



## **BOARD MEETING AGENDA**

**December 3-4, 2015**

Marriott LAX

5855 West Century Blvd.

Los Angeles, CA 90045

949-892-2130 (Hotel) or 916-263-2300 (Board Office)

### **Members of the Board**

Fran Burton, MSW, Public Member, President

Bruce Witcher, 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, December 3, 2015**

### **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 August 27-28, 2015 Board Meeting Minutes.
4. President's Report.

### **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**

5. Presentation of the Controlled Substance Review and Evaluation System (CURES) by the Department of Justice (DOJ).

### **COMMITTEE/COUNCIL MEETINGS – SEE ATTACHED AGENDAS**

- DENTAL ASSISTING COUNCIL  
See attached Dental Assisting Council agenda.
- ACCESS TO CARE COMMITTEE  
See attached Access to Care Committee agenda.
- PRESCRIPTION DRUG ABUSE COMMITTEE  
See attached Prescription Drug Abuse Committee agenda.

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

### **RECESS**

## **Friday, December 4, 2015**

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

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

### **CLOSED SESSION – FULL BOARD**

Executive Officer Performance Evaluation

The Board will meet in closed session as authorized by Government Code §11126(a)(1).

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

7. Executive Officer's Report.
  - Staffing Update
  - Strategic Plan and Board Policy and Procedure Manual Update
  - Distributed Costs (Pro Rata)
  - Form 700 Filing
  - Board Member Training and Terms of Office
8. BreZE Update from the Department of Consumer Affairs.
9. Discussion and Possible Action on the *North Carolina State Board of Dental Examiners vs. Federal Trade Commission Supreme Court Decision*, Attorney General's Opinion Regarding "Active State Supervision," and Federal Trade Commission Guidance on "Active State Supervision".
10. Legislation and Regulations:
  - A. 2015 End of Year Legislative Summary Report.
  - B. Update on Pending Regulatory Packages:
    - Abandonment of Applications (California Code of Regulations, Title 16, § 1004);
    - Delegation of Authority to the Executive Officer Regarding Stipulated Settlements to Revoke or Surrender a License;

- Dental Assisting Educational Program and Course Requirements (California Code of Regulations, Title 16, Division 10, Chapter 3, Article 2);
  - Elective Facial Cosmetic Surgery Permit Application and Renewal Requirements (New Regulation);
  - Licensure By Credential Application Requirements (New Regulation);
  - Continuing Education Requirements (Cal. Code of Regs., Title 16, Sections 1016 and 1017);
  - Mobile and Portable Dental Unit Registration Requirements (California Code of Regulations, Title 16, Section 1049).
- C. Discussion and Possible Action Regarding Legislative Proposals for 2016:
- Healing Arts Omnibus Bill
- D. 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.
11. Discussion and Possible Action Regarding Notification to Patients by Licensees on Probation.
  12. Discussion and Possible Action on the Subcommittee Report Regarding Changes to Licensure By Credential (LBC) Application Requirements.
  13. Discussion and Possible Action Regarding the Dental School Application from the Republic of Moldova and Appointments to the Site Evaluation Team.
  14. Examinations:
    - A. Western Regional Examination Board (WREB) Update
    - B. Staff Update on Portfolio Pathway to Licensure
  15. Budget Report
    - Fourth Quarter/Year End Expenditure Summary for Fiscal Year 2014/15
    - First Quarter Expenditure Summary for Fiscal Year 2015/16
  16. Report on the October 14, 2015 Meeting of the Elective Facial Cosmetic Surgery Permit Credentialing Committee; Discussion and Possible Action to Accept Committee Recommendations for Issuance of Permits.
  17. Dental Assisting Council Report  
The Board may take action on any items listed on the attached Dental Assisting Council agenda.
  18. Access to Care Committee Report  
The Board may take action on any items listed on the attached Access to Care Committee agenda.
  19. Prescription Drug Abuse Committee Report

The Board may take action on any items listed on the attached Prescription Drug Abuse Committee agenda.

20. Election of Board Officers for 2016.

21. 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)).

22. 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)).

