



## **BOARD MEETING AGENDA**

**May 11-12, 2016**

Wyndham Anaheim Garden Grove  
12021 Harbor Boulevard, Garden Grove, CA 92840  
714-867-5555 (Hotel) or 916-263-2300 (Board Office)

### **Members of the Board**

Steven Morrow, DDS, MS, President  
Judith Forsythe, RDA, Vice President  
Steven Afriat, Public Member, Secretary

Fran Burton, MSW, Public Member  
Yvette Chappell-Ingram, Public Member  
Katie Dawson, RDH  
Luis Dominicus, DDS  
Kathleen King, Public Member  
Ross Lai, DDS

Huong Le, DDS, MA  
Meredith McKenzie, Public Member  
Thomas Stewart, DDS  
Bruce Witcher, 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, unless listed as informational only. 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 8:00 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. 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 or technical difficulties that may arise.

# Wednesday, May 11, 2016

## 8:00 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**

- A. 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)

- B. Grant, Deny or Request Further Evaluation for Conscious Sedation Permit Onsite Inspection and Evaluation Failure, pursuant to Title 16 CCR Section 1043.6

The Committee will meet in closed session as authorized by Government Code Section 11126(c)(2) to deliberate whether or not to grant, deny or request further evaluation for a Conscious Sedation Permit as it Relates to an Onsite Inspection and Evaluation Failure

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

2. Licensing, Certification and Permits Committee Report on Closed Session  
The Board may take action on recommendations regarding applications for issuance of new license(s) to replace cancelled license(s) and whether or not to grant, deny or request further evaluation for a Conscious Sedation Permit as it Relates to an Onsite Inspection and Evaluation Failure
3. Approval of the March 3-4, 2016 Board Meeting Minutes.
4. Welcome by Board President.
  - Snapshot of Dental Education 2015-2016
5. Executive Officer's Report.
  - Staffing Update – Vacancies and New Hires
  - Update on the Republic of Moldova Dental School Application
  - Update on Controlled Substance Utilization Review and Evaluation System (CURES) Registration
6. Discussion and Possible Action Regarding an Appointment to the Dental Assisting Council.

**JOINT MEETING OF THE DENTAL BOARD AND DENTAL ASSISTING COUNCIL – SEE ATTACHED AGENDA**

*\*The purpose of this joint meeting is to allow the Board and the Dental Assisting Council to interact with each other, ask questions and participate in discussions.*

**RETURN TO FULL BOARD OPEN SESSION**

**COMMITTEE MEETING – SEE ATTACHED AGENDA**

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

**RETURN TO FULL BOARD OPEN SESSION**

**RECESS**

**Thursday May 12, 2016**

**8:00 A.M. OPEN SESSION – FULL BOARD**

7. Call to Order/Roll Call/Establishment of Quorum.
8. Report of Dental Hygiene Committee of California (DHCC) Activities by DHCC Executive Officer.
9. Examinations:
  - A. Western Regional Examination Board (WREB) Update
  - B. Staff Update on Portfolio Pathway to Licensure
  - C. American Dental Association (ADA) – Other Regional Dental Examinations
10. Licensing, Certifications and Permits:
  - A. Review of Dental Licensure and Permit Statistics
  - B. Update Regarding Pediatric Dental Anesthesia Research per Senator Jerry Hill's Request
11. Enforcement:
  - A. Enforcement – Statistics and Trends
  - B. Review of Second Quarter Performance Measures from the Department of Consumer Affairs
  - C. Diversion Program Report and Statistics
  - D. Presentation by Theresa Lane, Enforcement Chief – Violations of the Dental Practice Act
12. Budget Report.
13. Discussion and Possible Action to Initiate a Rulemaking to Amend California Code of Regulations, Title 16 Sections 1021 and 1022, Dentistry and Dental Assisting Licensing and Permitting Fee Increase.

