



Saturday, May 6, 2017

Dental Hygiene Committee of California

Full Committee

Agenda



Notice is hereby given that a public meeting of the Dental Hygiene Committee of California (DHCC) will be held as follows:

DHCC MEETING AGENDA

The DHCC welcomes and encourages public participation in its meetings. The public may take appropriate opportunities to comment on any issue before the Committee at the time the item is heard.

**Saturday, May 6, 2017
9:00 a.m. until Adjournment**

**Atrium Hotel John Wayne Airport
18700 MacArthur Blvd.
Irvine, CA 92612**

Additional Teleconference Location Available at:

**Catalano-Fenske & Associates
1401 Fulton St., Ste. 801
Fresno, CA 93721**

Members of the Committee:

J. Noel Kelsch, RDHAP, President
Susan Good, Public Member, Vice President
Evangeline Ward, RDH, Secretary

Michelle Hurlbutt, RDH Educator	Nicolette Moultrie, RDH
Sandy Klein, Public Member	Timothy Martinez, DMD
Edcelyn Pujol, Public Member	Garry Shay, Public Member

9:00 a.m. Dental Hygiene Committee of California

1. Roll Call & Establishment of Quorum
2. Public Comment for Items Not on the Agenda
[The DHCC may not discuss or take action on any matter raised during the Public Comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting (Government Code §§ 11125 & 11125.7(a))]
3. Approval of the December 3, 2016 Full Committee Meeting Minutes
4. Approval of the December 17, 2016 Teleconference Meeting Minutes
5. Approval of the August 20, 2016 Full Committee Meeting Minutes
6. President's Report
 - Activities
7. Interim Executive Officer's Report
 - Sunset Review
 - Vacancies/Hires/Hiring Process Overview
 - Outreach

- New DCA Director
 - DCA Legal Counsel Update
8. Update from the Dental Board of California
 9. Update and Presentation from the Western Regional Examining Board (WREB)

<<Recess of the Full Committee until 9:00 a.m. Sunday, May 7, 2017>>

Subcommittee Meetings – See Attached Agendas for Subcommittee Items

10. Legislative and Regulatory Subcommittee:
See Attached Agenda
11. Licensing and Examination Subcommittee:
See Attached Agenda
12. Enforcement Subcommittee:
See Attached Agenda
13. Education Subcommittee:
See Attached Agenda

Public comments will be taken on agenda items at the time the specific item is raised. The DHCC may take action on any item listed on the agenda including informational only items. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-1978 or access DHCC's Web Site at www.dhcc.ca.gov.

The meeting facilities are accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Estelle Champlain at (916) 576-5007, via e-mail at: estelle.champlain@dca.ca.gov or send a written request to DHCC at 2005 Evergreen Street, Ste. 2050, Sacramento, CA 95815. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.



Saturday, May 6, 2017

Dental Hygiene Committee of California

Agenda Item 2

Public Comment for Items Not on the Agenda

[The DHCC may not discuss or take action on any matter raised during the Public Comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting
(Government Code §§ 11125 & 11125.7(a))]



Saturday, May 6, 2017

Dental Hygiene Committee of California

Agenda Item 3

**Approval of the December 3, 2016 Full
Committee Meeting Minutes**

DENTAL HYGIENE FULL COMMITTEE MEETING MINUTES

Saturday, December 3, 2016
2005 Evergreen Street, 1st Floor
1st Floor Hearing Room
Sacramento, CA 95815

FULL 1 Roll Call/Establishment of Quorum

Noel Kelsch, President of the Dental Hygiene Committee of California (DHCC), called the DHCC to order at 9:00 a.m. DHCC Secretary, Evangeline Ward, took roll call and a quorum was established with eight members present. President Kelsch explained that Timothy Martinez had been excused.

DHCC Members Present:

Noel Kelsch, President, Registered Dental Hygienist in Alternative Practice (RDHAP)
Susan Good, Vice President, Public Member
Evangeline Ward, Secretary, Registered Dental Hygienist (RDH)
Michelle Hurlbutt, RDH Educator
Sandra Klein, Public Member
Nicolette Moultrie, RDH
Edcelyn Pujol, Public Member
Garry Shay, Public Member

DHCC Members Excused:

Timothy Martinez, Doctor of Dental Medicine (DMD)

DHCC and DCA Staff Present:

