



DENTAL BOARD OF CALIFORNIA
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**DENTAL BOARD OF CALIFORNIA
 DENTAL ASSISTING COUNCIL MINUTES
 NOVEMBER 29, 2018**

Sacramento Marriott of Rancho Cordova
 11211 Point East Drive, Rancho Cordova Room
 Rancho Cordova, CA 95742

Members Present:

Anne Contreras, RDA
 Pamela Davis-Washington, RDA
 Cindy Ovard, RDA
 Pamela Peacock, RDA
 Jennifer Rodriguez, RDAEF
 Rosalinda Olague, RDA
 Bruce Whitcher, DDS

Members Absent:

(Arrived at 9:50 a.m.)
 (Arrived at 9:50 a.m.)

Agenda Item 1: Call to Order/Roll Call/Establishment of Quorum

A regular meeting of the Dental Assisting Council (Council) was called to order by Dr. Whitcher, appointed as interim chair by Dr. Stewart President of the Dental Board of California, at 9:22 a.m. on Thursday, November 29, 2018. Recognizing a large Council agenda, Dr. Whitcher asked that public comment be limited to three minutes on all agenda items. Staff called roll and a quorum was established.

Agenda Item 2: Approval of the August 23, 2018 Dental Assisting Council Meeting Minutes

Motion/Second/Call (M/S/C) Olague/Ovard motion to approve minutes, without any changes. There was no public comment.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras				✓	
Davis-Washington				✓	
Olague	✓				
Ovard	✓				
Peacock	✓				
Rodriguez			✓		
Whitcher	✓				

Motion passed, and minutes approved.

Agenda Item 3: Update on Dental Assisting Program and Course Applications and RDA Program Re-evaluations

Tina Vallery, Manager of the Dental Assisting Unit reported that there have been 48 Dental Assisting Program/Course curriculum applications approved and 11 site visits

conducted in 2018. Staff provided an overview of all the tables in the Board material packets.

As of November 2018, 45 RDA program re-evaluation notices have been sent out and staff has received responses from 37 programs. Eight programs have notified the Board that they have closed and 11 programs have submitted their applications and curriculum for review and have outstanding deficiencies. There was no public comment.

Agenda Item 4: Update on Dental Assisting Examination Statistics

Ms. Vallery reported that the Board packet provides the written examination pass and fail statistics for candidates who took the written examinations from October 2017 to September 2018.

Ms. Fischer stated that the programs who have the higher rate of fails in the written examination will probably receive priority for the Re-evaluation of program curriculum.

Ms. Ovard commented that we not only look at the school pass/fail rate, but that the examination/questions be evaluated.

Ms. Fischer stated that the Office of Professional Examination Services (OPES) has already completed an evaluation of the examination and it was found to be psychometrically sound.

Public Comment:

Cara Miyasaki, representative of Foothill College, stated student population has changed and there are many who are English as a second language (ESL) candidates.

Agenda Item 5: Update on Dental Assisting Licensing Statistics

Ms. Vallery reported that the packet provides current license and permit status statistics by type as of October 31, 2018. This information is provided by county and includes the ratio of RDAs to DDS for that county. There was no public comment.

Agenda Item 6: Discussion and Possible Action Regarding the Use of an Alternative Examination Resource to Administer the Registered Dental Assistant in Extended Functions (RDAEF) Clinical and Practical Examinations

M/S/C (Olague/Ovard) to recommend to the Board that it approve staff's request to research potential alternatives to administer the RDAEF exams.

The RDAEF Clinical and Practical Examinations are given approximately 8 times a year and are testing approximately 25 candidates per exam.

Board staff is concerned that the administration of the RDAEF examination is becoming increasingly difficult to sustain due to the limited pool of Board Examiners, increasing number of Board-approved RDAEF programs, increasing costs for site rentals, and limited locations to offer the examination.

Board staff is aware that there may be alternative examination resources available that could offer RDAEF examinations to meet the needs of candidates. Board staff is requesting the Council's approval to research alternative examination resources, including regional testing vendors, to assist in the administration of the RDAEF clinical and practical examinations.

Once the research is complete, the findings would be presented to the Council and the Board for consideration and possible action.

Public Comment:

Joan Greenfield, representing RDAEF Association, supports looking at the options however has concerns that regional examination won't ensure that the high standards of current exam are preserved. She also requested that Dr. Richard Frieden, the Board's Chief Examiner continue to be involved in discussions relating to any changes to the administration of the RDAEF examination.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras				✓	
Davis-Washington				✓	
Olague	✓				
Ovard	✓				
Peacock	✓				
Rodriguez	✓				
Whitcher	✓				

Motioned passed and recommendation will be forwarded to the Board.

Agenda Item 7: Discussion and Possible Action Regarding the Development of a Legislative Proposal Relating to the Requirements for Certification in Coronal Polishing and Pit and Fissure Sealants in the RDA Profession

Sarah Wallace, Assistant Executive Officer presented this agenda item. Currently, evidence of successful completion of a board-approved course in coronal polishing is required as a condition of licensure. Additionally, evidence of successful completion of a board-approved course in pit and fissure sealants is required prior to the first expiration of her license.

