



**TELECONFERENCE MEETING OF  
THE ELECTIVE FACIAL COSMETIC SURGERY PERMIT  
CREDENTIALING COMMITTEE  
MEETING MINUTES**

**Wednesday, July 9, 2014**

**For more information, please contact the Board (916) 263-2300**

**Members Present:**

Louis Gallia, DMD, MD  
Anil Punjabi, MD, DDS  
Peter Scheer, DDS  
Dr. Brian Wong, MD

**Members Absent:**

Robert Gramins, DDS – Chair

**Also Present:**

Nellie Forgét, Program Coordinator  
Sarah Wallace, Assistant Executive Officer  
Spencer Walker, DCA Legal Counsel  
Bruce Whitcher, DDS, Board Liaison to Committee

**Teleconference Locations with Public Access:**

**Dental Board of California Office and Teleconference Location:**

2005 Evergreen Street - Silverwood Room  
Sacramento, CA 95815  
(916) 263-2300

**Other Teleconference Locations:**

39935 Vista Del Sol, Ste. 100, Rancho Mirage, CA 92270, (760) 837-1515  
UC Irvine, 1002 Health Sciences Road East, Irvine, CA 92617, (714) 456-7017  
295 Terracina Blvd, Redlands, CA 92373, (909) 798-9950

Dr. Brian Wong joined the teleconference at 3:15 p.m.

Dr. Louis Gallia called the roll by teleconference and established a quorum at 3:06 p.m. There was no public present at any location.

**AGENDA ITEM 1 - Approval of April 16, 2014 Meeting Minutes**

M/S (Gallia/Scheer) to accept the minutes of the April 16, 2014 meeting. By roll call, vote the minutes were approved unanimously.

## **AGENDA ITEM 2 – Staff Report**

Mrs. Nellie Forgét informed the Committee that there was nothing new to report on the Elective Facial Cosmetic Surgery (EFCS) Permit application revisions. Staff was working on recommendations and regulatory language changes which would be discussed at this meeting.

Mrs. Forgét informed the Committee that the Board approved the Committee's recommendation to issue an EFCS permit to Dr. Daniel S. Witcher at the May 29, 2014 Board meeting. Dr. Witcher was granted a permit for unlimited categories I & II privileges.

Mrs. Forgét also reported that there were currently 27 EFCS permit holders.

## **Agenda Item 3 : Discussion on Recommended Material to Meet the Six Year Continued Competency Requirement**

Mrs. Forgét updated the Committee on the Business and Professions Code Section 1638.1(a)(2) requiring permit holders to submit proof of maintained continued competency every six (6) years. She explained that there were currently three (3) permit holders who have reached or exceeded the six (6) year requirement. Business and Professions Code Section 1638.1(a)(2) does not provide the requirements a permit-holder must meet to establish the continued competency. Staff is asking the Committee to consider possible requirements in order to promulgate regulatory language. Mrs. Forgét reviewed the suggested requirements discussed at past meetings and explained that language was not drafted because the Board did not direct staff to focus on this topic.

Mrs. Sarah Wallace, the Assistant Executive Officer, expanded further, informing the Committee that through the implementation of the Breeze licensure system, which is anticipated to be up and running by next spring, it has become apparent that the Committee needs to implement a process of how permit holders are demonstrating continued competency upon the six (6) year renewal. She emphasized that regulatory language has become necessary because the statute is so vague as it relates to the continued competency at the six (6) year mark that staff feels it is necessary to move forward with promulgating regulatory language.

Mrs. Wallace went on to explain that standard procedure is the Board reviews regulatory priorities every August and establishes priorities for that fiscal year. The regulatory packet process can take anywhere from 18 to 24 months to complete. Therefore, staff requested that the Committee give staff direction to work with legal counsel to draft the proposed regulatory language including the requirements discussed at this meeting. She explained that the drafted language would be reviewed with the Committee at the next meeting in October. Additionally, staff recommended the Board consider the promulgation of regulations to implement, interpret, and make specific Code Section 1638.1(a)(2) requirements at its upcoming August meeting.

Past Committee recommendations on six (6) year continued competency requirement were reviewed. Staff suggestions included a specified number of operative reports to reflect the procedures the licensee is permitted to perform and proof of certification that he or she is on active status on the staff of a general acute care hospital or licensed outpatient surgical facility in California and maintains the necessary privileges based on the bylaws of the

hospital to maintain that status. Mrs. Wallace explained that the additional requirements listed at previous meetings seemed excessive. She opened the discussion up to the Committee to see if they had any additional requirements that they would like to see implemented.

Dr. Peter Scheer stressed that there needs to be a continuing education requirement. Dr. Louis Gallia suggested the continued competency requirement could be completed through many avenues including, CALAMOS, online courses, California Academy of Cosmetic surgery, or other avenues. Mrs. Wallace reminded the Committee that until regulatory language is implemented, the Board could not enforce the continuing education requirement. She clarified that it would take anywhere from 6-18 months before the regulation became effective from the time the Board initiates the rule making.

Dr. Scheer suggested the Committee email amongst each other to come up with parameters and then email staff with suggestions.

Dr. Gallia added that the submission of operative reports for the six year requirement should have limitations so that they reflect only the past six years. Dr. Scheer also recommended a specific number of operative reports be recommended for this requirement. Dr. Gallia stated that ten operative reports would be a good idea considering this is what is required for the initial application process.

There was discussion on whether the operative reports requirement would be ten reports total or ten for each category. Staff explained that the current requirement is ten total; not specifying how many must be from what category. The Committee expressed their concern with the current operative reports requirement. Legal counsel suggested the Committee address this issue and any others when working on the regulatory language for the six year requirement.

M/S (Gallia/Scheer) motioned to approved staff's recommendations for the regulatory language to include the following requirements to establish a permit-holder's continued competency:

1. A specified number of operative reports that reflect the procedures the licensee is permitted to perform; and,
2. Proof of certification that he or she is on active status on the staff of a general acute care hospital or licensed outpatient surgical facility in California and maintains the necessary privileges based on the bylaws of the hospital to maintain that status.

By roll call vote, the minutes were approved unanimously.

**CLOSED SESSION** – Consideration of Elective Facial Cosmetic Surgery Permit Applications

**RETURN TO OPEN SESSION - Recommendations to the Dental Board of California Regarding Elective Facial Cosmetic Surgery Permit Applications**

Dr. Gallia reported that the Credentialing Committee reviewed one (1) application.

Applicant Dr. M.M.: The Committee decided to recommend to the Board to issue the applicant a Category I permit limited to implants and a category II permit limited to upper and lower blepharoplasty. The applicant currently holds an EFCS permit for Category II - limited to submental liposuction, Botox and fillers, and chemical peels.

Open Session adjourned at 4:20 p.m.

MINUTE BOOK FOR THIS ITEM IS PREPARED BY NELLIE FORGÉT, EFCS PERMIT PROGRAM COORDINATOR.

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