

NONSUBSTANTIVE

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

See Instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

| | | | |
|-------------------------|---------------------------------|--|------------------|
| OAL FILE NUMBERS | NOTICE FILE NUMBER Z- | REGULATORY ACTION NUMBER 2016-0720-02N | EMERGENCY NUMBER |
|-------------------------|---------------------------------|--|------------------|

For use by Office of Administrative Law (OAL) only

2016 JUL 20 P 3:19
OFFICE OF ADMINISTRATIVE LAW

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

AUG 30 2016

1:45 PM

| | |
|--------|-------------|
| NOTICE | REGULATIONS |
|--------|-------------|

| | |
|--|-----------------------------|
| 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 | TITLE(S) | FIRST SECTION AFFECTED | 2. REQUESTED PUBLICATION DATE |
| 3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other | 4. AGENCY CONTACT PERSON | TELEPHONE NUMBER | FAX NUMBER (Optional) |
| OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn | NOTICE REGISTER NUMBER | PUBLICATION DATE | |

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

| | |
|---|---|
| 1a. SUBJECT OF REGULATION(S) Specialty Advertising | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) OAL File No. 99-1214-085 |
|---|---|

| | | | |
|---|-------|-------------------------------------|--------|
| 2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related) | ADOPT | AMEND | REPEAL |
| SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) | | 1054, 1054.1, and 1054.2 | |
| TITLE(S) 16 | | 1054, 1054.1, and 1054.2 | |

LM per agency request 8/30/16
LM per agency request 8/30/16

| | |
|--|--|
| 3. TYPE OF FILING | 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) |
| <input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <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 emergency filing (Gov. Code, §11346.1) | N/A |

| | |
|--|---|
| 5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100) | 6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY |
| <input 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 checked="" type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) | <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 type="checkbox"/> Other (Specify) |

| | | | |
|---|------------------------------------|---|--|
| 7. CONTACT PERSON Lusine M Sarkisyan | TELEPHONE NUMBER (916) 263-2027 | FAX NUMBER (Optional) (916) 263-2140 | E-MAIL ADDRESS (Optional) lusine.sarkisyan@dca.ca.gov |
|---|------------------------------------|---|--|

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 <i>Karen M Fischer</i> | DATE 7/19/2016 |
| TYPED NAME AND TITLE OF SIGNATORY Karen Fischer, MPA, Executive Officer | |

LM per agency request 8/30/16

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

AUG 30 2016

Office of Administrative Law

**TITLE 16. DENTAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS**

ORDER OF ADOPTION

SECTION 100. CHANGE WITHOUT REGULATORY EFFECT

Delete Section(s) 1054, 1054.1, and 1054.2 of Title 16 of the California Code of Regulations as follows:

~~§ 1054. Recognized Dental Specialty Boards and Associations.~~

~~For purposes of this article and Section 651 of the Code, the board recognizes those dental specialty boards which are affiliated with specialties recognized by the American Dental Association, including: American Board of Dental Public Health; American Board of Endodontics; American Board of Oral Pathology; American Board of Oral and Maxillofacial Surgery; American Board of Orthodontics; American Board of Pediatric Dentistry; American Board of Periodontology; and American Board of Prosthodontics.~~

~~The board also recognizes those boards that require two or more years of training in a formal advanced education program affiliated with a school of dentistry or medicine that follows educational guidelines developed by the Council on Dental Education of the American Dental Association, dated January 1975, which are hereby incorporated by reference.~~

~~Note: Authority cited: Sections 651 and 1614, Business and Professions Code. Reference: Section 651, Business and Professions Code.~~

~~§ 1054.1. Advertising Credentials.~~

~~(a) A dentist may advertise that he or she has credentials from one of the dental specialty boards recognized by the Board of Dental Examiners of the State of California, pursuant to Section 1054.~~

~~(b) A dentist may not advertise credentials granted by a private or public board or parent association which is not recognized pursuant to Section 1054, unless:~~

~~(1) The private or public board or parent association which grants the credentials currently requires:~~

~~(A) Successful completion of an oral and written examination based on psychometric principles; and~~

~~(B) Training and experience subsequent to successful completion of (A) above, to assure competent practice in the dental discipline as determined by the private or public board or parent association which grants the credentials.~~

~~(2) Any advertisement which references the dentist's credentials shall include the following statement: "[Name of announced dental discipline] is a discipline not recognized as a dental specialty by the Board of Dental Examiners of the State of California".~~

~~(3) The dentist discloses that he or she is a general dentist in any advertising which references the dentist's credentials.~~

~~(c) Subdivision (b)(1)(B) shall not be construed to prohibit a dentist from advertising credentials on the basis that the credentials were granted without examination if the credentials were granted prior to 1985.~~

~~Note: Authority cited: Sections 651 and 1614, Business and Professions Code. Reference: Section 651, Business and Professions Code.~~

~~§ 1054.2. Advertising as a Specialist.~~

~~A dentist may not advertise that he or she is a "specialist" unless he or she is certified or eligible for certification by a dental specialty board recognized pursuant to Section 1054.~~

~~Note: Authority cited: Sections 651 and 1614, Business and Professions Code. Reference: Section 651, Business and Professions Code.~~