

State of California
Department of Consumer Affairs
Title 16. Professional and Vocational Regulations
Division 10. Dental Board of California

**NOTICE OF AVAILABILITY OF MODIFIED TEXT OF PROPOSED REGULATIONS
AND ADDITION OF NEW DOCUMENTS TO THE RULEMAKING FILE**

NOTICE IS HERBY GIVEN that the Dental Board of California (Board) has made proposed modifications to proposed regulations, Title 16, of the California Code of Regulations, sections, 1021, 1043, 1043.1, 1043.2, 1043.3, 1043.4, 1043.5, 1043.6, 1043.7, 1043.8, 1043.8.1 , 1044 , 1044.1, 1044.2, 1044.3, 1044.4 [not repealed], 1044.5, & 1070.8, adopt section 1017.1, and the adoption of a new Article 5.1 and regulations sections 1043.9, 1043.9.1 and 1043.9.2 related to SB 501 (2018) Anesthesia and Sedation. These regulations were originally noticed on December 31, 2021. This notice also clarifies that the Board has decided not to repeal or make any modifications to existing section 1044.4 as provided in the originally proposed regulatory language.

The Board is also adding the following documents to the rulemaking file, as further described below:

- (1) an Addendum to the Initial Statement of Reasons,
- (2) Form: "Application for Oral Conscious Sedation for Minors Certificate" OCS-1 (Rev. 01/05) [showing repealed],
- (3) Form: "Application for Adult Oral Conscious Sedation Certificate" OCS-3 (Rev. 03/07) [showing repealed],
- (4) Form OCS-4 (Rev 03/07) "Documentation of Oral Conscious Sedation Cases,"
- (5) Stats.1979, c. 886, p. 3071-3073, § 1; and,
- (6) The Joint Commission 70-year Historical Timeline published by the Joint Commission.

Materials regarding this proposal can be found on the Board's website at:
https://dbc.ca.gov/about_us/lawsregs/proposed_regulations.shtml

Any person who wishes to comment on the proposed modifications may do so by submitting written comments between March 18, 2022 and April 4, 2022 to the following:

Contact Name: David Bruggeman
Address: 2005 Evergreen Street, Suite 1550
Sacramento, CA 95815
Fax number: (916)263-2140
Email Address: lawrence.bruggeman@dca.ca.gov

Revisions to text are shown by the double underlining of added text and the double strikethrough of deleted text. The modified text is attached to this notice.

Additional Documents and Information

The Board has added information to the Initial Statement of Reasons in an Addendum to Initial Statement of Reasons. This document is located on the Board's website at https://dbc.ca.gov/about_us/lawsregs/proposed_regulations.shtml

The Board is repealing Form OSC-1 and has added a struck-through copy of the form for reference. This document is located on the Board's website at https://dbc.ca.gov/about_us/lawsregs/proposed_regulations.shtml

The Board is repealing Form OSC-3 and has added a struck-through copy of the form for reference. This document is located on the Board's website at: https://dbc.ca.gov/about_us/lawsregs/proposed_regulations.shtml

The Board is no longer repealing Form OSC-4 and has added a copy of the form as reference. This document is located on the Board's website at: https://dbc.ca.gov/about_us/lawsregs/proposed_regulations.shtml

The Board is adding the following documents to the rulemaking file to ensure that all facts and documents relied on for the proposed modified text are included as part of the rulemaking file:

- Stats.1979, c. 886, p. 3071-3073, § 1.
- The Joint Commission 70-year Historical Timeline published by the Joint Commission at <https://www.jointcommission.org/-/media/enterpriseimagery/70th-anniversary/tjc-70>

These documents are located on the Board's website at: https://dbc.ca.gov/about_us/lawsregs/proposed_regulations.shtml

Please note, comments should be restricted to the most recent modifications made to the proposed regulations. The Board is not required to respond to comments on other aspects of the proposed regulations received in response to this notice.

Any comments previously submitted remain in the rulemaking file and will be responded to by the Board's staff as part of the Final Statement of Reasons. All written comments received by April 4, 2022 that pertain to these modifications will be reviewed and responded to by Board staff as part of the compilation of the rulemaking file.

This notice is given pursuant to the requirements of Government Code section 11346.8(c), and California Code of Regulations, title 1, section 44.

DATED: March 18, 2022



Sarah E. Wallace
Interim Executive Officer
Dental Board of California