



BOARD MEETING MINUTES

November 6-7, 2014

Sportsmen's Lodge Events Center - Waterfalls Room
12833 Ventura Blvd., Studio City, CA 91604

Members Present

Fran Burton, MSW, Public Member, President
Bruce Whitchee, 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, MA

Members Absent

Stephen Casagrande – absent Friday

Staff Present

Karen Fischer, MPA, Executive Officer
Sarah Wallace, Assistant Executive Officer
Teri Lane, Enforcement Chief
Michael Placencia, Legislative and Regulatory Analyst
Jana Adams, Staff Services Analyst
Spencer Walker, Senior Legal Counsel

Thursday, November 6, 2014

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

President Fran Burton called the meeting to order at 9:03 a.m. Judith Forsythe, Secretary, called the roll and a quorum was established. The Board immediately went into Closed Session.

CLOSED SESSION – FULL BOARD

RETURN TO OPEN SESSION – FULL BOARD

2. Approval of the August 25-26, 2014 and October 17, 2014 Board Meeting Minutes

It was pointed out that on the August 25-26 meeting minutes, page one, Agenda Item number three the word "drug" was misspelled. Motioned/Seconded/ Carried

(M/S/C) (Afriat/Morrow) to approve the August 25-26, 2014 meeting minutes as amended. There was no public comment. The motion passed unanimously. M/S/C (Whitcher/McKenzie) to approve the October 17, 2014 Board Meeting Minutes. The motion passed with King and Afriat abstaining.

3. President's Report

President Fran Burton gave an overview of the accomplishments made by the Dental Board over the past year including lots of work on the report due to the Legislature known as Sunset Review, she has attended meetings of the Prescription Drug Task Force and, along with the Executive Officer, participated in a conference call with the Director of the Department of Consumer Affairs who gave an update on the Departments activities. She thanked Greg Salute, Deputy Attorney General, for his service and commitment to the Dental Board and presented him with a plaque. Ms. Burton warmly thanked the Vice President, Secretary, Board members, Counsel and staff for all of their hard work during the past year.

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

Lori Hubble, Executive Officer of the Dental Hygiene Committee of California (DHCC) gave an overview of the DHCC activities including the hiring of Guadalupe Castillo as their Legislative and Regulatory Analyst. She reported that they have completed their Sunset Review and the third edition of their newsletter will be available on their website soon.

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

Dr. Morrow gave a report prepared by the subcommittee of himself and Dr. Le. He reported that Executive Officer Karen Fischer and Dr. Le, and he met with the dean and faculty of Western University of Health Sciences College of Dental Medicine on November 5, 2014. Student representatives were interviewed. M/S/C (Le/Forsythe) to accept the findings of the Commission on Dental Accreditation (CODA) of approval without reporting requirements and grant final approval of the Western University of Health Sciences College of Dental Medicine. There was no public comment. The motion passed unanimously.

COMMITTEE/COUNCIL MEETINGS

CLOSED SESSION – LICENSING, CERTIFICATION, AND PERMITS COMMITTEE

RETURN TO OPEN SESSION – FULL BOARD

6. Public Comment of Items Not on the Agenda

There was no further public comment.

7. Recess

The meeting recessed at 6:02 p.m.

Friday, November 7, 2014

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

Fran Burton, President, called the meeting to order at 9:00 a.m. Ms. Forsythe, Secretary, called the roll and a quorum was established. The Board immediately went into closed session. Dr. Stephen Casagrande was absent.

CLOSED SESSION – FULL BOARD

RETURN TO OPEN SESSION – FULL BOARD

9. Executive Officer's Report

Karen Fischer, Executive Officer, gave an overview of the activities of the Dental Board over the past quarter. She reported that during Closed Session the Board voted to extend her term as Executive Officer for the coming year. Ms. Fischer began to report on the Foreign Dental School application from the Republic of Moldova. Dr. Dominicis recused himself and left the room. Ms. Fischer reviewed the Board's responsibilities for approving a foreign dental school found in Business and Professions Code Section 1636.4 and the California Code of Regulations Sections 1024.3-1024.12 and requested the Board President appoint a subcommittee to work with staff to review the information currently received. Retired Senator Richard Polanco gave a brief history of his background and relationship to the school in Moldova as well as information about the country itself. He commented that he appreciates the cooperative and collaborative effort of the Dental Board through this process. Susan Lopez, California Dental Hygienists Association (CDHA) commented that she would like to know if the school has applied for accreditation in any other state. Senator Polanco replied no, they have not. Fran Burton, President stated the two person subcommittee will consist of Dr. Whitcher and herself.

