BOARD MEETING AGENDA  
August 25-26, 2014  
Courtyard by Marriott Cal Expo  
1782 Tribute Road  
Sacramento, CA 95815  
916-929-7900 or 916-263-2300

Members of the Board  
Fran Burton, MSW, Public Member, President  
Bruce Whitcher, 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 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. 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. 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.
Monday, August 25, 2014

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

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

2. Approval of the May 29-30, 2014 Board Meeting Minutes

3. President’s Report

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

5. Staff Update on the Dental Hygiene Committee of California’s (DHCC) Rulemaking Proposals:
   A. Adoption of California Code of Regulations, Title 16, Sections 1100, 1101, 1121-1122, 1124, 1126-1127, and 1133 Relative to Definitions, Delegation of Authority to Executive Officer, Examinations, Examination Review Procedures and Appeals, and Infection Control;
   B. Adoption of California Code of Regulations, Title 16, Section 1108 Relative to Remedial Education;
   C. Adoption of California Code of Regulations, Title 16, Sections 1103, 1105, 1105.1, 1105.2, 1105.3, 1105.4, and 1106 Relative to Educational Program Requirements;
   D. Adoption of California Code of Regulations, Title 16, Sections 1104, 1104.1, and 1104.2 Relative to Feasibility Study

6. COMMITTEE/COUNCIL MEETINGS – SEE ATTACHED AGENDAS

   ➢ LICENSING, CERTIFICATION AND PERMITS COMMITTEE
     See the attached Licensing, Certification and Permits Committee agenda

   ➢ LEGISLATIVE AND REGULATORY COMMITTEE
     See attached Legislative and Regulatory Committee agenda

   ➢ PRESCRIPTION DRUG ABUSE COMMITTEE
     See attached Prescription Drug Abuse Committee agenda

   ➢ ENFORCEMENT COMMITTEE
     See attached Enforcement Committee agenda

   ➢ EXAMINATION COMMITTEE
     See attached Enforcement Committee agenda

   ➢ ACCESS TO CARE COMMITTEE
     See attached Access to Care Committee agenda

   ➢ DENTAL ASSISTING COUNCIL
     See attached Dental Assisting Council agenda
7. Discussion and Possible Action Regarding 2015 Board Meeting Dates

8. Discussion and Possible Action Regarding Fiscal Year 2014/15 Regulatory Priorities

9. Discussion and Possible Action Regarding Western University Dental School Approval

10. 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))

11. Recess
Tuesday, August 26, 2014

8:00 A.M. OPEN SESSION - FULL BOARD

12. 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. Louis J. Malcmacher et al v the Department of Consumer Affairs, Dental Board of California et al, Sacramento County Superior Court, Case No. 34-2013-00156509

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

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

13. Executive Officer’s Report
   • Communication Plan
   • Dental Board’s 2013-2016 Strategic Plan
   • Possible Dental School Application from the Republic of Moldova

14. Budget Report

15. Update from the Department of Consumer Affairs’ Executive Office

16. Report on the July 9, 2014 Meeting of the Elective Facial Cosmetic Surgery Permit Credentialing Committee; Discussion and Possible Action to Accept Committee Recommendations for Issuance of Permits
17. Discussion and Possible Action Regarding the Dental Board of California Sunset Review Report

18. Licensing, Certification and Permits Committee Report
   The Board may take action on any items listed on the attached Licensing, Certification and Permits Committee agenda

19. Legislative and Regulatory Committee Report
   The Board may take action on any items listed on the attached Legislative and Regulatory Committee agenda

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

21. Enforcement Committee Report
   The Board may take action on any items listed on the attached Enforcement Committee agenda

22. Examination Committee Report
   The Board may take action on any items listed on the attached Examination Committee agenda

23. Access to Care Committee Report
   The Board may take action on any items listed on the attached Access to Care Committee agenda

24. Dental Assisting Council Report
   The Board may take action on any items listed on the attached Dental Assisting Council agenda

25. 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))

26. Future Agenda Items
   Stakeholders are encouraged to propose items for possible consideration by the Board at a future meeting

27. 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))

28. Adjournment
NOTICE OF PUBLIC MEETING – Notice is hereby given that a public meeting of Licensing, Certification and Permits Committee of the Dental Board of California will be held as follows:

NOTICE OF LICENSING, CERTIFICATION AND PERMITS COMMITTEE MEETING
Monday, August 25, 2014
Upon Conclusion of Agenda Item 5
Courtyard by Marriott Cal Expo
1782 Tribute Road
Sacramento, CA 95815
916-929-7900 or 916-263-2300

MEMBERS OF THE LICENSING, CERTIFICATION, AND PERMITS COMMITTEE
Chair – Bruce Whitcher, DDS
Vice Chair – Yvette Chappell-Ingram, Public Member
Steve Afriat, Public Member
Judith Forsythe, RDA
Ross Lai, DDS

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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 27, 2014 Licensing, Certification and Permits Committee Meeting Minutes
3. Review of Dental Licensure and Permit Statistics
5. Update on General Anesthesia/Conscious Sedation Calibration Webinar

6. Update on the Dental Board of California Fee Increase

7. Discussion and Possible Action to Initiate a Rulemaking to Implement, Interpret and Make Specific, Business and Professions Code § 1635.5 Relating to Licensure by Credential Application Requirements

8. Discussion and Possible Action Regarding the Petition to Amend California Code of Regulations, Title 16, § 1028.3 Relating to Licensure by Residency Requirements

9. 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)).

