



## **BOARD MEETING AGENDA August 26-27, 2013**

Department of Consumer Affairs  
Hearing Room, HQ2  
1747 North Market Blvd., Sacramento, CA, 95834  
(916) 263-2300 (Board Office)

### **Members of the Board**

Huong Le, DDS, MA, President  
Fran Burton, Public Member, Vice President  
Steven Morrow, DDS, MS, Secretary

Steven Afriat, Public Member  
Stephen Casagrande, DDS  
Yvette Chappell-Ingram, Public Member  
Katie Dawson, RDH  
Luis Dominicus, DDS  
Judith Forsythe, RDA

Kathleen King, Public Member  
Ross Lai, DDS  
Meredith McKenzie, Public Member  
Thomas Stewart, DDS  
Bruce Whitcher, 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, 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.

**Monday, August 26, 2013**

**9:00 A.M. MEETING OF THE DENTAL ASSISTING COUNCIL**

See attached Dental Assisting Council Meeting Agenda

**1:30 P.M. FULL BOARD MEETING – OPEN SESSION**

1. Call to Order/Roll Call/Establishment of Quorum
2. Approval of the May 16-17, 2013 Board Meeting Minutes
3. Introduction of New Assistant Executive Officer
4. President's Report
5. Update from the Department of Consumer Affairs' Executive Office
6. Examinations
  - A. Report Regarding the Western Regional Examination Board (WREB) Activities
  - B. Portfolio Examination
    - i. Staff Update on Portfolio Examination Development
    - ii. Discussion and Possible Action to Consider Initiation of a Rulemaking Relative to Portfolio Examination Requirements
7. Legislation and Regulations
  - A. 2013 Tentative Legislative Calendar – Information Only
  - B. Discussion and Possible Action on the Following Legislation:
    - AB X1 1 (Perez) Medi-Cal Eligibility: Expansion
    - AB X1 2 (Pan) Health Care Coverage
    - AB 18 (Pan) Individual Health Care Coverage
    - AB 50 (Pan) Health Care Coverage: Medi-Cal Eligibility
    - AB 186 (Maienschein) Professions and Vocations: Military Spouses: Licenses
    - AB 258 (Chavez) State Agencies: Veterans
    - AB 291 (Nestande) California Sunset Review Commission
    - AB 318 (Logue) Dental Care: Telehealth
    - AB 496 (Gordon) Medicine: Sexual Orientation: Gender Identity
    - AB 512 (Rendon) Healing Arts: Licensure Exemption
    - AB 771 (Jones) Public Health: Wellness Programs
    - AB 809 (Logue) Healing Arts: Telehealth
    - AB 827 (Hagman) Department of Consumer Affairs
    - AB 836 (Skinner) Dentists: Continuing Education

- AB 851 (Logue) Dentistry: Licensure and Certification Requirements
  - AB 1174 (Bocanegra) Oral Health: Virtual Dental Homes
  - AB 1231 (Perez) Regional Centers: Telehealth and Teledentistry
  - SB X1 1 (Hernandez) Medi-Cal Eligibility
  - SB X1 2 (Hernandez) Health Care Coverage
  - SB 456 (Padilla) Health Care Coverage
  - SB 532 (De Leon) Professions and Vocations: Military Spouses
  - SB 562 (Galgiani) Dentists: Mobile or Portable Dental Units
  - SB 690 (Price) Licenses
  - SB 809 (DeSaulnier) Controlled Substances: Reporting
  - SB 821 (Senate Business, Professions & Economic Development Committee) Healing Arts
- C. Discussion and Possible Action to Consider Request from the Dental Hygiene Committee of California to Consider Review of Requirement for Annual Review of Infection Control Guidelines
- 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.
- E. Update on Pending Regulatory Packages:
- i. Uniform Standards for Substance Abusing Licensees (California Code of Regulations, Title 16, Sections 1018 and 1018.01);
  - ii. Dentistry Fee Increase (California Code of Regulations, Title 16, Section 1021); and
  - iii. Abandonment of Applications (California Code of Regulations, Title 16, Section 1004)
- F. Discussion and Possible Action Regarding a Special Meeting in October to Consider Any Adverse Comments Received Regarding the Board's Proposed Dentistry Fee Increase Rulemaking
- G. Discussion and Possible Action Regarding the Health and Safety Institute's Request to Amend California Code of Regulations, Title 16, Sections 1016 and 1017 such that a Basic Life Support Certification Issued by the American Safety and Health Institute Would Satisfy the Mandatory Certification Requirement for License Renewal
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

**Tuesday, August 27, 2013**

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

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

**CLOSED SESSION – FULL BOARD**

A. Deliberate and Take Action on Disciplinary Matters

The Board will meet in closed session as authorized by Government Code §11126(c)(3).

B. Receive Advice from Counsel on Litigation:

- i. Shahab Ebrahimian et al. v Dental Board of CA, Los Angeles Superior Court, Case No. BS131882
- ii. Gediz Barnar v. Dental Board of CA, Los Angeles Superior Court, Case No.30-2012-00556566

The Board will meet in Closed Session as authorized by Government Code § 11126(e).

**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**

11. 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).

12. Executive Officer's Report

13. Budget Report

- Raising the Statutory Cap on Licensing Fees

14. Update from the Dental Hygiene Committee of California (DHCC)

15. Discussion and Possible Action to Extend the Board's Strategic Plan to a Four or Five Year Plan

16. Discussion and Possible Action Regarding 2014 Board Meeting Dates

17. Discussion and Possible Action Regarding Updating and Revising the Board Member Administrative Procedure Manual

18. Update on Universidad De La Salle, Bajio

19. Report from the Dental Assisting Council  
The Board may take action on any items listed on the attached Dental Assisting Council Meeting Agenda.
20. Discussion and Possible Action Regarding Fiscal Year 2013/14 Regulatory Priorities
21. Enforcement
  - A. Enforcement Program Status
  - B. Enforcement Program Statistics
  - C. Review of Department of Consumer Affairs Fiscal Year 2012/13 Fourth Quarter Performance Measures
  - D. Impact of Senate Bill 809 (DeSaulnier) Controlled Substances: Reporting
  - E. Diversion Program Report
  - F. Recommendation for the Appointment of a Northern Diversion Evaluation Committee Member
  - G. Recognition of Dr. Graham, Board Subject Matter Expert
22. Licensing, Certification, and Permits
  - A. Review of Dental Licensure and Permit Statistics
  - B. Review of General Anesthesia/Conscious Sedation Evaluation Statistics
  - C. Update on General Anesthesia/Conscious Sedation Calibration Webinar
23. 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)).
24. Future Agenda Items  
Stakeholders are encouraged to propose items for possible consideration by the Board at a future meeting.
25. 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)).
26. Adjournment