



DENTAL BOARD OF CALIFORNIA

June 13, 2007

San Diego, CA

Full Board Meeting Minutes

President Turchi called the meeting to order at 8:02 a.m. and a quorum was established.

Members Present:

Lewis Turchi, DDS, President
Ronald S. Mito, DDS, Vice President
William A. Baker, Public Member
John Bettinger, DDS
Stephen Casagrande, DDS
Luis Dominicis, DDS
Michael Lew, DDS
Suzanne McCormick, DDS
Harriet Seldin, DDS
Joyce Yale, RDH

Members Absent:

None

Staff Present:

Richard J. Wallinder, Jr., Executive Officer
Lori Hubble, Administrative Analyst
Donna Kantner, Regulations Analyst
Greg Salute, Deputy Attorney General
LaVonne Powell, DCA Legal Counsel

Agenda Item 1 – Approval of Minutes

M/S/C (Yale, Mito) to amend the minutes of the Board's April 26, 2007 meeting as presented.

Agenda Item 2 – President's Report

Dr. Turchi did not present a report since the Board met a few weeks ago.

Agenda Item 3 – Executive Officer's Report

Richard Wallinder, Executive Officer reported that the packets were mailed later than anticipated. He explained that staff prepared two packets that consisted of a regulatory packet and a meeting packet and this was accomplished with little time. He stated that it is staff's intention to improve the quality of the meeting packets to ensure that there are no missing items. Mr. Wallinder reported that he has doubled the intake staff for complaints. This will help enable staff to resolve complaints in a more timely manner. He also reported that he attended the California Dental Hygiene Association (CDHA) House of Delegates meeting on June 8, 2007.

Agenda Item 4 – Budget Report

Richard Wallinder, Executive Officer, reported that the Board has managed the budget extremely well. The money for the new phone system and the move scheduled for November 1, 2007 has been encumbered. He reported that these resources are planned to be used to improve equipment in both the Tustin and Sacramento offices.

Agenda Item 5 – Report on action implenting the Governor’s veto message on SB 1472 encouraging the Board to work with COMDA to provide auxiliaries with a stronger voice on the Board

Richard Wallinder, Executive Officer stated that despite best efforts made, both COMDA and the Dental Board have been unable to meet at the February and April Board meetings to hold the “Blue Sky” meeting. As a result, a letter was jointly written by Elizabeth Ware, COMDA’s Executive Officer and Richard Wallinder acknowledging the desire for the groups and interested parties to meet at the next scheduled Board meeting in August.

Agenda Item 6 – Report on June 11th meeting re draft regulatory language to implement provisions of SB 1546, SB 1541 and related bills

Dr. Lewis Turchi thanked Lavonne Powel and Donna Kantner for a job well done in preparing the regulation materials and conducting the meeting in an orderly fashion. He stated that he is proud of what was accomplished. He reported that we hope to complete the remainder of the work at the Board’s next meeting. He also thanked the interested parties for their contributions.

Agenda Item 7 – Committee on Dental Auxiliaries Report

COMDA Chair Shanda Wallace reported on the meeting of the Committee on Dental Auxiliaries.

Agenda Item 7.1 – Approve/Deny/Withdraw approval of RDA Educational Programs and courses

Western Career College, Sacramento – COMDA recommended to the Board to withdraw approval of this RDA Program. Discussion ensued and it was decided to remand this item back to COMDA.

M/S/C (Dominicis, Bettinger) to remand this item back to COMDA with no time specified for resubmittal.