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

11. 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)).

12. Adjournment
NOTICE OF LEGISLATIVE AND REGULATORY COMMITTEE MEETING  
Monday, August 25, 2014  
Upon Conclusion of the Licensing, Certification and Permits Committee  
Courtyard by Marriott Cal Expo  
1782 Tribute Road, Sacramento, CA 95815  
916-929-7900 or 916-263-2300  

MEMBERS OF THE LEGISLATIVE & REGULATORY COMMITTEE  
Chair – Fran Burton, MSW, Public Member  
Vice Chair – Thomas Stewart, DDS  
Huong Le, DDS, MA  
Meredith McKenzie, Public Member  
Steven Morrow, DDS, MS  

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. 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 May 29, 2014 Legislative and Regulatory Committee Meeting Minutes  
3. 2014 Tentative Legislative Calendar – Information Only  
4. Discussion and Possible Action on the Following Legislation:  
   - AB 186 (Maienschein) Professions & Vocations: Military Spouses  
   - AB 1174 (Bocanegra) Dental Professionals: Teledentistry Under Medi-Cal  
   - AB 1702 (Maienschein) Professions and Vocations: Incarceration  
   - AB 1758 (Patterson) Healing Arts: Initial License Fees: Proration  
   - AB 2058 (Wilk) Open Meetings  
   - AB 2147 (Melendez) State Government Web Sites: Information Practices  
   - AB 2165 (Patterson) Professions and Vocations: Licenses  
   - AB 2396 (Bonta) Convictions: Expungement: Licenses
• AB 2720 (Ting) State Agencies: Meetings: Record of Action Taken
• SB 1091 (Galgiani) Administrative Procedures: Notice Register
• SB 1159 (Lara) License Applicants: Federal Tax Identification
• SB 1215 (Hernandez, E.) Healing Arts Licenses: Referrals
• SB 1245 (Lieu) Dental Hygiene Committee of California
• SB 1258 (DeSaulnier) Controller Substances: Prescriptions: Reporting
• SB 1416 (Block) Dentistry: Fees
• Any additional legislation impacting the Board that staff becomes aware of between the time the meeting notice is posted and the Board meeting

5. Update on Pending Regulatory Packages:

(A) Portfolio Examination Requirements (California Code of Regulations, Title 16, §§ 1021, 1028, 1030, 1031, 1032, 1032.1, 1032.2, 1032.3, 1032.4, 1032.5, 1032.6, 1032.7, 1032.8, 1032.9, 1032.10, 1033, 1033.1, 1034, 1034.1, 1035, 1035.1, 1035.2, 1036, 1036.1, 1036.2, 1036.3, 1037, 1038, and 1039);

(B) Revocation for Sexual Misconduct (California Code of Regulations, Title 16, § 1018)

(C) Dental Assisting Educational Program and Course Requirements (California Code of Regulations, Title 16, Division 10, Chapter 3, Article 2);

(D) Abandonment of Applications (California Code of Regulations, Title 16, § 1004); and

(E) Licensure by Credential Application Requirements

(F) Delegation of Authority to the Executive Officer Regarding Stipulated Settlements to Revoke or Surrender a License

6. 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.

7. 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)).

8. Future Agenda Items

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

9. 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)).

10. Adjournment
NOTICE OF PRESCRIPTION DRUG ABUSE COMMITTEE MEETING
Monday, August 25, 2014
Upon Conclusion of Legislative and Regulatory Committee meeting
Courtyard by Marriott Cal Expo
1782 Tribute Road
Sacramento, CA 95815
916-929-7900 or 916-263-2300

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

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

2. Presentation by Kim Kirchmeyer, Executive Director of the Medical Board of California and their Response to Prescription Drug Abuse

3. Presentation by Virginia Herold, Executive Officer of the Pharmacy Board of California

4. Update on Opioid Prescription Misuse and Overdose Workgroup Meetings Coordinated by the Department of Health
5. Discussion and Possible Action Regarding:
   (A.) Recommendation from the Prescription Drug Summit for the Establishment of Pain Guidelines for Dental Prescribers
   (B.) Continuing Education Requirements to Address Pain Management and Substance Abuse in Order to Reduce Over-Prescribing and the Misuse of Prescription Drugs
   (C.) Development of a Policy Statement on Protocols for In-Office Dispensing

6. 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)).

