

**State of California
Office of Administrative Law**

In re:
Dental Board of California

Regulatory Action:

Title 16, California Code of Regulations

Adopt sections:
Amend sections: 1031
Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

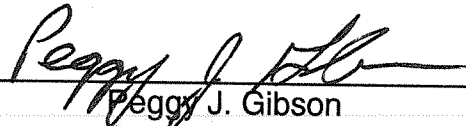
OAL Matter Number: 2021-1207-04

OAL Matter Type: Regular (S)

The Dental Board of California is deleting the requirement that a candidate pass the supplemental exam in law and ethics with a score of at least 75%. Instead, they are requiring an applicant to achieve a criterion-referenced passing score on the exam.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/1/2022.

Date: May 20, 2022



Peggy J. Gibson
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Karen Fischer, Executive Officer
Copy: Wilbert Rumbaoa

REGULAR

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATION SUBMISSION
STD. 400 (REV. 10/2019)

For use by Secretary of State only

OAL FILE NUMBER Z-2021-0413-04	NOTICE FILE NUMBER 2021-1207-04	REGULATORY ACTION NUMBER S	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
OFFICE OF ADMINISTRATIVE LAW Electronic Submission		OFFICE OF ADMIN. LAW 2021 DEC 7 AM 11:10	
RECEIVED DATE 4/13/2021	PUBLICATION DATE 4/23/2021		
NOTICE		REGULATIONS	

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

MAY 20 2022

1:45 pm

AGENCY WITH RULEMAKING AUTHORITY
Dental Board of California

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE California Dentistry Law & Ethics Examination	TITLE(S) 16	FIRST SECTION AFFECTED 1031	2. REQUESTED PUBLICATION DATE April 23, 2021
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Wilbert Rumbaoa	TELEPHONE NUMBER (916) 263-2215	FAX NUMBER (Optional) (916) 263-2140
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2021, 17-Z	PUBLICATION DATE 04/23/2021	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) California Dentistry Law and Ethics Examination	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
TITLE(S) 16	AMEND 1031
	REPEAL
3. TYPE OF FILING	
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
	<input type="checkbox"/> File & Print <input type="checkbox"/> Print Only
	<input type="checkbox"/> Other (Specify)
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)	
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)	
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input checked="" type="checkbox"/> Other (Specify) <u>Kimberly Kirchmeyer, Director, Department of Consumer Affairs</u>			
7. CONTACT PERSON Wilbert Rumbaoa	TELEPHONE NUMBER (916) 263-2215	FAX NUMBER (Optional) (916) 263-2140	E-MAIL ADDRESS (Optional)

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <u>Wilbert Rumbaoa</u>	DATE Dec 7, 2021
TYPED NAME AND TITLE OF SIGNATORY Wilbert Rumbaoa, Staff Services Manager I, Dental Board of California	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAY 20 2022

Office of Administrative Law

**TITLE 16 PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 10. DENTAL BOARD OF CALIFORNIA**

MODIFIED TEXT

Proposed amendments to the regulatory language are shown in single underline for new text and single ~~strikethrough~~ for deleted text.

Amend Sections 1031 of Division 10 of Title 16 of the California Code of Regulations to read as follows:

§ 1031. Supplemental Examinations in California Law and Ethics.

Prior to issuance of a license, an applicant shall achieve a criterion-referenced passing score on the ~~successfully complete~~ supplemental written examinations in California law and ethics.

- (a) The examination on California law shall test the applicant's knowledge of California law as it relates to the practice of dentistry.
- (b) The examination on ethics shall test the applicant's ability to recognize and apply ethical principles as they relate to the practice of dentistry.
- (c) ~~A candidate shall be deemed to have passed the examinations if his/her score is at least 75% in each examination. As used in this section, "criterion-referenced passing score" is a passing score for the examination established by the modified Angoff standard setting method. This method includes the use of licensees representing the practice of dentistry and a test development specialist and determines through evaluation and rating of each exam question that the passing score represents entry level competence to practice in the profession as specified in subsections (a) and (b).~~

Note: Authority cited: Section 1614, Business and Professions Code. Reference: Sections ~~139,~~ 1630, 1632, and 1634.1, Business and Professions Code.