



DENTAL BOARD OF CALIFORNIA

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DENTAL BOARD OF CALIFORNIA DENTAL ASSISTING COUNCIL MEETING MINUTES November 7, 2024

Pursuant to Government Code section 11122.5, subdivision (a), the Dental Assisting Council (Council) of the Dental Board of California (Board) met in-person with additional public participation available by teleconference/WebEx Events on Thursday, November 7, 2024, with the following location available for Council and public member participation:

Department of Consumer Affairs
2005 Evergreen Street, Hearing Room #1150
Sacramento, CA 95815

Members Present:

Cara Miyasaki, RDA, RDHEF, MS, Chair
Jeri Fowler, RDAEF, OA, Vice Chair
De'Andra Epps-Robbins, RDA
Jessica Gerlach, RDA, OA
Rosalinda Olague, RDA, BA
Joanne Pacheco, RDH, MAOB
Carie Smith, RDAEF, OA

Staff Present:

Tracy A. Montez, Ph.D., Executive Officer
Ryan Blonien, Enforcement Chief (North)
Paige Ragali, Chief of Administration and Compliance
Tina Vallery, Chief of License and Program Compliance and Dental Assisting
Victor Libet, License and Program Compliance Unit Manager
Jessica Olney, Anesthesia Unit Manager
Wilbert Rumbaoa, Administrative Services Unit Manager
Brant Nelson, Legislative and Regulatory Specialist
Kelly Silva, Investigator
Mirela Taran, Administrative Analyst
Bryce Penney, Television Specialist, Office of Public Affairs, Department of Consumer Affairs (DCA)
Trisha St. Clair, Facilitator and Strategic Planner, SOLID, DCA
Tara Welch, Board Counsel, Attorney IV, Legal Affairs Division, DCA

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

Council Chair, Ms. Cara Miyasaki, called the meeting to order at 8:37 a.m.; seven members of the Council were present, and a quorum was established.

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Agenda Item 2: Public Comment on Items Not on the Agenda

There were no public comments made on this item.

Agenda Item 3: Discussion and Possible Action on August 15, 2024 Meeting Minutes Motion/Second/Call the Question (M/S/C) (Fowler/Pacheco) to approve the August 15, 2024 Meeting Minutes.

Chair Miyasaki requested public comment before the Council acted on the motion. There were no public comments made on the motion.

Chair Miyasaki called for the vote on the motion. Ms. Mirela Taran took a roll call vote on the motion.

Ayes: Epps-Robbins, Fowler, Gerlach, Miyasaki, Olague, Pacheco, Smith.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed and the Minutes were approved.

Agenda Item 4: Executive Officer Report

Dr. Tracy Montez reported that the Board has about a 5% vacancy rate. As she shared at prior Board meetings, she noted that the vacancy rate fluctuates but believed this is probably the lowest that the Board has been as of recent years. Additionally, she shared that Board staff met with the Bureau for Private and Post-Secondary Education (BPPE) to get clarification on a board item, which turned into an interesting conversation. She disclosed that it was an example of how collaboration with DCA [boards] can be very helpful to the Board. Dr. Montez disclosed that the Board's November 2024 Board newsletter has been distributed and posted to the Board's webpage and encouraged the public to review it. She conveyed that along with Board President Dr. Alan Felsenfeld, she will be attending the November 15, 2024 Dental Hygiene Board of California (DHBC) meeting. Furthermore, she disclosed that this is Council Member Joanne Pacheco's last Council meeting as she is terming out. She expressed that Council Member Pacheco has been with the Board and Council for quite some time and has been extremely valuable.

Council Member Pacheco thanked the Council and the Board for partnering with dental auxiliaries and respecting their abilities to partner in public protection in rendering patient care. She noted that it has been an honor to serve the Council as well as the Board in several positions.

Chair Miyasaki, on behalf of the Council, thanked Council Member Pacheco for her participation in the Council and appreciates her input and participation.

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Chair Miyasaki requested public comment on this item. The Council received public comment.

Shari Becker, representing the Alliance, extended their thanks to Council Member Pacheco for her service over the years and gratefulness for her participation.

Agenda Item 5: Update on Dental Assisting Examination Statistics

Tina Vallery provided the report, which is available in the meeting materials.

Chair Miyasaki requested public comment on this item. There were no public comments made on this item.