Lori Hubble, Executive Officer (EO)
Anthony Lum, Assistant EO
Estelle Champlain, Legislative and Regulatory Analyst
Nancy Gaytan, Enforcement Analyst
Kelsey Pruden, Department of Consumer Affairs (DCA) Legal Counsel for the DHCC

Public Present:

Julie Coan, RDH, President, California Dental Hygienists' Association (CDHA)
Karen Fischer, EO, Dental Board of California (DBC)
Mariann Fujimoto, RDH
JoAnn Galliano, Education Consultant, CDHA

Jeannie Huber, RDH
Lygia Jolley, RDH, Immediate Past President, CDHA; Faculty, San Joaquin Valley College, Visalia (SJVC)
Vickie Kimbrough, RDH, Executive Administrator, CDHA
Mary McCune, Regulatory Analyst/Advocate, California Dental Association (CDA)
Susan McLearn, RDHAP, CDHA
Cindy Simpson, RDH
Maureen Titus, RDHAP, Government Relations Council, CDHA

FULL 2 Public Comment for Items Not on the Agenda

President Kelsch invited the public to comment on any item not listed on the agenda.

There were no public comments.

FULL 3 Presentation on Dental Care in California by Jayanth Kumar, DDS, MPH, California State Dental Director

President Kelsch introduced Dr. Kumar and thanked him for his willingness to share his knowledge so that the DHCC and others present at the meeting could become more aware of and involved in California's efforts to increase access to high-quality dental care.

Dr. Kumar shared his experience as a dentist and public health official in New York. He explained that in his role as California's State Dental Director, he works with an advisory committee to create and propose a state oral health plan. The plan will include goals, objectives, strategies, and specific activities to prevent oral disease and to reduce disparities in access to care across the state.

Dr. Kumar stated that the essential services of a modern public health program do not include provision of direct health care services or administering the Medicaid program. Instead, modern public health programs focus on establishing links between communities and services. In this view, the community, rather than the individual, is seen as the patient. The treatment plan is designed by assessing the community's needs and then linking the community with the proper resources. Resources may include grants, contracts, technical assistance, or training. Dr. Kumar encouraged collaboration with partners, including the dental hygiene community, to achieve the goal of healthy people in healthy communities.

President Kelsch asked if there were any comments or questions from committee members or from the public.

Public Comment: Vickie Kimbrough asked Dr. Kumar how registered dental hygienists (RDHs) and registered dental hygienists in alternative practice (RDHAPs) fit into the collaborative models that he envisions for California. Dr. Kumar replied that the program seeks to find best practices. He gave the example of an RDHAP who coordinates San Francisco's kindergarten caries assessments.

Michelle Hurlbutt asked Dr. Kumar what indices are being used to track oral disease. Dr. Kumar stated that there are eight indicators used and that one of them is the prevalence of caries in third-grade children. He also stated that nationally, the leading indicator is dental visit rates, but that in California there are some additional indicators.

Public Comment: Lygia Jolley asked if there are any RDHs or RDHAPs on Dr. Kumar's committee. Dr. Kumar answered that Karine Strickland is an RDHAP on the committee. Ms. Jolley asked if one profession was more prevalent than others in the committee's composition. Dr. Kumar replied that in creating the committee, his organization solicited involvement from many organizations in the dental health community and each organization sent the member they thought best to serve on the committee.

Nicolette Moultrie said that she had previously served as a program manager for the Children's Oral Health Program in Contra Costa County. During this time, she learned that the infrastructure for gathering data is different throughout the state. This presented problems when making data comparisons because the various counties often used different criteria. She asked Dr. Kumar if the funds that will be spent on infrastructure will be applied to standardizing the data collection process. Dr. Kumar replied that he would like to establish a training assistance program that would meet every month to exchange ideas and determine best practices to make the whole more orderly.

There were no further questions or comments.

FULL 4 Perinatal & Infant Oral Health Quality Improvement Project Overview by Jennifer Byrne

Jennifer Byrne, Project Manager for the Perinatal & Infant Oral Health Quality Improvement Project, provided an overview of Perinatal & Infant Oral Health Quality Improvement Project. She stated that the goal of the project is to reduce the prevalence of disease in pregnant women and infants most at risk through access to high-quality oral health care. The project plans to meet this goal through integration of oral healthcare into perinatal and infant primary care delivery systems that can be scaled statewide.

Strategies include:

- Increasing the oral health messages delivered to pregnant women.
- Improving state and systems-level policies and practices.
- Improving access to and utilization of preventative oral health care services.

