



DENTAL BOARD OF CALIFORNIA

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DENTAL ASSISTING COUNCIL

Meeting Minutes

Thursday, August 16, 2012

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

Members Present

Judith Forsythe, RDA – Chair
Denise Romero, RDA – Vice Chair
Anne Contreras, RDA
Pamela Davis-Washington, RDA
Teresa Lua, RDAEF
Emma Ramos, RDA
Bruce Witcher, DDS

Members Absent

Staff Present

Richard DeCuir, Executive Officer
Denise Johnson, Assistant Executive Officer
Kim Trefry, Enforcement Chief
Nancy Butler, Supervising Investigator
April Alameda, Investigative Analysis Unit Manager
Dawn Dill, Licensing and Examination Unit Manager
Lori Reis, Complaint and Compliance Unit Manager
Jocelyn Campos, Enforcement Coordinator
Sarah Wallace, Legislative and Regulatory Analyst
Karen Fischer, Associate Analyst
Linda Byers, Executive Assistant
Spencer Walker, DCA Senior Staff Counsel
Greg Salute, Deputy Attorney General

ROLL CALL AND ESTABLISHMENT OF QUORUM

Judith Forsythe, Chair, called the Dental Assisting Council meeting to order at 2:05 p.m. Roll was called and a quorum established.

DAC 1 - Approval of the May 17, 2012 Dental Assisting Council Meeting Minutes

M/S/C (Ramos/Contreras) to approve the May 17, 2012 Dental Assisting Council Meeting minutes. The motion passed unanimously.

DAC 2 - Update Regarding Status of Dental Assisting Programs and Courses

Denise Johnson, Assistant Executive Officer, reported that the Dental Assisting Program has contracted with five additional consultants, to bring the pool of subject matter experts to six, for reviewing course and program applications. The impact of this large pool of consultants will be significant in reducing application processing times, and ultimately eliminate the application backlog altogether. The consultants will begin their initial training in September for stand-alone course applications, and progress to the more complicated RDA program application reviews as more training is scheduled during the fiscal year.

Sharon Langness, Educational Programs Analyst, reviewed the statistics provided pointing out the new column labeled "Denied". She stated that this column will be used for applications that have been cancelled by their initiators. Dr. Witcher asked if withdrawing an application would result in being placed in the "Denied" column or could there be a differentiation by adding a "Withdrawn" column. Ms. Langness said that might be a possibility.

Denise Romero asked if Ms. Langness would give the Council a brief description of the application process. Ms. Langness reported that the application is obtained from our website and sent in with the appropriate fee. She then does an initial review to assure that the application is complete. Once the initial review is complete the application is sent to the consultant for review of curriculum, clarity and completeness. If deficiencies are found a report is sent to Ms. Langness who in turn sends out a deficiency letter to the applicant clarifying what is needed. The applicant has ninety days to send the information back. Once the information is received the consultant performs another review. If there are still deficiencies a second deficiency letter is sent and another ninety days is given for rectification. If, after the ninety day period, there are still deficiencies the Board has the right to either deny the application or if the deficiency is small they can give them more time. That is the typical process for courses and dental assisting programs although the programs are much longer and more complicated.

Ms. Langness reported that with the addition of the new Subject Matter Experts, it is expected that the previous backlog will be significantly reduced if not abolished altogether.

Ms. Langness pointed out that the Orthodontic Assistant Courses are increasing possibly because Orthodontists are discovering that it is far more cost effective to pay the \$300 application fee to get their own course approved and train their own assistants than it would be to pay for their assistants to take a course elsewhere.

Teresa Lua asked why there are so few Oral Sedation Programs.

Dr. Witcher stated that there are only 9 students that have completed the certification which is very complicated and lengthy.

Dr. Earl Johnson, representing the California Association of Orthodontists (CAO), commented that the CAO has created a master template course that fulfills all of the Board requirements for the Orthodontic Assistant Permit making it easy to apply for course approval.