M/S/C (Dominicis/ Bettinger) to give full approval the following courses:

Pit and Fissure Sealant Courses

Chaffey College, Rancho Cucamonga

Palomar College, San Marcos

Santa Clarita, Valencia

Radiation Safety Course

California Dental Certifications, Pacific Beach

It was M/S/C (McCormick/Seldin) to convert the following courses from provisional approval to full approval:

Pit and Fissure

Dental Pros, Temecula

North Orange County, ROP, Fullerton

Radiation Safety

Dental Assisting Institute, Rocklin

Ultrasonic Scaling Course

San Bernardino County, ROP, Hesperia

Agenda Item 7.2 – Fee increase for auxiliary license application, examination, delinquency and renewal

Elizabeth Ware reported that she met with DCA's budget analyst and was informed that in FY 08/09 Comda will have less than one month reserve in its budget. She was advised that additional revenue would be necessary in order to keep COMDA's fund in the black. She stated that the solution is to incrementally raise fees over the next few years.

The Board voted to adopt the following fee changes by resolution:

1. Biennial Renewal Fee - \$70.00
2. Renewal Delinquency Fee - \$35.00
3. License Certification or License Verification - \$25.00
4. Duplicate License Fee - \$25.00

M/S/C (Yale/Bettinger) to adopt the fee changes by resolution and to recommend proposed clean-up legislation to no longer set the exam fee by a dollar amount.

Agenda Item 8 – Appeals Committee Report

M/S/C (Turchi/Mito) to adopt the Committee's report.

Agenda Item 9 – Enforcement Committee Report

William Baker reported that he and Dr. Bettinger have been appointed to a subcommittee for the review of the disciplinary guidelines.

M/S/C (McCormick/Bettinger) to adopt the report.

Agenda Item 10 – Continuing Education Report

Dr. Lew appointed Dr. Harriet Seldin and Joyce Yale to a subcommittee to review the regulations relating to the approval of continuing education providers and the audit process.

M/S/C (Baker/Mito) to adopt the Committee's report.

Agenda Item 11 – Examination Committee Report

Dr. Casagrande reported that the Law and Ethics examination has been given twice a month and has been well attended. He also reported that the examination statistics were provided as information. Dr. Mito requested that similar WREB pass/fail statistics be provided regarding California candidates. Dr. Casagrande requested that RDA written examination results be provided as well as the practical results.

M/S/C (Mito/ Dominicis) to adopt the Committee's report.

Agenda Item 12 – General Anesthesia/Conscious Sedation Committee

Dr. Mito stated that there will be a future meeting scheduled to review the ADA Guidelines for the use of sedation and General Anesthesia by Dentists.

M/S/C (Mito/Dominicis) to adopt the Committee's report.

Agenda Item 13 - Licensure, Certification and Permits Committee Report

Board members discussed each of the legislative bills. It was decided that no action concerning these bills would be taken until the next meeting.

At this time there is no authority to charge a fee for the Law and Ethics examination. Staff was asked to pursue a fee between \$35.00 and \$150.00 for this examination. Dr. Mito requested that staff provide information regarding clinical examination costs at the next Board meeting.

It was reported that during closed session, there were four requests for re-issuance of cancelled licenses. Three licenses were approved for re-issuance and one request was denied.

M/S/C (Mito/Seldin) to adopt the Committee's report.

Agenda Item 14 - Foreign Dental Programs Committee Report

Dr. Dominicis reported that he was given the authority to choose TAG members. He stated that he will provide a report at the August Board meeting.

M/S/C (Lew/ McCormick) to adopt the Committee's report.

Agenda Item 15 – Report on May 23, 2007 Meeting of Credentialing Committee pursuant to SB 438 (Migden), recommendations for approval of Applications for Oral and Maxillofacial Elective Facial Surgery Permit, and appointment of Credentialing Committee Member(s)

M/S/C (McCormick/Mito) to grant permit approval without limitation for Peter M. Scheer.

M/S/C (McCormick/ Mito) to table approval of Martin Stepanyan's permit application.

M/S/C (McCormick/Bettinger) to appoint Monty Wilson to the Oral and Maxillofacial Elective Facial Surgery Permit Credentialing Committee.

The next meeting is scheduled to be held on August 13, 2007 in Tustin.

M/S/C (Casagrande/Dominicis) to adopt the Committee's report.