14. Discussion and Possible Action to Initiate a Rulemaking to Implement, Interpret, and Make Specific California Code of Regulation, Title 16, Sections 1001.1 and 1001.2 Relating to the Defining of “Discovery” and “Filing”.
15. Discussion and Possible Action Regarding Adoption of the Revisions to the Board Member Administrative Procedure Manual.
16. Discussion and Possible Action Regarding the California Society of Periodontists Request for the Dental Board of California’s Endorsement of their Efforts in the Creation of a Periodontal Disease Awareness Month.
17. Report on the April 20, 2016 Meeting of the Elective Facial Cosmetic Surgery Permit Credentialing Committee; Discussion and Possible Action to Accept Committee Recommendations for Issuance of Permits.
18. Legislative and Regulatory Committee Report.  
The Board may take action on any items listed on the attached Legislative and Regulatory Committee agenda.
19. Public Comment on 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)).
20. Board Member Comments on 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)).
21. Adjournment.



## **JOINT MEETING OF THE DENTAL BOARD AND DENTAL ASSISTING COUNCIL**

**Wednesday, May 11, 2016**

*Upon Conclusion of Agenda Item 6*

Wyndham Anaheim Garden Grove

12021 Harbor Boulevard, Garden Grove, CA 92840  
714-867-5555 (Hotel) or 916-263-2300 (Board Office)

### **Members of the Board**

Steven Morrow, DDS, MS, President

\*Judith Forsythe, RDA, Vice President (Also a Council member)

Steven Afriat, Public Member, Secretary

Fran Burton, MSW, 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

Thomas Stewart, DDS

\*Bruce Witcher, DDS, (Also a Council member)

Debra Woo, DDS

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

Chair – Anne Contreras, RDA

Vice Chair – Emma Ramos, RDA

Pamela Davis-Washington, RDA

Teresa Lua, RDAEF

Tamara McNealy, RDA

Judith Forsythe, RDA

Bruce Witcher, DDS

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JNT 1 - Call to Order/Roll Call/Establishment of Quorum

*\*The Board meeting is still in progress. Therefore, it is necessary to take roll call of the Dental Assisting Council members only, for the purpose of joining the Board meeting.*

*\*The Board may take action on any Council recommendations during this joint meeting.*

JNT 2 - Approval of the March 3, 2016 Joint Dental Board and Dental Assisting Council Meeting Minutes.

JNT 3 - Dental Assisting Staff Update.

JNT 4 – Update on Dental Assisting Programs and Courses

JNT 5 - Update on Dental Assisting Examinations Statistics.

- Practical
- Written
- Orthodontic Assistant (OA)
- Dental Sedation Assistant (DSA)

JNT 6 – Update on Dental Assisting Licensing Statistics.

- Registered Dental Assistant (RDA)
- Registered Dental Assistant in Extended Functions (RDAEF)
- Orthodontic Assistant (OA)
- Dental Sedation Assistant (DSA)

JNT 7 – Report on the Results of the Department of Consumer Affairs (DCA) Office of Professional Examination Services (OPES) Occupational Analysis of the Registered Dental Assistant (RDA) and Registered Dental Assistant in Extended Functions (RDAEF) Practical Examinations.

JNT 8 – Discussion and Possible Action Regarding the Update of the Registered Dental Assistant (RDA) Law & Ethics and Written Examinations in Accordance with Business and Professions Code Section 139 Requirements.

JNT 9 – Discussion and Possible Action Regarding the Registered Dental Assistant in Extended Functions (RDAEF) Written Examination in Accordance with Business and Professions Code Section 139 Requirements.

JNT 10 – Update on Dental Assisting Council Regulatory Workshops.

JNT 11 – Discussion and Possible Action Regarding the Suspension of the Registered Dental Assistant (RDA) Practical Examination in Accordance with Business and Professions Code Section 1752.1(i)(j).

JNT 12 – Discussion and Possible Action Regarding the Subcommittee Recommendation Relating to Dental Assisting Fee Increases.