DAC 3 - Dental Assisting Program Licensure and Permit Statistics

Ms. Forsythe reviewed the statistics provided. Dr. Whitcher pointed out the trend in declining RDA licensees and increasing RDA delinquencies. Dawn Dill, Manager of the Licensing and Examination Unit, stated that once you have been licensed as a Registered Dental Assistant in Extended Functions (RDAEF), there is no reason to renew your RDA license since you can perform all RDA duties under the RDAEF license so those RDA licenses become delinquent. Ms. Forsythe asked if there needs to be a process developed by which an RDA who has become an RDAEF can cancel their RDA license so that it doesn't become delinquent. Ms. Dill replied that it might be possible to develop a form that could be sent with the results of the RDAEF exam so that the RDA license could be cancelled. Spencer Walker, Legal Counsel stated that a regulation would be required to make that change as well as to clarify that both licenses aren't necessary.

Ms. Dill stated that if the RDAEF wants to reinstate their RDA license after 5 years of delinquency when it is cancelled, they can petition the Board for a license reissuance.

Joan Greenfield, representing RDAEF Programs, commented that the question arose surrounding the legality of an RDAEF performing only RDA duties in an office where there are more than 3 RDAEF's (the legal limit that one doctor can supervise). She stated that previous legal counsel advised keeping both licenses current.

Ms. Forsythe asked that an item be placed on the agenda for the Dental Assisting Council meeting to discuss the merits of maintaining both RDAEF and RDA licenses.

DAC 4 - Clarification of Roles and Responsibilities of the Council Pursuant to Business & Professions Code, § 1752.3 Relating to Assigning Specific Procedures for the Registered Dental Assistant (RDA) Practical Examination

Ms. Forsythe reported that the Council is responsible for providing recommendations to the Board on various matters relating to dental assisting. One of the areas the Council must consider are recommendations on the requirements for examination, licensure, permitting, and renewal for Registered Dental Assistants (RDA).

Business and Professions Code (Code) Section 1752.3(b) specifies that the procedures of the RDA practical examination shall be assigned by the Board after considering the recommendations of its Council. Code Section 1752.3(b) further specifies that the practical examinations shall consist of three of the four procedures outlined in the Section and that the procedures shall be performed on a fully articulated maxillary and mandibular typodont secured with a bench clamp.

It is the role and responsibility of the Council to provide a recommendation to the Board as to which procedures should be tested during the RDA practical examination per Code Section 1752.3(b).

DAC 5 - Discussion and Possible Action to Recommend to the Dental Board the Assignment of Specific Procedures for Registered Dental Assistant (RDA) Practical Examinations Pursuant to Business & Professions Code, § 1752.3(b)

M/S/C (Ramos/Contreras) to recommend that the Board continue examining the same procedures currently being tested for the RDA practical examination which are:

- Place, adjust, and finish a direct provisional restoration on #19 or #30,
- Fabricate and adjust an indirect provisional restoration on #8, and
- Cement an indirect provisional restoration on #8.

The motion passed unanimously.

DAC 6 - Clarification of Roles and Responsibilities of the Council Pursuant to Business & Professions Code, § 1753.4 Relating to Assigning Specific Procedures for the Registered Dental Assistant in Extended Functions (RDAEF) Examination

Ms. Forsythe reported that the Council is responsible for providing recommendations to the Board on various matters relating to dental assisting. One of the areas the Council must consider are recommendations on the requirements for examination, licensure, permitting, and renewal for Registered Dental Assistants in Extended Functions (RDAEF).

Business and Professions Code (Code) Section 1753.4 contains the provisions relative the Board's RDAEF examination. Code Section 1753.4 specifies that the RDAEF examination consists of two components: (1) a clinical examination and (2) a practical examination.

Subsection 1753.4(a) provides that the first component, the clinical examination, consists of two specific procedures to be performed on a patient provided by the applicant. The statute does not authorize the Board to modify the specific procedures listed in subsection 1753.4(a), therefore, it is unnecessary for the Council to provide recommendations to the Board on this particular component of the RDAEF examination.