Agenda Item 6: Update on Dental Assisting Licensing Statistics

Ms. Vallery provided the report, which is available in the meeting materials.

Chair Miyasaki requested public comment on this item. There were no public comments made on this item.

Agenda Item 7: Update on Registered Dental Assistant and Registered Dental Assistant in Extended Functions Educational Programs and Courses Application Approvals

Victor Libet provided the report, which is available in the meeting materials. Mr. Libet mentioned that the Board currently has two site visits scheduled, which include a Registered Dental Assistant in Extended Functions (RDAEF) site visit in November and a Registered Dental Assistant (RDA) site visit in December.

Chair Miyasaki requested public comment on this item. The Council received public comment.

Ms. Becker, representing the Alliance, for clarification purposes asked if the reevaluations will be for all programs or if they are random audits.

Agenda Item 7.a.: Overview of Educational Program and Course Re-evaluations

Ms. Vallery provided the report, which is available in the meeting materials.

Council Member Pacheco asked if some of these courses are taught online. Ms. Vallery responded that for the pit and fissure sealants courses, there is only the allowance for didactic to be taught online while laboratory and clinical components have to be done in person. Therefore, there is no provider that offers it a hundred percent online or at least there should not be.

Council Member Pacheco asked whether Board staff would be reviewing curriculum online. Ms. Vallery responded that when the programs do the reevaluation, they have to submit all of the information that they would if they were applying for the first time. Therefore, part of that would be a curriculum review.

Council Member Pacheco asked whether Board staff would have a link to go online and see all the curriculum. Ms. Vallery responded that the program/course provider would have to submit the information in writing.

Chair Miyasaki asked what is the next course that will be evaluated. Ms. Vallery responded that her inclination is probably coronal polishing, but she had not determined that yet.

Dr. Montez conveyed that Ms. Vallery's unit will be tackling this strategically, given that they are also part of the sunset bill changes. She added that as the dental assisting division has quite a bit on its plate, one can probably guess it may start with the smaller courses moving forward to the larger programs.

Chair Miyasaki asked if the course is part of a program, like an RDA program, whether that is under scrutiny for the evaluation or are these evaluations only for standalone courses. Ms. Vallery responded that currently, Board staff are merely reevaluating standalone pit and fissure sealants courses, and that was part of the request for information. She believes that there was some misunderstanding about which ones the Board were asking about, and so it was strictly not related to any RDA programs, just ones that are offered as standalone.

Chair Miyasaki asked whether they will be reevaluated every seven years. Ms. Vallery replied that is the goal, and now with the License and Program Compliance Unit, Board staff is making huge strides to try to get this on a schedule.

Chair Miyasaki requested public comment on this item. There were no public comments made on this item.

Agenda Item 8: Update and Discussion on the Analysis of Registered Dental Assistant General Written and Law and Ethics Examinations Preparation vs. Pass Rate Statistics
Dr. Montez provided the report, which is available in the meeting materials.

Dr. Montez noted that after we get through January 1st, implementing some of the significant changes for sunset, Board staff will continue moving on with the various areas that the Access to Care Committee has asked us to look at.

Chair Miyasaki requested public comment on this item. There were no public comments made on this item.

Agenda Item 9.: Update, Discussion, and Possible Recommendation on the Table of Permitted Dental Auxiliary Duties Delegable by Supervising Dentist as Required by California Code of Regulations (CCR), Title 16, Section 1068
Ms. Vallery provided the report, which is available in the meeting materials.

Dr. Montez communicated that as Board staff have begun to implement Senate Bill (SB) 1453 [(Ashby, Chapter 483, Statutes of 2024)], Board staff have noticed some areas that need clarification. There are some areas in the table of permitted duties where the boxes for both general and direct supervision are checked, and that is something that will need to be clarified in a future legislative proposal. As for now, where both of the supervision boxes are checked, it will ultimately come down to the decision of the supervising dentist. Dr. Montez reiterated the goal at this meeting is to look at this table and see if there is something that perhaps was missed in terms of SB 1453, but it is not an opportunity to discuss what changes should be made in terms of how the bill was written.

Chair Miyasaki noted that for the RDA, they can do the allowable duties of an Orthodontic Assistant (OA) or a Dental Sedation Assistant (DSA) as long as it is checked that it is direct and they must take a course. Chair Miyasaki asked if they would still be allowed to do those duties if they do not take the exam. Ms. Vallery responded that they would have to take the course and apply for the permit.

