



**BOARD MEETING MINUTES**  
**May 11-12, 2016**  
Wyndham Anaheim Garden Grove  
12021 Harbor Boulevard, Garden Grove, CA 92840

**Members Present**

Steven Morrow, DDS, MS, President  
Judith Forsythe, RDA, Vice President  
Steven Afriat, Public Member, Secretary  
Fran Burton, MSW, Public Member  
Yvette Chappell-Ingram, Public Member (Thursday only)  
Luis Dominicis, DDS  
Kathleen King, Public Member  
Ross Lai, DDS  
Huong Le, DDS, MA  
Meredith McKenzie, Public Member (arrived at noon)  
Thomas Stewart, DDS  
Bruce Witcher, DDS  
Debra Woo, DDS

**Members Absent**

Katie Dawson, RDH

**Wednesday, May 11, 2016**

**8:00 A.M. FULL BOARD MEETING – OPEN SESSION**

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

Dr. Steven Morrow, President, called the meeting to order at 8:04am. Mr. Steve Afriat, Secretary, called the roll and a quorum was established.

The Board immediately went into Closed Session.

**CLOSED SESSION – FULL BOARD**

**CLOSED SESSION – LICENSING, CERTIFICATION, AND PERMITS COMMITTEE**

**RETURN TO OPEN SESSION – FULL BOARD**

2. **Licensing, Certification and Permits Committee Report on Closed Session**

Dr. Bruce Witcher, Chair of the Licensing, Certification and Permits (LCP) Committee reported that the committee made the following recommendations:

GA/CS candidate M. M. – Deny permit – Repeat the Inspection.

DDS candidate A. S. – Approve replacement upon completion of the Law and Ethics training.

RDA candidate S. B. - Approve replacement upon completion of the Law and Ethics training.

RDA candidate L. G. - Approve replacement upon completion of the Law and Ethics training.

RDA candidate M. P. - Approve replacement upon completion of the Law and Ethics training.

Motioned/Seconded (M/S) (Afriat/Dominicis) to accept the committee recommendations.

**Support:** Morrow, Forsythe, Afriat, Burton, Dominicis, King, Lai, Le, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: 0**

The motion passed.

3. **Approval of the March 3-4, 2016 Board Meeting Minutes.**

M/S (Burton/Woo) to approve the March 3-4, 2016 minutes.

**Support:** Morrow, Forsythe, Burton, Dominicis, King, Lai, Le, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: Afriat**

The motion passed.

4. **Welcome by Board President.**

Dr. Morrow, President, gave an overview of the information provided. Suzie Dault, Dental Specialties, made a comment about the amount of debt her husband incurred going through Dental school later in life. She appreciates the thought of more mobility.

5. **Executive Officer's Report.**

Karen Fischer, Executive Officer, provided a report of her activities since the last meeting.

6. **Discussion and Possible Action Regarding an Appointment to the Dental Assisting Council.**

Ms. Fischer gave an overview of the information provided.

M/S (Burton/Forsythe) to continue recruitment for an RDAEF member of the Dental Assisting Council until such time as additional applications are received; and that the outreach be expanded to include recruitment notifications being mailed to licensees, associations, and RDAEF school programs.

**Support:** Morrow, Forsythe, Afriat, Burton, Dominicis, King, Lai, Le, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: 0**

The motion passed.