Agenda Item 16 – Progress Report on Comparison of RDH Clinical Exam and Dental Board clinical Periodontal Exam

Dr. Turchi reported that this agenda item needs to go back to the committee to develop a report and requested that the committee utilize Shanda Wallace's expertise as well. It was M/S/C (Seldin/ McCormick) to table this item until the August meeting.

Public Comment

Cathy Mudge thanked the Board for all of their hard work Monday on pouring over the regulations. She stated that it was nice to see all groups read them and staff did a great job in presenting such an enormous packet.

Shanda Wallace, announced that Donna Kantner, Board staff received a certificate signed by Governor Arnold Schwarzenegger for twenty-five years of faithful public service. Dr. Turchi congratulated Ms. Kantner and the Board applauded her. Richard Wallinder announced that one other staff member, Oralia Moya also received a certificate for twenty-five years of service.

Adjournment

The meeting was adjourned at 9:31 a.m.



GENERAL ANESTHESIA/CONSCIOUS SEDATION COMMITTEE

June 12, 2007

San Diego, CA

Meeting Minutes

Chair Mito called the meeting to order at 10:30 a.m.

Members Present:

Ronald S. Mito, DDS, Chair

John Bettinger, DDS

Luis Dominicis, DDS

Suzanne McCormick, DDS

Harriet Seldin, DMD

Staff Present:

Richard L. Wallinder, Executive Officer

Lori Hubble, Administrative Analyst

Donna Kantner, Regulations Analyst

Greg Salute, Deputy Attorney General

LaVonne Powell, DCA Legal Counsel

Agenda Item GA/CS 1 – Approval of April 26, 2007 Minutes

M/S/C (Bettinger/Domicis) to approve the minutes as amended.

Agenda Item GA/CS 2 – Subcommittee Report re American Dental Association's Proposed Sedation guidelines and possible action on any recommendations

Dr. Mito stated that Dr.'s McCormick and Bettinger have not yet had the opportunity to meet to review the guidelines. He stated that they expect to meet before the next scheduled Board meeting and will provide a report at that time. The ADA is set to meet in San Francisco in September and we do not know what the guidelines will be. Dr. Mito asked that staff request the final draft of the guidelines from the ADA and bring the information back to the next meeting.

There was no public comment and the meeting adjourned at 10:40 a.m.

DENTAL BOARD OF CALIFORNIA

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LICENSING, CERTIFICATES, AND PERMITS COMMITTEE

June 12, 2007

San Diego, CA

Meeting Minutes

Chair Casagrande called the meeting to order at 10:41 a.m.

Members Present:

Stephen Casagrande, Chair
John Bettinger, DDS
Luis Dominicus, DDS
Suzanne McCormick, DDS
Ronald S. Mito, DDS
Lewis Turchi, DDS

Members Absent:

Staff Present:

Richard L. Wallinder, Executive Officer
Lori Hubble, Administrative Analyst
Donna Kantner, Regulations Analyst
Greg Salute, Deputy Attorney General
LaVonne Powell, DCA Legal Counsel

Agenda Item LCP 1 – Approval of April 26, 2007 Minutes

M/S/C (Turchi/Mito) to approve the minutes as presented.

Agenda Item LCP 2 – Legislation - Discussion and Possible Action

AB 17 - Dental Corps Loan Repayment Program, would allow dentists to contribute a voluntary \$50 fee upon license renewal to be specifically designated toward this program. Executive Officer Wallinder noted that this is an extension of the existing program, staff is already in place and he did not feel that the bill would result in a substantial increase in workload.

AB 269 – Dentists License Renewal would require dentists to report any specialty board certification and their practice status, which would be posted on the both the Board and COMDA's website. It would also allow dentists and auxiliaries to report their cultural background and foreign language proficiency by the zip code of their primary practice and requires the Board to tabulate the reported information and make it available on the Board's website by October 1 of each year. Executive Officer Wallinder stated that the purpose for this is access to care for non-speaking English patients. He also stated that this bill is mirrors what is being done by the Medical Board. Member Bettinger stated that he is concerned that this could be discriminatory if the information was made available to the public on each individual license record.