23. Adjournment.



**JOINT MEETING OF THE DENTAL BOARD AND DENTAL ASSISTING COUNCIL**  
**Thursday, December 3, 2015**

*Upon Conclusion of Dental Board Meeting Agenda Item 4*

Marriott LAX  
5855 West Century Blvd.  
Los Angeles, CA 90045  
949-892-2130 (Hotel) or 916-263-2300 (Board Office)

**Members of the Board**

Fran Burton, MSW, Public Member, President  
\*Bruce Witcher, DDS, Vice President (Also a Council member)  
\*Judith Forsythe, RDA, Secretary (Also a Council member)

Steven Afriat, Public Member	Ross Lai, DDS
Stephen Casagrande, DDS	Huong Le, DDS, MA
Yvette Chappell-Ingram, Public Member	Meredith McKenzie, Public Member
Katie Dawson, RDH	Steven Morrow, DDS, MS
Luis Dominicus, DDS	Thomas Stewart, DDS
Kathleen King, Public Member	Debra Woo, DDS

**Members of the Dental Assisting Council**

Chair - Judith Forsythe, RDA	
Vice Chair - Anne Contreras, RDA	
Pamela Davis-Washington, RDA	Emma Ramos, RDA
Teresa Lua, RDAEF	Bruce Witcher, DDS
Tamara McNealy, RDA	

Public comments will be taken on agenda items at the time the specific item is raised. Action may be taken 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 Council 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 Council 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 portion of its meeting, it may not be possible to webcast the entire open meeting due to limitations on resources.

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 August 27, 2015 Joint Dental Board and Dental Assisting Council Meeting Minutes.

JNT 3 - Dental Assisting Staff Update.

JNT 4 - Discussion and Possible Action Regarding the Implementation of AB 179

JNT 5 - Presentation by the Department of Consumer Affairs (DCA) Office of Professional Examination Services (OPES) Regarding Occupational Analyses, Examination Development, and Recommendations for Dental Examinations.

JNT 6 - 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)).

JNT 7 - Adjourn Joint Meeting of the Dental Board and the Dental Assisting Council.



**NOTICE OF DENTAL ASSISTING COUNCIL MEETING AGENDA**

**Thursday, December 3, 2015**

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

Marriott LAX

5855 West Century Blvd.

Los Angeles, CA 90045

949-892-2130 (Hotel) or 916-263-2300 (Board Office)

**Members of the Dental Assisting Council**

Chair - Judith Forsythe, RDA

Vice Chair - Anne Contreras, RDA

Pamela Davis-Washington, RDA

Teresa Lua, RDAEF

Tamara McNealy, RDA

Emma Ramos, RDA

Bruce Witcher, DDS

Public comments will be taken on agenda items at the time the specific item is raised. The Council 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 Council 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 Council 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.

1. Call to Order/Roll Call/Establishment of Quorum.
2. Approval of the May 14, 2015 Dental Assisting Council Meeting Minutes.
3. Election of 2016 Dental Assisting Council Officers.

4. 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)).
5. 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)).
6. Future Agenda Items.  
Stakeholders are encouraged to propose items for possible consideration by the Council at a future meeting.
7. Adjournment



**NOTICE OF ACCESS TO CARE COMMITTEE MEETING**

**Thursday, December 3, 2015**

*Upon Conclusion of the Dental Assisting Council Meeting*

Marriott LAX

5855 West Century Blvd.

Los Angeles, CA 90045

949-892-2130 (Hotel) or 916-263-2300 (Board Office)

**MEMBERS OF THE ACCESS TO CARE COMMITTEE**

Chair – Huong Le, DDS

Vice Chair – Meredith McKenzie, Public Member

Fran Burton, MSW, Public Member

Katie Dawson, RDH

Kathleen King, Public Member

Thomas Stewart, 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. 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, 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.

1. Call to Order/Roll Call/Establishment of Quorum.
2. Approval of the February 26, 2015 Access to Care Committee Meeting Minutes.
3. Report on the California Dental Director's Oral Health Program Advisory Committee.
4. Discussion and Possible Action Regarding the Dental Board's Loan Repayment Program.
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 PRESCRIPTION DRUG ABUSE COMMITTEE MEETING**

**December 3, 2015**

*Upon Conclusion of the Access to Care Committee Meeting*

Marriott LAX

5855 West Century Blvd.

Los Angeles, CA 90045

949-892-2130 (Hotel) or 916-263-2300 (Board Office)

**MEMBERS OF THE PRESCRIPTION DRUG ABUSE COMMITTEE**

Chair – Thomas Stewart, DDS

Vice Chair – Fran Burton

Huong Le, DDS, MA

Steven Morrow, DDS

Bruce Whitcher, DDS

Debra Woo, DDS, MA

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.

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

1. Call to Order/Roll Call/Establishment of Quorum
2. Approval of the February 26, 2015 Prescription Drug Abuse Committee Meeting Minutes
3. Subcommittee Update on Opioid Prescription Abuse and Misuse
4. 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)).

5. Future Agenda Items

Stakeholders are encouraged to propose items for possible consideration by the Committee at a future meeting.

6. 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)).

7. Adjournment