JNT 13 – Update Regarding Regulatory Language Development to Implement Provisions of AB 1174 (Chapter 662, Statutes of 2014).

JNT 14 - Public Comment on Items Not on the Agenda

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JNT 15 - Adjourn Joint Meeting of the Dental Board and the Dental Assisting Council.



## **NOTICE OF LEGISLATIVE AND REGULATORY COMMITTEE MEETING**

**Wednesday, May 11, 2016**

*Upon Conclusion of the Joint Meeting of the Dental Board and Dental Assisting Council*

Wyndham Anaheim Garden Grove

12021 Harbor Boulevard, Garden Grove, CA 92840  
714-867-5555 (Hotel) or 916-263-2300 (Board Office)

### **MEMBERS OF THE LEGISLATIVE AND REGULATORY COMMITTEE**

Chair – Fran Burton, MSW, Public Member

Vice Chair – Kathleen King, Public Member

Katie Dawson, RDH

Huong Le, DDS, MA

Meredith McKenzie, Public Member

Bruce Witcher, DDS

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. Members of the board who are not members of this committee may be attending the meeting only as observers. 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 March 3, 2016 Legislative and Regulatory Committee Meeting Minutes



3. 2016 Tentative Legislative Calendar – Information Only
4. Discussion and Possible Action on the Following Legislation
  - ❖ AB 1707 (Linder) Public Records: Response to Request
  - ❖ AB 2235 (Thurmond) Board of Dentistry: Pediatric Anesthesia: Committee
  - ❖ AB 2331 (Dababneh) Dentistry: Applicants to Practice
  - ❖ AB 2859 (Low) Professions and vocations: retired category: licenses
  - ❖ SB 482 (Lara) Controlled Substances: CURES database
  - ❖ SB 994 (Hill) Antimicrobial Stewardship Policies
  - ❖ SB 1033 (Hill) Medical Board: Disclosure of Probationary Status
  - ❖ SB 1039 (Senate Committee Business Professions and Economic Development) Professions and Vocations
  - ❖ SB 1155 (Morrell) Professions and Vocations: Licenses: Military Service
  - ❖ SB 1195 (Hill) Professions and Vocations: Board Actions: Competitive Impact
  - ❖ SB 1217 (Stone) Healing Arts: Reporting Requirements: Professional Liability
  - ❖ SB 1348 (Cannella) Licensure Applications: Military Experience
  - ❖ SB 1444 (Hertzberg) State Government: Computerized Personal Information Security Plans
  - ❖ SB 1478 (Senate Committee Business Professions and Economic Development) Healing Arts
5. Update on Pending Regulatory Packages
  - Abandonment of Applications (Cal. Code of Regs., Title 16, Section 1004)
  - Delegation of Authority to the Executive Officer (Cal. Code of Regs., Title 16, Section 1001)
  - Dental Assisting Comprehensive Regulatory Proposal; (Cal. Code of Regs., Title 16, Division 10, Chapter 3)
  - Elective Facial Cosmetic Surgery Permit Application and Renewal Requirements (New Regulation)
  - Licensure By Credential Application Requirements (New Regulation)
  - Continuing Education Requirements and Basic Life Support Equivalency Standards (Cal. Code of Regs., Title 16, Sections 1016 and 1017)
  - Mobile Dental Clinic and Portable Dental Unit Registration Requirements (Cal. Code of Regs., Title 16, Section 1049)
  - Dental and Dental Assistant Fee Increase (Cal. Code Regs., Title 16, Sections 1021 and 1022)
  - Definitions for Filing and Discovery (New Regulation)
6. Update Regarding Request for Consideration of Academy of General Dentistry State Licensure Transcript Acceptance.

7. 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
8. Public Comment on 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)).
9. Future Agenda Items  
Stakeholders are encouraged to propose items for possible consideration by the Committee at a future meeting.
10. 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)).
11. Adjournment