10. Budget Report

Ms. Fischer gave an overview of the information provided. She stated that the expenditure reports were not available for this meeting as they were being revised to reflect the Governor's new budget but will be provided at the February meeting. Mr. Afriat asked what the total costs are for holding a Board meeting. Ms. Fischer stated that we will put together a report for a future meeting. There was no public comment.

11. Report on the October 1, 2014 Meeting of the Elective Facial Cosmetic Surgery Permit Credentialing Committee; Discussion and Possible Action to Accept Committee Recommendations for Issuance of Permits

Dr. Whitcher reported that the committee met on October 1, 2014 via teleconference to review one application for issuance of a permit. The committee tabled the review of the application until the applicant could correct the application's deficiencies. There was no public comment.

12. Presentation by Dick Gregory, DDS Regarding Apple Tree Dental Delivery Model

Dr. Whitcher gave an overview of the information provided. Dr. Gregory introduced Dr. Michael Helgeson, founder and Chief Executive Officer (CEO) of Apple Tree

Dental. Dr. Helgeson provided his background information as well as how and why Apple Tree Dental started. He gave a presentation about how the Apple Tree Dental Model operates. Lisa Okamoto, California Dental Hygienists Association (CDHA) commented that they have been very supportive of the Apple Tree Model however; concerns have been expressed by some of the Registered Dental Hygienists in Alternative Practice (RDHAP) who are already established in residential facilities. Ms. Burton suggested she talk to Dr. Helgeson after the meeting.

13. The Examination Committee and the Dental Assisting Council Joint Meeting Report

Ms. Wallace reported that staff will be moving forward with the initiation of an Occupational Analysis of the Registered Dental Assistant Profession. In the interim, staff will work with psychometricians to conduct an interim validation of the Registered Dental Assistant (RDA) examination. She reported that a subcommittee of Judith Forsythe and Tamara McNealy was appointed to work with staff on a plan moving forward. Staff will also be developing a plan for communication with the Dental Program Directors including a letter summarizing the meeting events and the plan moving forward. M/S/C (Forsythe/King) to accept the report. The motion passed unanimously.

14. Dental Assisting Council Report

Teresa Lua, Chair, gave a report on the Council meeting. M/S/C (Burton/Morrow) to accept the report. The motion passed unanimously. Spencer Walker, Senior Legal Counsel, commented that it is not necessary to have a motion to accept a meeting report.

15. Examination Committee Report

Dr. Morrow, Vice Chair, gave a report on the Examination Committee meeting.

16. Prescription Drug Abuse Committee Report

Dr. Stewart, Chair, gave a report on the Prescription Drug Abuse Committee meeting. M/S/C (Burton/Whitcher) to accept the mission statement: "Our mission is to respond to the rise in prescription drug overdoses by developing strategies for safe but effective prescribing methods within the practice of dentistry." The motion passed unanimously.

17. Access to Care Committee Report

Dr. Le, Chair, gave a report on the Access to Care Committee meeting. M/S/C (Burton/Afriat) to accept the mission statement: "The Committee will maintain awareness of the changes and challenges within the dental community and serve as a resource to the Dental workforce by identifying areas where the Board can assist with workforce development, including the dental loan repayment program, and publicizing such programs to help underserved populations, exploring methods for promoting diversity within the dental community through surveys and workforce data to inform the Board as to existing workforce capacity." The motion passed unanimously.

18. Legislation and Regulations:

A. 2015 Tentative Legislative Calendar - Information Only.

Michael Placencia, Legislative and Regulatory Analyst gave an overview of the information provided.

B. End of Two-Year Legislative Session Summary for 2013-2014:

Mr. Placencia gave an overview of the information provided. M/S/C (Burton/Forsythe) to adopt the Legislative Summary and direct staff to post the report on the Board's website.

C. Update on Pending Regulatory Packages:

Mr. Placencia gave an overview of the information provided. Dr. William Langstaff, California Association of General Dentists (CAGD) commented that they submitted a letter to the Board regarding Business and Professions Code Section 726. CAGD is requesting that the Board amend the language during Sunset Review to include all licensed dental providers along with licensed medical providers in the exemption.

