification and Permits Committee regarding issuance of new license(s) to replace cancelled license(s).
3. Approval of the February 27-28, 2014 Board Meeting Minutes and the March 12, 2014 and April 9, 2014 Teleconference Minutes
4. President's Report
5. **COMMITTEE/COUNCIL MEETINGS – SEE ATTACHED AGENDAS**
  - EXAMINATION COMMITTEE  
See attached Examination Committee agenda
  - DENTAL ASSISTING COUNCIL  
See attached Dental Assisting Council agenda
  - LEGISLATIVE AND REGULATORY COMMITTEE  
See attached Legislative and Regulatory Committee agenda
6. Presentation by a Representative from the California Dental Association (CDA) Regarding Recent Access to Care Events

7. Discussion and Possible Action Regarding:

- A. Comments Received During the 45-Day Public Comment Period for the Board's Proposed Rulemaking to Amend Section 1018 of Title 16 of the California Code of Regulations Relating to Revocation for Sexual Misconduct; and
- B. Adoption of Proposed Amendment to Section 1018 of Title 16 of the California Code of Regulations Relating to Revocation for Sexual Misconduct

8. Public Comment of Items Not on the Agenda

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 §§ 11125 and 11125.7(a))

9. Recess

## Friday, May 30, 2014

### 9:00 A.M. OPEN SESSION - FULL BOARD

10. Call to Order/Roll Call/Establishment of Quorum
11. Executive Officer's Report
  - Sunset Review
12. Budget Report
13. Update from the Department of Consumer Affairs' Executive Office
14. Update from the Dental Hygiene Committee of California (DHCC)
15. Report on the April 16, 2014 Meeting of the Elective Facial Cosmetic Surgery Permit Credentialing Committee; Discussion and Possible Action to Accept Committee Recommendations for Issuance of Permits
16. Discussion and Possible Action Regarding an Appointment to the Dental Assisting Council
17. Discussion and Possible Action To:
  - A. Reconsider Promulgation of a Regulation to Delegate Authority to the Executive Officer Regarding Stipulated Settlements to Revoke or Surrender a License;
  - B. Initiation of a Rulemaking to Amend California Code of Regulations, Title 16, Section 1001 Relating to Delegation of Authority to the Executive Officer Regarding Stipulated Settlements to Revoke or Surrender a License
18. Discussion and Possible Action Regarding the Bay Area Prescription Drug Abuse Summit
19. Discussion and Possible Action on Staff Update on the Dental Hygiene Committee of California's (DHCC) Regulatory Proposal to Adopt California Code of Regulations, Title 16, §§ 1103, 1105, 1105.1, 1105.2, 1105.3, 1105.4, and 1106 Relative to Educational Program Requirements
20. Enforcement
  - A. Enforcement Program Status
  - B. Enforcement Program Statistics and Trends
  - C. Review of Third Quarter Performance Measures from the Department of Consumer Affairs
  - D. Diversion Program Report and Statistics

21. Licensing, Certification, and Permits
  - A. Review of Dental Licensure and Permit Statistics
  - B. Review of General Anesthesia/Conscious Sedation Evaluation Statistics
22. Examination Committee Report  
The Board may take action on any items listed on the attached Examination Committee agenda
23. Dental Assisting Council Report  
The Board may take action on any items listed on the attached Dental Assisting Council agenda
24. Legislative and Regulatory Committee Report  
The Board may take action on any items listed on the attached Legislative and Regulatory Committee agenda
25. Public Comment of Items Not on the Agenda  
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 §§ 11125 and 11125.7(a))
26. Future Agenda Items  
Stakeholders are encouraged to propose items for possible consideration by the Board at a future meeting
27. Board Member Comments for Items Not on the Agenda  
The Board may not discuss or take action on any matter raised during the Board Member Comments 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 §§ 11125 and 11125.7(a))
28. Adjournment



**NOTICE OF EXAMINATION COMMITTEE MEETING**

**Thursday, May 29, 2014**

*Upon Conclusion of Agenda Item 4*

Red Lion Hotel

150 Hegenberger Road, Oakland, CA 94621

(510) 635-5300 or (916) 263-2300

**MEMBERS OF THE EXAMINATION COMMITTEE**

Chair – Stephen Casagrande, DDS

Vice Chair – Steven Morrow, DDS

Yvette Chappell-Ingram, Public Member

Judith Forsythe, RDA

Ross Lai, DDS

Huong Le, DDS, MA

Debra Woo, DDS

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1. Call to Order/Roll Call/Establishment of Quorum
2. Approval of the February 27, 2014 Examination Committee Meeting Minutes
3. Discussion and Possible Action Regarding the Subcommittee Report on the Western Regional Examination Board (WREB) Occupational Analysis Performed by the Department of Consumer Affairs' (DCA) Office of Professional Examination Services (OPES)
4. Update on the Implementation of the Portfolio Licensure Examination for Dentistry

5. **Public Comment of Items Not on the Agenda**  
The Committee 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 §§ 11125 and 11125.7(a)).
6. **Future Agenda Items**  
Stakeholders are encouraged to propose items for possible consideration by the Committee at a future meeting.
7. **Committee Member Comments for Items Not on the Agenda**  
The Committee may not discuss or take action on any matter raised during the Committee Member Comments 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 §§ 11125 and 11125.7(a)).
8. **Adjournment**