**JOINT MEETING OF THE DENTAL BOARD AND DENTAL ASSISTING COUNCIL**

**RETURN TO FULL BOARD OPEN SESSION**

**LEGISLATIVE AND REGULATORY COMMITTEE MEETING**

**RETURN TO FULL BOARD OPEN SESSION**

**RECESS**

**Thursday May 12, 2016**

**8:00 A.M. OPEN SESSION – FULL BOARD**

7. **Call to Order/Roll Call/Establishment of Quorum.**  
Dr. Steven Morrow, President, called the meeting to order at 8:04am. Mr. Steve Afriat, Secretary, called the roll and a quorum was established.
8. **Report of Dental Hygiene Committee of California (DHCC) Activities by DHCC Executive Officer.**  
Lori Hubble, Executive Officer of the DHCC, introduced past DHCC President, Dr. Michelle Hurlbutt. Dr. Hurlbutt gave an overview of DHCC activities since the last Dental Board meeting.
9. **Examinations:**
  - A. **Western Regional Examination Board (WREB) Update**  
There was no update given.
  - B. **Staff Update on Portfolio Pathway to Licensure**  
Dr. Ross Lai gave a report regarding the site visit to the University of California San Francisco (UCSF) Department of Dentistry. Dr. Woo reported her experience at the University of the Pacific Dental Program.
  - C. **American Dental Association (ADA) – Other Regional Dental Examinations**  
Dr. Morrow gave an overview of the information provided.
10. **Licensing, Certifications and Permits:**
  - A. **Review of Dental Licensure and Permit Statistics**  
Sarah Wallace, Assistant Executive Officer, gave an overview of the information provided.
  - B. **Update Regarding Pediatric Dental Anesthesia Research per Senator Jerry Hill's Request**  
Karen Fischer, Executive Officer, gave an overview of the information provided. Gayle Mathe, California Dental Association (CDA), thanked the Dental Board for its thoughtful and complete approach to this matter.
11. **Enforcement:**
  - A. **Enforcement – Statistics and Trends**  
Teri Lane, Enforcement Chief, reported that they were unable to verify the current statistics.

**B. Review of Second Quarter Performance Measures from the Department of Consumer Affairs**

Ms. Lane gave an overview of the information provided.

**C. Diversion Program Report and Statistics**

Ms. Lane gave an overview of the information provided.

**D. Presentation by Theresa Lane, Enforcement Chief – Violations of the Dental Practice Act**

Ms. Lane provided a presentation regarding different violations of the Dental Practice Act and how to avoid them.

12. **Budget Report.**

Ms. Fischer gave an overview of the information provided.

13. **Discussion and Possible Action to Initiate a Rulemaking to Amend California Code of Regulations, Title 16 Sections 1021 and 1022, Dentistry and Dental Assisting Licensing and Permitting Fee Increase.**

Lusine Sarkisyan, Legislative and Regulatory Analyst, gave an overview of the information provided. There was discussion surrounding which fee to use.

M/S (Afriat/Forsythe) to approve staff's recommendation to accept the proposed regulatory language, using the \$650 initial dentistry licensure fees, relative to Dentistry and Dental Assisting Licensing and Permitting Fee Increase, and direct staff to take all steps necessary to initiate the formal rulemaking process, including noticing the proposed language for 45-day public comment, setting the proposed language for a public hearing, and authorize the Executive Officer to make any non-substantive changes to the rulemaking package. If after the close of the 45-day public comment period and public regulatory hearing, no adverse comments are received, authorize the Executive Officer to make any non-substantive changes to the proposed regulations before completing the rulemaking process, and adopt the proposed amendments to California Code of Regulations, Title 16, Sections 1021 and 1022 as noticed in the proposed text.

**Support:** Morrow, Forsythe, Afriat, Burton, Chappell-Ingram, Dominicus, King, Lai, Le, McKenzie, Stewart, Whitcher, Woo. **Oppose:** 0 **Abstain:** 0

The motion passed.

14. **Discussion and Possible Action to Initiate a Rulemaking to Implement, Interpret, and Make Specific California Code of Regulation, Title 16, Sections 1001.1 and 1001.2 Relating to the Defining of "Discovery" and "Filing".**

Ms. Sarkisyan gave an overview of the information provided.

M/S (Afriat/Whitcher) to accept staff's recommendation to accept the proposed regulatory language relative to defining of "Discovery" and "Filing", and direct staff to take all steps necessary to initiate the formal rulemaking process, including noticing the proposed language for 45-day public comment, setting the proposed language for a public hearing, and authorize the Executive Officer to make any non-substantive changes to the rulemaking package. If after the close of the 45-day public comment period and public regulatory hearing, no adverse comments

are received, authorize the Executive Officer to make any non-substantive changes to the proposed regulations before completing the rulemaking process, and adopt the proposed amendments to California Code of Regulations, Title 16, Sections 1001.1 and 1001.2 as noticed in the proposed text.

**Support:** Morrow, Forsythe, Afriat, Burton, Chappell-Ingram, Dominicis, King, Lai, Le, McKenzie, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: 0**

The motion passed.

15. **Discussion and Possible Action Regarding Adoption of the Revisions to the Board Member Administrative Procedure Manual.**

Judith Forsythe, Vice President, gave an overview of the information provided. There was considerable discussion regarding many proposed additions and changes. Dr. Morrow recommended bringing this item back at the August meeting with the proposed revisions.