It has been reported to the Board that the completion and issuance of certificates in coronal polish and pit and fissure sealants prior to licensure may be creating some confusion in dental offices. The fact that unlicensed dental assistants are being issued certificates in coronal polishing and pit and fissure sealants prior to licensure is reportedly giving the dental assistants' and their employer dentists the impression that they are able to perform these duties prior to licensure.

To ensure the public health and safety of the consumers of the State of California, Board staff is asking the Council to discuss and possibly consider making a recommendation to remove the completion of courses in coronal polishing and pit and

fissure sealants as a condition of licensure, and instead require the courses be completed after licensure.

As such, a RDA would be required to enroll in a board-approved coronal polish and pit and fissure sealants course and demonstrate as a condition of enrollment that they are licensed in California. Licensee's would be required to obtain these certifications and provide evidence of successful completion in the application of coronal polish and pit and fissure sealants prior to the first expiration date of his or her license that requires the completion of continuing education as a condition of renewal.

Discussion. Some Council members feel it is up to the employing dentist to know whether their auxiliaries are qualified to perform these duties. They feel it could increase the chance of newly graduated registered dental assistants working out of scope because the dentist would assume because they are now licensed they already have these courses.

Also, there was a concern that if these two courses are removed from the RDA educational programs, it would make them a dental assistant program and would do a disservice to the students enrolled in the RDA programs

Ms. Olague would like to see further research done to get a clearer picture of how often dental assistants are completing these tasks. Other members did not feel further research was necessary.

Ms. Anne Contreras and Ms. Pamela Davis-Washington joined the meeting.

M/S/C (Ovard/Rodriguez) to recommend to the Board it reject the staff recommendation to research whether coronal polish and pit and fissure sealants should be required after licensure.

Public Comment:

Joan Greenfield, representative of the RDAEF Association, is opposed to this recommendation and feels this is an enforcement issue. She thinks dental offices should be noticed.

Cara Miyasaki, representative of Dental Assisting Educators Group and Foothill College is opposed to staff's recommendation. She stated the cost of taking stand-alone classes after licensure would be more-costly because no longer part of education program.

Claudia Pohl, California Dental Assistants Association (CDAA), is not in support of staff's recommendation.

Dr. Guy Acheson, California Academy of General Dentistry (CAGD), suggested that the Board and Council do more to educate dentists about their responsibilities regarding scope of practice for dental assistants and RDAs.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras	✓				
Davis-Washington	✓				
Olague		✓			
Ovard	✓				
Peacock	✓				
Rodriguez	✓				
Whitcher	✓				

Agenda Item 8A: Discussion and Possible Action Regarding Proposed Statutory Changes as Requested by the Foundation for Allied Dental Education (FADE) relating to Addition of Statutory Provision relating to the Use of Materials and Devices Authorized for Use in the Performance of RDAEF Scope of Practice.
M/S/C (Ovard/Olague) to forward this proposal to the Board.

Ms. LaDonna Drury-Klein, representative of FADE, reported that in 2016 FADE (along with two other stakeholder organizations) were asked to formulate reports of inconsistencies between regulations and statutes. FADE is proposing the addition of statutory provisions relating to the use of materials and devices authorized for use in the performance of RDAEF Scope of Practice. As materials and techniques associated with advanced restorative procedures emerge, the RDAEF should be allowed to utilize such materials and techniques when it pertains to the existing scope of practice.

“Proposed: B&P Section 1753.8 A registered dental assistant in extended functions, licensed on or after January 1, 2010 may use any material or device approved for use in the performance of a service or procedure within his or her scope of practice under the appropriate level of supervision, if he or she has the appropriate education and training required to use the material or device.”

According to Ms. Drury-Klein, these changes would give the Board statutory authority to promulgate regulations regarding materials and devices pertinent to their duties; and to define the education and training requirements.

Dr. Whitcher stated that it would be up to the Board to determine whether or not this issue would be included in the sunset review process or to introduce the issue in separate legislation. Dr. Whitcher went on to question the proposed language “approved for use” and asked, approved by whom? Ms. Drury-Klein responded that the FDA had restrictions for use. She wants to ensure that any device used is not used off label. Dr. Whitcher indicated that he didn’t believe that the proposed language supports that comment. He questioned whether or not the Board could clarify these questions in regulations; and stated that education and training would need to be determined by the Board through the regulatory process.

Cindy Ovard, DAC member asked who would define “appropriate education and training”? The Board would define this through regulations.

Public Comment:

Gayle Mathe, California Dental Association (CDA), recommends that staff review the Dental Assisting Comprehensive Rulemaking package to see if this is consistent with proposed regulatory package.

Claudia Pohl, California Dental Assistants Association (CDAA), is in support but wanted to know why we would not also include in the Dental Assisting Comprehensive Rulemaking package. Ms. Fischer stated we must have statutory authority before we can put into regulations.

Maureen Titus, RDA educator and Dental Hygienist, would like Board to consider when making change to devices that it is important to also consider education. She feels the proposed language is too broad.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras	✓				
Davis-Washington	✓				
Olague	✓				
Ovard	✓				
Peacock	✓				
Rodriguez	✓				
Whitcher	✓				

This motion passes and should be taken to the Board for consideration.