SB 387 – This bill, sponsored by the California Dental Association, would allow the spouse, estate or conservator or a deceased or sole-practitioner dentist to hire or contract with a licensed to continue care to the practice's patients for a period not to exceed 12 months while the practice is sold. LaVonne Powell, legal counsel stated that staff needs to work with CDA to work out the process in detail.

SB 534- Wallinder reported that this bill is moving quickly through the legislative process. Cathy Mudge stated that CDA will be in communication with the author and sponsors to talk about 6-10 issues of why they are opposed. JoAnn Galliano representing CDHA stated that they are available to talk about the bill and their perspective of the need for the bill.

SB 620 – This bill eliminates the sunset requirement from existing law governing administration of general anesthesia.

AB 1025 – This bill was opposed unless amended at the April 26, 2007 meeting. It was M/S/C (Turchi/McCormick) to request staff to write a letter of opposition.

Agenda Item LCP 3 – Report on Implementation of Provisions of SB 683 – Licensure by Residency Program

Executive Office Wallinder reported that this bill was signed into law in 2006. Staff is making every effort to have a contract in place by January 1, 2008. Donna Kantner stated that the Board will need to implement emergency regulations.

Agenda Item LCP 4 – Discussion of a fee for Law and Ethics examination

It was m/s/c (Casagrande/Mito) to go to DCA and Senate B & P to add into the statutory requirements the fee amounts of \$35.00 – \$ 75.00 for the law and ethics examination. Member Casagrande requested that Board staff provide an analysis of the examination fees for both the Dental Licensure Exam and the exam administered by WREB.

Agenda Item LCP 5 – Licensure by Credential (LBC) Program Statistics

Informational item only.

Public Comment

There was no public comment.

The meeting adjourned at 11:10 a.m.

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FOREIGN DENTAL PROGRAMS COMMITTEE

June 12, 2007

San Diego, CA

Meeting Minutes

Chair Dominicis called the meeting to order at 11:18 a.m.

Members Present:

Luis Dominicis, DDS, Chair

John Bettinger, DDS

Stephen Casagrande, DDS

Lewis Turchi, DDS

Members Absent:

Staff Present:

Richard L. Wallinder, Executive Officer

Lori Hubble, Administrative Analyst

Donna Kantner, Regulations Analyst

Greg Salute, Deputy Attorney General

LaVonne Powell, DCA Legal Counsel

Agenda Item FOR 1 – Approval of April 26, 2007 Minutes

M/S/C(Turchi/Bettinger) to approve the minutes as presented.

Agenda Item FOR 2 – Update on Manipal College of Dental Sciences, Manipal, India

Dr. Dominicis stated that he will provide a report at the next Board meeting.

There was no further public comment and the meeting adjourned at 11:19 a.m.



EXAM COMMITTEE

June 12, 2007

San Diego, CA

Meeting Minutes

Chair Casagrande called the meeting to order at approximately 10:19 a.m. called the roll and established a quorum.

Members Present:

Stephen Casagrande, DDS, Chair
John Bettinger, DDS
Luis Dominicis, DDS
Michael Lew, DMD
Suzanne McCormick, DDS
Ronald S. Mito, DDS
Lewis Turchi, DDS

Members Absent:

Staff Present:

Richard L. Wallinder, Executive Officer
Lori Hubble, Administrative Analyst
Donna Kantner, Regulations Analyst
Greg Salute, Deputy Attorney General
LaVonne Powell, DCA Legal Counsel

Agenda Item EX 1 – Approval of April 26, 2007 Exam Committee Meeting Minutes

M/S/C(Turchi/Mito) to approve the minutes as provided.