Ms. Byrne emphasized that collaboration across the dental healthcare community can play a significant role in improving the oral health of pregnant women and infants.

President Kelsch thanked Ms. Byrne for her presentation and asked if there were any questions from DHCC members or from the public.

Public Comment: An unidentified member of the public asked if Ms. Byrne considers a dental visit equal to prevention. This member of the public also asked how the community was expected to know which practices were “best practices.” Ms. Byrne replied that a dental visit alone is not deemed sufficient prevention. The project also promotes best practices for oral health education.

Dr. Kumar added that the dental visit will be tailored to each patient. For some patients this will mean pain management and treatment of a dental problem, but for other patients the focus during a visit will be prevention. He clarified that “best practices” are aimed at the community level, not the individual level. The best practice concept is aimed at linking resources.

Public Comment: Maureen Titus inquired about the source for guidelines for oral healthcare treatment during pregnancy. Dr. Kumar replied that the guideline used is called, “Oral Health Care During Pregnancy: A National Consensus Statement” and is sponsored by the Health Resources and Services Administration.

There were no further questions or comments.

FULL 5 Update from the Dental Board of California *

Karen Fischer, Executive Officer of the Dental Board of California (DBC), invited the DHCC to continue to collaborate with the DBC as the DBC plans to work in 2017 on regulations for infection control and for interim therapeutic restorations (ITRs).

Ms. Fischer announced that the DBC recently gained a new board member, Dr. Steven Chan. Dr Chan is a pediatric dentist with extensive experience both in practice and as a leader in professional organizations for dentistry.

Ms. Fischer stated that the DBC has compiled a thorough report on whether or not California's present laws, regulations, and policies are sufficient to provide protection to pediatric patients during general anesthesia for dental procedures. This report will be available by January 2017. Ms. Fischer invited interested parties to view the report via the DBCs website.

Ms. Fischer explained that the DBC had elected new officers as follows:

DBC President: Bruce Whitcher, DDS

DBC Vice President: Thomas Stewart, DDS

DBC Secretary: Debra Woo, DDS, MA

President Kelsch asked if there were any member comments or public comments.

Nicolette Moultrie asked for an update on the DBCs study on dental assisting extended functions. Ms. Fischer replied that the DBC has been holding dental assisting regulatory workshops about every six weeks during 2016 to modify and update the whole of their dental assisting regulations. She expects that in 2017 the DBC will submit the proposed amendments to the State rulemaking process.

Michelle Hurlbutt inquired about the status of the DBCs ITR regulations. Ms. Fischer stated that the DBC had published proposed language, which was available as part of the meeting packet from the recent DBC meeting. She added that during 2017, the DBC would be working with DHCC on ITR regulations.

There were no further comments.

<<Recess of the Full Committee So That Subcommittees May Meet>>

*FULL 5 was taken out of order (presented before FULL 3) due to technical equipment issues requiring a delay for FULL 3.



Saturday, May 6, 2017

Dental Hygiene Committee of California

Agenda Item 4

**Approval of the December 17, 2016 Full
Committee Teleconference Meeting Minutes**



DENTAL HYGIENE COMMITTEE MEETING MINUTES

Saturday, December 17, 2016
Teleconference Meeting Locations:

Noel Kelsch, President, RDHAP
DHCC Headquarters Building
2005 Evergreen St., 1st Floor Hearing Room
Sacramento, CA 95815

Susan Good, Vice President, Public Member
Catalano-Fenske & Associates
Conference Room
1999 Tuolumne, Ste. 801
Fresno, CA 93721

Michelle Hurlbutt, RDH Educator
Wild Horse Pass Hotel and Casino Library
5040 Wild Horse Pass Blvd.
Chandler, AZ 85226

Sandra Klein, Public Member
Congregation B'nai Israel
2111 Bryan Ave.
Tustin, CA 92782

Nicolette Moultrie, RDH
Edcelyn Pujol, Public Member
Diablo Valley College
Dental Clinic Reception Area
321 Golf Club Rd.
Pleasant Hill, CA 94523

FULL 1 Roll Call/Establishment of Quorum

Noel Kelsch, President of the Dental Hygiene Committee of California (DHCC), called the DHCC meeting to order at 9:00 a.m. Anthony Lum took roll call and a quorum was established with six DHCC members present. President Kelsch explained that Timothy Martinez, Garry Shay, and Evangeline Ward were excused.