Agenda Item 8B: Discussion and Possible Action Regarding Amendments to BPC Sections §1752.1 and 1753 to Allow RDA and RDAEF Programs the Ability to Keep Students Enrolled Until Such Time They successfully complete All Licensure Requirements

M/S/C (Olague/Peacock) motioned to have staff further review and bring this back to the Council at a future meeting.

Ms. LaDonna Drury-Klein, representative of FADE, stated again there is discrepancies between statutes and education regulations. This introduces an alternative pathway for RDAEF students whose program has not graduated them from the educational program to sit for clinical/practical examination.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras	✓				
Davis-Washington	✓				
Olague	✓				
Ovard	✓				
Peacock	✓				
Rodriguez	✓				
Whitcher	✓				

Motion passes and will be referred to staff for further review.

Agenda Item 9: Discussion and Possible action Regarding the Scope of Practice for the RDAEF2 as submitted by Joan Greenfield, representative of RDAEF Association and J Productions Dental Seminar's Inc.

Ms. Greenfield would like to note that she is not representing J Productions Dental Seminar's Inc but is a representative of RDAEF Association.

At its August 2018 meeting, the DAC heard a presentation from Joan Greenfield, RDAEF, MS, regarding a proposal to add the administration of local anesthesia and nitrous oxide to the scope of practice of registered dental assistants in extended functions (RDAEF). At the end of the presentation, the Council tabled the item and requested additional information. Ms. Greenfield prepared the attached meeting materials for the Council's consideration in response to the information requested at the August meeting and summarized this information to the Council at the meeting.

Ms. Greenfield provided the DAC members with additional information regarding the number of local anesthesia training hours in various dental hygiene programs.

Dr. Witcher questioned the need for this scope of practice change based on the Office of Professional Examination Services (OPES) occupational analysis of the RDAEF profession. In terms of duties RDAEFs perform, restorations are list as 46 on a list of 65 duties. What is the need?

DAC member Jennifer Rodriguez expressed concern about the need. How many offices are conducting quadrant dentistry? DAC member Anne Contreras asked if there was a list of dentists who would support this proposal. DAC member Pamela Peacock expressed concerns with safety regarding this proposal. Ms. Rodriguez would like to further discuss the education and training requirements.

DAC member Rosalinda Olague suggested the DAC consider the OPES recommendation to form a working group consisting of dentists, hygienists, RDAEFs, and other interested stakeholders to research and evaluate this proposal.

Executive Office Fischer commented that if the Board pursues this proposal, she would recommend that the DAC and Board do so with a broader goal of streamlining the scope for RDAEFs. In conjunction with additional surveys and a working group, OPES suggests that the Board.

M/S (Olague/Rodriguez) to direct staff to conduct more in-depth surveys of both dentists and a larger sample of RDAEFs to assess their opinions on adding the administration of local anesthesia and nitrous oxide to the RDAEF scope of practice and to form a working group consisting of dentists, hygienists, RDAEFs, and other interested stakeholders to research and evaluate the proposal; and to recommend that the Board consider exploring the possibility of eliminating the multiple layers of RDAEF certifications by incorporating all of them under one general RDAEF license.

Public Comment was limited to 3 minutes.

Susie with Dental Specialties Institute, RDAEF, has been practicing for 35 years. Recommends a permit be added for the RDAEF2 to conduct the duties of this proposal.

Ms. Drury-Klein representing FADE asked that the motion be repeated. She feels that consideration of eliminating the multiple layers of the RDAEF certifications by incorporating all of them under one general RDAEF license should be a recommendation coming out of the working group.

Dr. Simkins, a dentist from Antioch. Supports the proposal because she performs quadrant dentistry. There is a need for RDAEFs to perform the proposed duties.

Dr. Russell, a dentist from Angels Camp in a multispecialty practice sees a huge benefit for RDAEFs to be able to perform the proposed duties. Define the RDAEF program to include these additional duties.

Maureen Titus, CDHA before moving forward with this proposal the DAC and Board should require scientific information upon which to base its recommendations. Requests that scientific surveys be conducted.

Ms. Jordan, RDAEF2 supports the proposal.

Ms. D. Desert, RDAEF2 supports the proposal. She would like to be part of the focus group.

Ms. K. Eachus, RDAEF2 supports the proposal. Suggests that the DAC look into how the RDAEF is used in the dental office.

Claudia Pohl, CDAA supports the establishment of a working group to review the issue and that scientific data be used in determining the next steps.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras	✓				
Davis-Washington	✓				
Olague	✓				
Ovard	✓				
Peacock	✓				
Rodriguez	✓				
Whitcher	✓				

The motion passes.

Agenda Item 10: Public Comment on Items Not on the Agenda
None

Agenda Item 11: Future Agenda Items

Cindy Ovard asked that the RDA pass/fail rate be discussed at a future meeting.

Agenda Item 12: Board and Council Members Comments on Items not on the Agenda
None

Agenda Item 13: Adjournment

Meeting adjourned