16. **Discussion and Possible Action Regarding the California Society of Periodontists Request for the Dental Board of California's Endorsement of their Efforts in the Creation of a Periodontal Disease Awareness Month.**

Dr. Nicolas Kaplanis, President Elect of the California Society of Periodontists, reviewed the information provided. He stated that they would like an acknowledgment of any month as Periodontal Disease Awareness Month. They would also like to see that acknowledgment put on the Dental Board's website as well as the State website. They are also seeking a proclamation from the Governor's office. He stated that they would like to create a National campaign and the Dental Board of California's endorsement would add legitimacy. Lisa Okamoto, California Dental Hygienists Association commented that they support this. Dr. Morrow requested that this item be brought back at the August meeting after further review and consideration.

17. **Report on the April 20, 2016 Meeting of the Elective Facial Cosmetic Surgery Permit Credentialing Committee; Discussion and Possible Action to Accept Committee Recommendations for Issuance of Permits.**

Dr. Whitcher gave an overview of the information provided.

M/S (Whitcher/Chappell-Ingram) to accept the committee's report and recommendation to issue Slim Bouchouca, DDS, an EFCS Permit a permit for unlimited Category I and Category II privileges.

**Support:** Morrow, Forsythe, Afriat, Burton, Chappell-Ingram, Dominicis, King, Lai, Le, McKenzie, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: 0**

The motion passed.

18. **Legislative and Regulatory Committee Report.**

Fran Burton, Chair, gave a report on the Legislative and Regulatory Committee meeting.

M/S (Afriat/Whitcher) to accept the committee's recommendation to continue to watch: AB 1707, AB 2331, SB 482, SB 1033 and SB 1217.

**Support:** Morrow, Forsythe, Afriat, Burton, Chappell-Ingram, Dominicis, King, Lai, Le, McKenzie, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: 0**

The motion passed.

M/S (Afriat/Whitcher) to accept the committee's recommendation for AB 2235 to take a position of "Support in Concept with Suggested Amendments" on this bill. The amendments include the following: Change the timeframe of researching incident reports from 2011 through 2016 to 2010 through 2015; and change "shall include" to "if available" relating to the collection of anonymized demographic data for each incident for the past five years.

**Support:** Morrow, Forsythe, Afriat, Burton, Chappell-Ingram, Dominicis, King, Lai, Le, McKenzie, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: 0**

The motion passed.

M/S (Afriat/Whitcher) to accept the committee's recommendation for AB 2859 to direct staff to communicate with the author's office regarding the committee's concern with this bill.

**Support:** Morrow, Forsythe, Afriat, Burton, Chappell-Ingram, Dominicis, King, Lai, Le, McKenzie, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: 0**

The motion passed.

M/S (Burton/Le) to accept the committee's recommendation for SB 1039 to take a "support if amended" position on this bill and send a letter to the author. The amendment related to the addition of prior proposed language relating to the Board's ability to approve foreign dental schools.

**Support:** Morrow, Forsythe, Afriat, Burton, Chappell-Ingram, Dominicis, King, Lai, Le, McKenzie, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: 0**

The motion passed.

M/S (Afriat/Burton) to accept the committee's recommendation to watch SB 1348.

**Support:** Morrow, Forsythe, Afriat, Burton, Chappell-Ingram, Dominicis, King, Lai, Le, McKenzie, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: 0**

The motion passed.

M/S (Afriat/Burton) to accept the committee's recommendation to watch SB 1444.

**Support:** Morrow, Forsythe, Afriat, Burton, Chappell-Ingram, Dominicis, King, Lai, Le, McKenzie, Stewart, Whitcher, Woo. **Oppose: 0 Abstain: 0**

The motion passed.

M/S (Burton/Afriat) to accept the committee's recommendation for SB 1478 to support on the parts of the bill that pertain to the Dental Board.

**Support:** Morrow, Forsythe, Afriat, Burton, Chappell-Ingram, Dominicis, King, Lai, Le, McKenzie, Stewart, Whitcher, Woo. **Oppose:** 0 **Abstain:** 0

The motion passed.

19. **Public Comment on Items Not on the Agenda.**

Lisa Okamoto, California Dental Hygienists Association (CDHA), commented that CDHA had sent a letter to the Dental Board and the Dental Hygiene Committee of California (DHCC) on behalf of consumers that they had talked to who were having trouble locating information on their provider on the website.

20. **Board Member Comments on Items Not on the Agenda.**

Kathleen King commented that she would like to discuss the 1115 waiver regarding access to Medi-cal at a future meeting.

21. **Adjournment.**

Dr. Morrow adjourned the meeting at 2:48pm.