DHCC Members Participating:

Noel Kelsch, President, Registered Dental Hygienist in Alternative Practice (RDHAP)

Susan Good, Vice President, Public Member

Michelle Hurlbutt, RDH Educator

Sandra Klein, Public Member

Nicolette Moultrie, RDH

Edcelyn Pujol, Public Member

DHCC Member Excused:

Timothy Martinez, Doctor of Dental Medicine (DMD)

Garry Shay, Public Member

Evangeline Ward, Secretary, Registered Dental Hygienist (RDH)

DHCC and DCA Staff Participating:

Lori Hubble, Executive Officer (EO)

Anthony Lum, Assistant EO

Estelle Champlain, Legislative and Regulatory Analyst

Kelsey Pruden, Department of Consumer Affairs (DCA) Legal Counsel for the DHCC

Ricardo DeLaCruz, DCA Human Resources Chief

Public Participating:

Julie Coan, President, California Dental Hygienists' Association (CDHA), RDH

JoAnn Galliano, Education Consultant, CDHA, RDH

Vickie Kimbrough, Executive Administrator, CDHA, RDH

Mary McCune, Regulatory Analyst/Advocate, California Dental Association (CDA)

Susan McLearn, CDHA, RDHAP

Janet Schlechter, Chabot College

Judy Yamamoto, President, California Dental Hygiene Educator's Association (CHDEA), RDH

FULL 2 Public Comment for Items Not on the Agenda

President Kelsch asked if anyone from the public would like to make a comment regarding anything not on the agenda.

Public Comment: Judy Yamamoto requested that the DHCC explain why the DHCC has a dentist on staff sending notices to dental hygiene education programs. Ms. Yamamoto stated that she understood the intent of forming the DHCC to stem from a desire for hygienists to have a self-regulating body, therefore it seemed inappropriate to have a dentist in a leadership position.

President Kelsch replied that although the meeting rules do not allow for back and forth discussion on this topic at the present time, she encouraged Ms. Yamamoto to provide more details about what sort of inquiries or notices she is referencing.

Public Comment: Vickie Kimbrough asked that the DHCC describe to the public how the Western Regional Board Examination (WREB) reports to the DHCC concerning results of its exams including incidences that occur at the exam sites during exams.

There were no more public comments.

FULL 3 Approval of the August 20, 2016 & September 24, 2016 Meeting Minutes

Motion: Nicolette Moultrie moved to accept the August 20, 2016 meeting minutes.

Second: Edcelyn Pujol.

President Kelsch asked if any member of the public would like to comment. There were no comments.

Vote: The motion to accept the August 20, 2016 meeting minutes did not pass because there was not a quorum for this vote. The matter will be taken up at a future meeting.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt			Abstain
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein			Abstain
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

Motion: Nicolette Moultrie moved to accept the September 24, 2016 meeting minutes.

Second: Edcelyn Pujol.

President Kelsch asked if any member of the public would like to comment. There were no comments.

Vote: The motion to accept the September 24, 2016 meeting minutes passed 5-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt			Abstain
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

FULL 4 President's Report

President Kelsch stated that it had been a privilege and an honor to represent the DHCC during discussions with Denti-Cal regarding the role and practice of a registered dental hygienist in alternative practice (RDHAP). She reported that she had attended meetings with the Dental Board of California (DBC) pertaining to the upcoming retirement of the DHCC's executive officer (EO) and to learn how the DBC went about recruiting and hiring their EO. President Kelsch thanked Lori Hubble for her work as the DHCC's first EO.

President Kelsch asked if any DHCC member or member of the public would like to comment. There were no comments.

FULL 5 Budget Report.

Anthony Lum stated that, pending unforeseen circumstances, the 2014 fee increase would secure the DHCC's fund through fiscal year 2017/2018. DHCC's expenditures were on target for the year's projections.

Mr. Lum reported that he had submitted paperwork to purchase a vehicle for the DHCC's newly hired special investigator. The vehicle would be used for travel in the course of conducting investigations.

President Kelsch asked if any DHCC member or member of the public would like to comment. There were no comments.

FULL 6 Status Report, Withdrawal of Approval: Concorde Career College - Garden Grove

Mr. Lum summarized events leading to the DHCC's vote to withdraw approval of the dental hygiene program at Concorde Career College-Garden Grove (CCC-GG). He also provided an update on developments since the vote which led to the EO reversing the decision to withdraw approval.