(M/S/C) (Olague/Pacheco) to recommend to the Board that it approve the Table of Permitted Dental Auxiliary Duties Delegable by Supervising Dentist as Required by California Code of Regulations, Title 16, Section 1068.

Chair Miyasaki requested public comment before the Council acted on the motion. The Council received public comment.

Melodi Randolph, representing the Alliance, encouraged Board staff to do the cleanup as quickly as possible because there is going to be a lot of confusion with some of the things that are on here that need to be cleaned up. Ms. Randolph noted that they would be happy to help in that process.

Dr. Montez encouraged the stakeholder groups to send her any initial feedback they are willing to share as it helps Board staff get a jump on any cleanup and also to determine the significance of it, as any cleanup likely will require a law change but not necessarily so.

Chair Miyasaki called for the vote on the motion. Ms. Taran took a roll call vote on the motion.

Ayes: Epps-Robbins, Fowler, Gerlach, Miyasaki, Olague, Pacheco, Smith.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

Agenda Item 10: Update, Discussion, and Possible Recommendations to the Board on Proposed Regulations

Agenda Item 10.a.: Status Update on Pending Regulations

Brant Nelson provided the report, which is available in the meeting materials.

Chair Miyasaki requested public comment on this item. There were no public comments made on this item.

Agenda Item 10.b.: Discussion and Possible Recommendation to Initiate a Rulemaking to Amend CCR, Title 16, Section 1005 Regarding Minimum Standards for Infection Control

Mr. Nelson provided the report, which is available in the meeting materials.

Dr. Montez verbalized this is an example of the working group's hard work on this, and Board staff is looking forward to bringing this to the Board and the Council in February of 2025.

Chair Miyasaki requested public comment on this item. There were no public comments made on this item.

Agenda Item 11: Update, Discussion, and Possible Recommendation to the Board on Proposed Legislation

Agenda Item 11.a.: Legislation of Interest

Mr. Nelson provided the report, which is available in the meeting materials.

Chair Miyasaki requested public comment on this item. There were no public comments made on this item.

Agenda Item 11.b.: Legislative Proposal to Amend BPC Section 1725 Regarding Dental Auxiliary Course and Educational Program Fees

Dr. Montez stated this agenda item is being tabled for the meeting as the legislative proposal could be revised. She noted that Board staff had a meeting with BPPE and learned some very valuable information they think will be helpful for the future of the Board and its education programs and courses.

Chair Miyasaki requested public comment on this item. There were no public comments made on this item.

Agenda Item 12: Election of 2025 Council Chair and Vice Chair

Dr. Montez facilitated the election. She opened the floor for nominations for the position of Council Chair. Dr. Montez stated that Council Member De'Andra Epps-Robbins was nominated for appointment as the 2025 Council Chair; Council Member Epps-Robbins accepted the nomination. There were no other nominations for Council Chair.

(M/S/C) (Fowler/Olague) to elect Epps-Robbins as the 2025 Council Chair.

Dr. Montez requested public comment before the Council acted on the motion. There were no public comments made on the motion.

Dr. Montez called for the vote on the motion. Ms. Taran took a roll call vote on the motion.

Ayes: Epps-Robbins, Fowler, Gerlach, Miyasaki, Olague, Pacheco, Smith.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed. Council Member Epps-Robbins was elected as 2025 Council Chair.

Dr. Montez opened the floor for nominations for the position of Council Vice Chair. Dr. Montez stated that Council Member Fowler was nominated for appointment as the 2025 Vice Chair; Council Member Fowler accepted the nomination. There were no other nominations.

(M/S/C) (Olague/Pacheco) to appoint Council Member Fowler as the 2025 Council Vice Chair.

Dr. Montez requested public comment before the Council acted on the motion. There were no public comments made on the motion.

Dr. Montez called for the vote on the motion. Ms. Taran took a roll call vote on the motion.

Ayes: Epps-Robbins, Fowler, Gerlach, Miyasaki, Olague, Pacheco, Smith.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed. Council Member Fowler was elected as 2025 Council Vice Chair.

Dr. Montez noted the Chair and Vice Chair terms begin on January 1, 2025.

Agenda Item 13: Adjournment

Chair Miyasaki adjourned the meeting at 9:30 a.m.