D. Discussion and Possible Action Regarding Legislative Proposals for 2015

Mr. Placencia gave an overview of the information provided. M/S/C (Dominicis/Forsythe) to accept the proposed revised language for Sections 1695 and 1695.1 which would replace the former name "Dental Examiners" with "Dental Board" and direct staff to prepare the proposal for submission to the Committee for inclusion in the 2015 healing arts boards omnibus bill. There was no public comment. The motion passed unanimously.

E. Discussion of Prospective Legislative Proposals:

Dr. Morrow commented that the standards within the California Code of Regulations relating to Dental Schools and the Institutional standards were last updated 12-15 years ago therefore when we are assessing new programs we are using these old standards. Dr. Morrow asked that the Board look into updating its standards for approving foreign dental schools. There was discussion regarding equivalency standards. Ms. Fischer suggested this be brought up during the discussion of regulatory changes. Dr. Whitcher mentioned that an update of General Anesthesia regulations is also in order.

19. Licensing, Certification, and Permits:

Dr. Whitcher, Chair of the Licensing, Certification and Permits (LCP) Committee reported that after Closed Session review of the submitted documentation, the committee recommended issuing a license to replace a cancelled license to applicant MW pending passing the Law and Ethics examination. M/S/C (Afriat/King) to accept the LCP committee's recommendation. There was no public comment. The motion passed unanimously.

A. 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

Dr. Whitcher gave a brief summary of the information provided. Ms. Burton tabled the item until the next Board Meeting to give Board members and legal staff time to review the proposed language.

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

Dr. Whitcher gave an overview of the information provided. M/S/C (Burton/Afriat) to not move forward with a regulation amendment at this time. There was discussion regarding the intent of the legislation. Mr. Brandon Clary, representing Dr. Fred Horowitz, discussed arguments in favor of Dr. Horowitz. There was no further comment. The motion passed with Ms. King abstaining.

20. Election of Board Officers for 2015

Dr. Stewart nominated Ms. Burton to remain President of the Dental Board of California. Dr. Whitcher seconded the nomination. Ms. Burton accepted the nomination. There were no additional nominations. The Board unanimously elected Ms. Burton to serve a second term as President of the Dental Board of California. Ms. Burton nominated Dr. Whitcher to remain Vice-President of the Dental Board of California. Ms. Forsythe seconded the nomination. Dr. Whitcher accepted the nomination. There were no other nominees. The Board unanimously elected Dr. Whitcher Vice-President of the Dental Board of California for a second term. Dr. Whitcher nominated Judy Forsythe to remain Secretary of the Dental Board of California. Ms. King seconded the nomination. Ms. Forsythe accepted the nomination. There were no other nominees. The Board unanimously elected Ms. Forsythe to a second term as Secretary of the Dental Board of California.

21. Public Comment of Items Not on the Agenda

Michael Simmons, DDS, researcher and educator at UCLA commented that he has concerns regarding dentists diagnosing and treating sleep disorders with little to no training in this area as well as non-dentists providing equipment and diagnosis. He spoke about the number of accredited facilities and credentialed dentists in California. These facilities and dentists have been accredited or credentialed by the American Academy of Dental Sleep Medicine which is recognized by the American Academy of Sleep Medicine. Dr. Simmons cited several statistics related to percentages of the population that are affected by sleep disorders to show the need for more dentists to become educated on this subject. He proposed creating standards of continuing education requirements for sleep disorder education. He stated that dentists are the perfect candidates for sleep disorder education because of their knowledge of facial structure and airway anatomy. Dr. Whitcher clarified that Dr. Simmons is asking for a future agenda item to discuss diagnosis and management of sleep disorders by dentists. Dr. Simmons added yes, and he suggested spelling out the criteria by which dentists should be practicing. Dr. Alan Felsenfeld, Professor of Oral and Maxillofacial Surgery at the UCLA School of Dentistry and Medical Center commented that he treats sleep apnea patients and supports Dr. Simmons and his efforts to educate dentists on this subject. He explained that those not educated properly about the disease may make the mistake of treating all patients that snore for sleep apnea when this may

not be the case. He reiterated that for the protection of the public, dentists need to be educated about sleep disorders.

22. Future Agenda Items

There were no further agenda items requested.

23. Board Member Comments for Items Not on the Agenda

There were no comments.

24. Adjournment

The meeting was adjourned at 1:50 p.m.