Agenda Item EX 2 – Law and Ethics Examination Update

Richard Wallinder, Executive Officer stated that the Law and Ethics Examination is currently given two times per month and is a well attended examination. He reported that staff expects to administer a computer-based examination by the first of next year. Mr. Wallinder also stated that SB 638 wiped out the Board's ability to charge a fee for this exam. Staff plans to write specific language into the omnibus bill to correct this issue.

Agenda Item EX 3 – Examination Statistics

Informational item.

Public Comment

Cathy Mudge stated that CDA is in support of implementing a fee for the Law and Ethics Examination.

Meeting adjourned at 10:29 a.m.



ENFORCEMENT COMMITTEE

June 12, 2007

San Diego, CA

Meeting Minutes

Chair Baker called the meeting to order at 9:52 a.m. called the roll and established a quorum.

Members Present:

William A. Baker, Chair

John Bettinger, DDS

Michael Lew, DDS

Lewis Turchi, DDS

Staff Present:

Richard L. Wallinder, Executive Officer

Donna Kantner, Regulations Analyst

Lori Hubble, Administrative Analyst

Greg Salute, Deputy Attorney General

LaVonne Powell, DCA Legal Counsel

Agenda Item ENF 1 – Approval of April 26, 2007 Meeting Minutes

M/S/C (Turchi/ Lew) to approve the minutes of the April meeting with no changes.

Agenda Item ENF 2 – Update re Revision of Disciplinary Guidelines

A subcommittee of William Baker and John Bettinger were appointed to meet with staff to review a draft of the disciplinary guidelines. It was discussed that the meeting will be held at the Dental Board office located in Tustin with enforcement staff and legal counsel. A report will be provided at the Board's next meeting.

Agenda Item ENF 3 – Legislative update on proposed Statutory language relative to Unlicensed Practice and Registered Sex Offenders and Probationary Monitoring Costs

It was discussed that changes to SB 252 will be put into future legislation. Legal Counsel, Lavonne Powell stated that she submitted specific language and concerns to Senator Aanestad's office to make the language more clear. Currently, the bill does not reflect the changes that were submitted.

There was no public comment.

The Enforcement Committee adjourned at 10:00 a.m.



CONTINUING EDUCATION COMMITTEE

June 12, 2007

San Diego, CA

Meeting Minutes

Chair Lew called the meeting to order at 10:01 a.m.

Members Present:

Michael Lew, DMD, Chair

John Bettinger, DDS

Harriet Seldin, DMD

Joyce Yale, RDH

Staff Present:

Richard L. Wallinder, Executive Officer

Lori Hubble, Administrative Analyst

Donna Kantner, Regulations Analyst

LaVonne Powell, DCA Legal Counsel

Agenda Item CE 1 – Approval of April 26, 2007 Minutes

M/S/C (Yale, Bettinger) to approve the minutes of the April 26, 2007 meeting minutes.

Agenda Item CE 2 – Review of Regulations for Approval of Continuing Education Providers and Discussion of audit process

Lavonne Powell, legal counsel, recommended that the Board look at the regulations and recommend how to improve the regulations regarding the audit process. Dr. Lew appointed Harriet Seldin and Joyce Yale to a subcommittee to review the regulations relating to the approval of continuing education providers and the audit process.

Agenda Item CE 3 – Discussion of Continuing Education courses in Oral Conscious Sedation

Dr. Bruce Burton said that it would be prohibitive to require live patients during this CE because it would be too expensive. He stated that it would be better to use manikins versus patients. Cathy Mudge stated that in order to obtain a permit, a live patient is needed in order to be in compliance with the ADA guidelines. After receiving the permit, seven (7) hours of continuing education (CE) is required from each permittee. To maintain the permit, a live patient is not needed as part of the CE requirement. Dr. Seldin also stated that there is no need for utilization of a live patient for CE course requirements in order to maintain an OCS permit. Dr. Bettinger felt that the CE requirements should include emergency procedures. Dr. Silverman from DOC's stated that it is an excellent idea to require seven (7) hours of CE to maintain the permit.

Public Comment

There was no public comment.

The meeting adjourned at 10:18 a.m.