## **NOTICE OF DENTAL ASSISTING COUNCIL MEETING AGENDA**

**Thursday, May 29, 2014**

*Upon Conclusion of the Examination Committee meeting*

Red Lion Hotel

150 Hegenberger Road, Oakland, CA 94621

(510) 635-5300 or (916) 263-2300

### **Members of the Dental Assisting Council**

Chair - Teresa Lua, RDAEF

Vice Chair - Anne Contreras, RDA

Pamela Davis-Washington, RDA

Judith Forsythe, RDA

Emma Ramos, RDA

Bruce Whitcher, DDS

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1. Call to Order/Roll Call/Establishment of Quorum
2. Approval of the February 27, 2014 Dental Assisting Council Meeting Minutes
3. Presentation by a Representative from the California Association of Dental Assisting Teachers (CADAT)
4. Status of Dental Assisting Program and Course Applications
5. Dental Assisting Program Licensure and Permit Statistics
6. Dental Assisting Program Examination Statistics



7. Public Comment for Items Not on the Agenda  
The Council 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 §§ 11125 and 11125.7(a)).
8. Future Agenda Items  
Stakeholders are encouraged to propose items for possible consideration by the Council at a future meeting.
9. Council Member Comments for Items Not on the Agenda  
The Council may not discuss or take action on any matter raised during the Council Member Comments 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 §§ 11125 and 11125.7(a)).
10. Adjournment



**NOTICE OF LEGISLATIVE AND REGULATORY COMMITTEE MEETING**

**Thursday, May 29, 2014**

*Upon Conclusion of the Dental Assisting Council meeting*

Red Lion Hotel

150 Hegenberger Road, Oakland, CA 94621

(510) 635-5300 or (916) 263-2300

**MEMBERS OF THE LEGISLATIVE & REGULATORY COMMITTEE**

Chair – Fran Burton, MSW, Public Member

Vice Chair – Thomas Stewart, DDS

Huong Le, DDS, MA

Meredith McKenzie, Public Member

Steven Morrow, DDS, MS

Public comments will be taken on agenda items at the time the specific item is raised. The Committee 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 Committee Chair. For verification of the meeting, call (916) 263-2300 or access the Board's website at [www.dbc.ca.gov](http://www.dbc.ca.gov). This Committee 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 Karen M. Fischer, MPA, 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.

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1. Call to Order/Roll Call/Establishment of Quorum
2. Approval of the February 27, 2014 Legislative and Regulatory Committee Meeting Minutes
3. 2014 Tentative Legislative Calendar – Information Only
4. Discussion and Possible Action on the Following Legislation:
  - AB 1174 (Bocanegra) Dental Professionals: Teledentistry Under Medi-Cal
  - AB 1702 (Maienschein) Professions and Vocations: Incarceration
  - AB 1711 (Cooley) Administrative Procedures Act: Impact Assessment
  - AB 1758 (Patterson) Healing Arts: Initial License Fees: Proration
  - AB 1903 (Donnelly) Business/Professions: Department of Consumer Affairs
  - AB 1962 (Skinner) Dental Plans: Medical Loss Ratios: Rebates

- AB 2058 (Wilk) Open Meetings
- AB 2147 (Melendez) State Government Web Sites: Information Practices
- AB 2165 (Patterson) Professions and Vocations: Licenses
- AB 2396 (Bonta) Convictions: Expungement: Licenses
- AB 2507 (Bocanegra) Public Records Act: Exemptions
- AB 2598 (Hagman) Department of Consumer Affairs: Administrative Expenses
- AB 2638 (Chau) The Department of Consumer Affairs
- AB 2720 (Ting) State Agencies: Meetings: Record of Action Taken
- SB 1091 (Galgiani) Administrative Procedures: Notice Register
- SB 1159 (Lara) License Applicants: Federal Tax Identification
- SB 1215 (Hernandez, E.) Healing Arts Licenses: Referrals
- SB 1245 (Lieu) Dental Hygiene Committee of California
- SB 1258 (DeSaulnier) Controlled Substances: Prescriptions: Reporting
- SB 1416 (Block) Dentistry: Fees
- SB 1466 (Senate Committee on Business, Professions and Economic Development) Health Care Professionals
- Any additional legislation impacting the Board that staff becomes aware of between the time the meeting notice is posted and the Board meeting

5. Update on Pending Regulatory Packages:

(A) Portfolio Examination Requirements (California Code of Regulations, Title 16, Sections 1021, 1028, 1030, 1031, 1032, 1032.1, 1032.2, 1032.3, 1032.4, 1032.5, 1032.6, 1032.7, 1032.8, 1032.9, 1032.10, 1033, 1033.1, 1034, 1034.1, 1035, 1035.1, 1035.2, 1036, 1036.1, 1036.2, 1036.3, 1037, 1038, and 1039);

(B) Revocation for Sexual Misconduct (California Code of Regulations, Title 16, Section 1018)

(C) Dental Assisting Educational Program and Course Requirements (California Code of Regulations, Title 16, Division 10, Chapter 3, Article 2);

(D) Abandonment of Applications (California Code of Regulations, Title 16, Section 1004); and

(E) Licensure by Credential Application Requirements

6. Discussion of Prospective Legislative 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

7. Public Comment of Items Not on the Agenda

The Committee 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 §§ 11125 and 11125.7(a)).

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9. Committee Member Comments for Items Not on the Agenda  
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10. Adjournment