

**DENTAL BOARD OF CALIFORNIA**

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Medical Board of California, Tustin
15641 Red Hill Avenue, #210, Tustin, CA

August 31, 2005
Board Meeting Minutes

The meeting convened at 1:00pm for Closed Session items. Roll was taken and a quorum established.

Members Present:

Newton Gordon, DDS
George SooHoo, DDS
Kevin Biggers, Public
Alan Kaye, DDS
Lawrence Hundley, DDS
David Baron, Public
Lewis Turchi, DDS
Harriet Seldin, DMD

Members Absent:

Kamran Sahabi, DDS
Patricia Osuna, RDH

Closed Session ended at 2:30pm. Board President Newton Gordon called the public meeting of the Dental Board of California to order at 2:50pm. LaVonne Powell, DCA Legal Counsel, announced that certain items requiring the Board's action that were on the Agenda of the Dental Board meeting of August 19, 2005 could not be voted upon due to the lack of a quorum. She stated that those urgent items were subsequently re-noticed for this meeting in order to move forward and not delay action until the next regularly scheduled Board meeting on November 18.

Agenda Item 5 – Set Board Meeting Dates for 2006:

It was a consensus of the Board that the Meeting Dates for 2006 be tabled until the November 18 Board meeting.

Agenda Item 6 – COMDA Report:

The Committee on Dental Auxiliaries recommended at the August 19, 2005, Dental Board meeting that the Board grant provisional approval of the new RDA Educational Program, including their proposed radiation safety and coronal polishing courses of United Education Institute in Chula Vista. The Committee on Dental Auxiliaries also recommended that the Board grant full approval of the currently existing provisionally approved programs of Bryman College in the City of Industry, and Bryman College in West Los Angeles. It was m/s/c (Biggers/Kaye) to approve the programs.

Agenda Item 7 – Diversion Evaluation Committee Liaison Report:

7.1 At the August 19, 2005 meeting, the Diversion Evaluation Committee presented for approval the reappointment of Bill Hooker, Ph.D. to a 4-year term on the Diversion Evaluation Committee. Dr Hooker has served on The Diversion Evaluation Committee since August 2001.

It was m/s/c (Turchi/SooHoo) to reappoint Dr. Hooker to a 4-year term on the Diversion Evaluation Committee effective August, 2005.

Agenda Item 8 – Adopt Modification of Regulatory Language

8.2 Continuing Education CCR Section 1016 and 1017

Assistant Executive Officer Richard DeCuir presented recommended language to the proposed regulatory package for Continuing Education regulations Sections 1016 and 1017. He noted that this proposed language was explained and discussed by the members in attendance at the Dental Board meeting on August 19, 2005, however no action could be taken since there was not a quorum of members.

Dr. Seldin moved to modify the proposed language by moving the “courses addressig office instrument sterilization systems” from Category II to Category I, since it is considered a part of overall infection control as delineated under Category I.

It was m/s/c (Seldin/Kaye) to adopt the proposed modified language and authorize staff to issue a 15-day notice regarding the proposed modified language for public comment, and to delegate to the Executive Officer the authority to make non substantive changes if necessary.

Agenda Item 9 – Approval to Notice WREB and Licensure Application Regulations Possibly As Emergency In All Or Part and Staff Delegation

Assistant Executive Officer Richard DeCuir reported that at the August 19th meeting of the Board, staff presented proposed regulatory language concerning acceptance of the Western Regional Examination Board (WREB) for dental candidates applying to California for licensure.

He noted that this language was included in the Board packets for the meeting on August 19, 2005 and discussed by the members present, however due to the lack of a quorum no action could be taken at that time.

It was m/s/c (Hundley/Baron) to adopt the proposed language and delegate to the Executive Officer the authority to make non-substantive changes, and to submit those applicable portions of the regulatory package that could be submitted on an Emergency basis to OAL.

Agenda Item 11 –Examination Committee

11.2 Appointment of New Dental Examiners – This Item was included in the Board packets for the August 19th meeting and requires that action be taken prior to upcoming examinations. The individuals under consideration have completed the requirements for appointment to the Examination Committee.

It was m/s/c (SooHoo/Turchi) to appoint Aben Art Kaslow, DDS and Darryl L. Lee, DDS as new Examiners.

Agenda Item 12 – Licensing Committee Report

12.2 Approval of Extramural Facilities pursuant to CCR Section 1025 - Assistant Executive Officer DeCuir reported that these requests for approval of Extramural Facilities were agendized and included in the Board packets for the August 19th meeting. These facilities and their affiliations are:

San Mateo Medical Center – UOP School of Dentistry

California State University, Northridge – UCLA School of Dentistry
Student Health Center

Mission Community Hospital – UCLA School of Dentistry

It was m/s/c (Kaye/Hundley) to approve all three of the extramural facilities.

12.3 Proposed Changes to Business and Professions Section 1701.5 – Assistant Executive Officer DeCuir reported that this Item was agendized and included in the Board's packets for the meeting on August 19th and requires the Board's action at this time if legislation is to be pursued during the upcoming Legislative session. He noted that current law requires the inclusion of one of the specific terms "dental group", "dental practice", or "dental office" within the application for a permit to practice under a business name. Attached is proposed language to amend Business and Professions Code Section 1701.5 to eliminate that restrictive language. Also included is proposed language to allow a professional dental corporation to apply, as well as the current specification of "duly licensed dentists".

It was m/s/c (Hundley/Turchi) to pursue a legislative change to the current statutory language to broaden the requirements as proposed, however retain the mandatory term "dental" within the regulatory language.

Agenda Item 13 – General Anesthesia Committee Report

13.2 On-Site Inspection Pass/Fail – Pursuant to CCR Section 1043.6

Board President Gordon reported that this Item has been brought forward from the meeting of August 19, 2005 due to an appeal of a fail result by an applicant. The applicant felt that both of the independent evaluators were biased in their evaluations and requested that the

fail result be overturned by the Board. After discussion on August 19th, the Board disagreed with the applicant, however granted the request for a re-evaluation since the request had been made within the 30-day period specified by regulation. The Board further determined that the fee would be waived in this instance. However, since there was not a quorum, the Item was agendized again for this meeting.

After discussion, the full Board agreed with the decision of August 19, and it was m/s/c (Kaye/Hundley) that the fail result stand but the applicant be allowed a re-inspection at no charge.

Agenda Item 15 – Exam Appeals Committee Report

Committee Chair Hundley presented the Exam Appeals Committee report to the Board. It was m/s/c (Hundley/SooHoo) to accept the report as presented.

Public Comment

There was no public comment.

The Board adjourned the meeting at 2:48pm.