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

8. 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)).

9. Adjournment
NOTICE OF ENFORCEMENT COMMITTEE MEETING  
Monday, August 25, 2014  
Upon Conclusion of the Examination Committee meeting  
Courtyard by Marriott Cal Expo  
1782 Tribute Road  
Sacramento, CA 95815  
916-929-7900 or 916-263-2300

MEMBERS OF THE ENFORCEMENT COMMITTEE  
Chair – Steven Afriat, Public Member  
Vice Chair – Ross Lai, DDS  
Katie Dawson, RDH  
Luis Dominicis, DDS  
Thomas Stewart, DDS

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

2. Approval of the February 27, 2014 Enforcement Committee Meeting Minutes

3. Presentation by Mike Small from the Department of Justice Regarding the Controlled Substance Utilization Review and Evaluation System (CURES)

4. Staff Update Regarding Enforcement Program Status

5. Enforcement – Statistics and Trends

6. Review of Fourth Quarter Performance Measures from the Department of Consumer Affairs
7. Diversion Program Report and Statistics

8. Discussion and Possible Action Regarding Recommendations for the Appointment of Diversion Evaluation Committee Members

9. 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)).

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

11. 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)).

12. Adjournment
NOTICE OF EXAMINATION COMMITTEE MEETING
Upon Conclusion of the Enforcement Committee meeting
Courtyard by Marriott Cal Expo
1782 Tribute Road
Sacramento, CA 95815
916-929-7900 or 916-263-2300

MEMBERS OF THE EXAMINATION COMMITTEE
Chair – Stephen Casagrande, DDS
Vice Chair – Steven Morrow, DDS
Yvette Chappell-Ingram, Public Member
Judith Forsythe, RDA
Ross Lai, DDS
Huong Le, DDS, MA
Debra Woo, DDS

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1. Call to Order/Roll Call/Establishment of Quorum
2. Approval of the May 29, 2014 Examination Committee Meeting Minutes
3. Update on Western Regional Examining Board (WREB) Activities
4. Discussion and Possible Action Regarding a Recommendation that the Board Consider the Acceptance of Other Regional Examinations as Pathways to Licensure During the Sunset Review Process
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 ACCESS TO CARE COMMITTEE MEETING
Monday, August 25, 2014
Upon Conclusion of the Enforcement Committee meeting
Courtyard by Marriott Cal Expo
1782 Tribute Road
Sacramento, CA 95815
916-929-7900 or 916-263-2300

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

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1. Call to Order/Roll Call/Establishment of Quorum
2. Approval of the February 27, 2014 Access to Care Committee Meeting Minutes
3. Define the 2014 Mission of the Access to Care Committee
4. Presentation on Dental Access and Workforce Challenges by Robert Isman, DDS – Dental Program Consultant for the California Department of Health Services
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 DENTAL ASSISTING COUNCIL MEETING AGENDA
Monday, August 25, 2014

Upon Conclusion of the Access to Care Committee meeting
Courtyard by Marriott Cal Expo
1782 Tribute Road
Sacramento, CA 95815
916-929-7900 or 916-263-2300

Members of the Dental Assisting Council
Chair - Teresa Lua, RDAEF
Vice Chair - Anne Contreras, RDA
Pamela Davis-Washington, RDA
Judith Forsythe, RDA
Tamara McNealy, RDA
Emma Ramos, RDA
Bruce Whitcher, DDS

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

2. Approval of the May 29, 2014 Dental Assisting Council Meeting Minutes

3. Discussion and Possible Action Regarding the Status of Dental Assisting Program and Course Applications

4. Dental Assisting Program Licensure and Permit Statistics

5. Dental Assisting Program Examination Statistics
6. Discussion and Possible Action Regarding Priority Dental Assisting Issues as Proposed by the California Association of Dental Assisting Teachers (CADAT)

7. Discussion and Possible Action Regarding Recommendation to the Board for Dental Assisting Regulatory Priorities for Fiscal Year 2014/15

8. Discussion and Possible Action Regarding Staff’s Recommended Plan for the Dental Assisting Program

9. Discussion and Possible Action Regarding the August 2014 Registered Dental Assistant Practical Examinations

10. Discussion and Possible Action Regarding the Application Process to be Licensed as a Registered Dental Assistant

11. Discussion and Possible Action Regarding the Re-Appointment of Existing Examiners Pursuant to Business & Professions Code Section 1752.3

12. Discussion and Possible Action Regarding Content of the Registered Dental Assistant in Extended Functions Restorative Examination Pursuant to Business and Professions Code Section 1753.4(b)

13. Update on the 2015 Registered Dental Assistant in Extended Functions (RDAEF) Examination Dates

14. Public Comment for Items Not on the Agenda
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15. Future Agenda Items
   Stakeholders are encouraged to propose items for possible consideration by the Council at a future meeting.

16. 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)).

17. Adjournment