Subsection 1753.4(b) provides that the second component, the practical examination, shall consist of two of three procedures listed. The specific procedures of the RDAEF practical examination shall be assigned by the Board after considering recommendations of its Council. The practical examination procedures are required to be completed on a simulated patient head mounted in appropriate position and accommodating an articulated typodont in an enclosed intraoral environment, or mounted on a dental chair in a dental operatory.

It is the role and responsibility of the Council to provide a recommendation to the Board as to which procedures should be tested during the RDAEF practical examination per Code Section 1753.4(b).

DAC 7 - Discussion and Possible Action to Recommend to the Dental Board the Assignment of Specific Procedures for Registered Dental Assistant Extended Function (RDAEF) Practical and Clinical Examinations Pursuant to Business & Professions Code, § 1753.4 (b)

Joan Greenfield, representing RDAEF Programs, commented that it is their hope that the council will retain the same items to validate the safety of the public.

M/S/C (Ramos/Lua) to recommend that the Board continue examining the same procedures currently being tested for the RDAEF practical examination which are:

- Place, condense, and carve an amalgam restoration on #30 MOD, and
- Place and contour a nonmetallic direct restoration on #6 mesial

The motion passed unanimously.

DAC 8 – Report on Final Results of the Survey of Registered Dental Assistants in Extended Functions (RDAEF) Licensees for the Purpose of Analysis of Workforce and Barrier to Care Issues

Denise Johnson reported that the survey information was sent to a total of 1,245 RDAEF licensees, and the Board received 218 responses by May 1, 2012 (approximately 17.5% of the total licensee population).

Of those licensees who participated in the survey, approximately 77% responded that they had not received additional training in the new duties for RDAEF's and approximately 23% responded that they had received the training. Furthermore, approximately 79% responded that they had been licensed before the new duties came into effect on January 1, 2010, while approximately 21% responded they had been licensed after January 1, 2010. The majority of the licensees who participated in the survey answered that they had been licensed for five (5) years or more, while approximately 25% of the population had been licensed for less than five (5) years. Approximately 80% indicated they work in a private practice, 11% indicated they work in a community clinic, 5% indicated they work in an educational program, and 8% were unemployed.

Responses to additional survey questions showed that the licensees perform cord retraction for impressions and final impressions for permanent indirect restorations the most often in their practice. The top three duties performed are cord retraction for impressions, final impression for permanent indirect restoration, and conducting preliminary evaluation of the patient's oral health.

Ms. Johnson reported that the response rate was very high for this survey.

Joan Greenfield commented that according to her calculations, only 45 of the respondents could legally perform the new duties which skew the results. She requested that this be re-configured using the appropriate number.

Teresa Lua commented that the question pertaining to additional education after receiving your RDAEF was confusing because there is no additional training available. Denise Romero responded that the intent was to find out if they were going to pursue getting their RDAEF II.

PUBLIC COMMENT

Lindsay Shuban, California Association of Dental Assisting Teachers (CADAT), asked why items 4 -7 were on this agenda. She also asked what the proper protocol is for placing items on the agenda. She was told that she could discuss these matters with staff.

Joan Greenfield asked that an item be placed on the agenda pertaining to posting practical and written examination results by school or provider.

LaDonna Drury-Klein, CADAT, commented that all vocational programs have examination reporting criteria mandated by an accrediting agency such as the Department of Education, Federal and State. All vocational programs must report examination results by program, whereas previously it was reported by total institution. She commented that 17 programs have been cited by the Board of Education for lack of vocational reporting for their Dental Assisting programs. The programs need the results of the examinations within 30-60 days in order to meet their reporting responsibilities. Ms. Drury-Klein requested that an item be placed on the agenda to address, discuss and possibly take action to establish a firm timeline for reporting to the Institutions, either via the website or directly to the Institution, the examination results.

Spencer Walker, Legal Counsel recommended adding to each committee, an agenda item for requests of future agenda items in addition to Public Comments. This would allow discussion as to whether or not an item should be placed on a future agenda.

The committee adjourned at 2:52 p.m.