Mr. Lum explained that the DHCC conducted a site visit to CCC-GG in June 2016 to investigate complaints received from students and faculty alleging, among other things, unsafe infection control procedures. During this site visit, the DHCC observed several deficiencies, including inadequate infection control procedures. As a result, the DHCC sent CCC-GG a letter stating the deficiencies and measures required to show that the deficiencies were corrected. He stated that when CCC-GG sent a response, the DHCC found it was insufficient to demonstrate that the deficiencies were corrected. The DHCC conducted a follow-up site visit in August 2016 to ascertain first-hand whether the infection control deficiencies were corrected; they were not.

He continued that the DHCC held a meeting on August 24, 2016 to discuss consumer protection in regard to CCC-GG. At that meeting, the DHCC voted to withdraw approval of the dental hygiene program at CCC-GG. From the date of the vote, the DHCC was allowed 90 days to issue a formal letter of intent to withdraw approval with a detailed listing of each deficiency. The letter was sent on November 14, 2016.

He stated that the November 14, 2016 letter explained to CCC-GG that the DHCC would conduct an informal conference with CCC-GG so that CCC-GG would have a final chance to present evidence to the DHCC showing that they had corrected the deficiencies.

He indicated that the informal conference took place on December 5, 2016. CCC-GG presented a convincing case of having corrected their deficiencies. The DHCC conducted a third site visit on December 10, 2016 to verify that the deficiencies were corrected. Because almost every deficient condition was corrected, DHCC's EO reversed the decision to withdraw approval. Concorde Career College-Garden Grove thus has the DHCC's approval to train dental hygienists in California.

President Kelsch asked for more information on the outstanding deficiency. Mr. Lum stated that the only remaining deficiency was that CCC-GG's biological sciences courses did not conform with university-level standards. Since CCC-GG showed that they are actively taking steps to correct the problem, DHCC allowed CCC-GG until June 2017 to comply.

Nicolette Moultrie stated that one of the original complaints was that there was not a program director available to perform necessary functions when needed because the role was being filled on a part-time basis by the dean. She asked if the dean at CCC-GG was still standing in as program director, or if a permanent program director had been hired. Mr. Lum explained that the person who had previously served as interim program director was now assigned as a full-time program director.

President Kelsch stated that she was concerned since one of the problems identified at CCC-GG was that there was a cohort whose qualifications had not been properly vetted. She asked for an update on what was being done. JoAnn Galliano, who had served as an education consultant for the DHCC during the investigations, stated that CCC-GG eventually provided full access to the students' records. After a thorough examination, the DHCC staff determined that the enrolled students did meet the minimum qualifications for admission to the program.

Ms. Moultrie asked for an update on what had been done to hire a qualified person to oversee infection control. Ms. Galliano stated that CCC-GG hired a registered dental assistant (RDA) to oversee infection control and that this person would work on site while the clinic was in session.

President Kelsch directed the following question to the DHCC subject matter experts who took part in the investigations: "Do you feel that the consumer is safe in this environment now?"

Ms. Galliano, "Yes, we were very impressed with the changes in the infection control and the RDA who is hired in that particular position seemed very cognizant of the rules and very cognizant of what had to be done to maintain acceptance and to protect the consumer."

President Kelsch thanked everyone who had been involved in the process. She asked if there were any public comments.

Public Comment: Judy Yamamoto asked for an explanation on the criteria the DHCC uses to hire education consultants. She stated that she would like to know what makes those consultants qualified as experts in infection control procedures. She added that she has a special interest in the credentials of the dentist on staff and suggested that this dentist should be replaced by a hygienist since the DHCC is a hygienist's committee.

President Kelsch thanked Ms. Yamamoto for her comment and advised her that the hiring process is not on the current agenda. She noted that this particular concern had already been added to suggestions for future agenda items and invited Ms. Yamamoto to ask any on-point question that she may have.

There were no further comments.

FULL 7 Consideration & Adoption of Strategic Plan

Motion: Nicolette Moultrie moved to adopt the Strategic Plan.

Second: Sandra Klein.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

Vote: The motion to adopt the Strategic Plan passed 6-0.

Name	Vote: Aye Nay		Other
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

FULL 8 Legislative & Regulatory Subcommittee Report

Susan Good stated that the Legislative & Regulatory Subcommittee met on December 3, 2016 and received a status report on legislative bills of interest, reviewed the DCA's new rulemaking process, and discussed and revised proposed regulatory language and forms for a retired category of licensure.

Ms. Good stated that the Legislative & Regulatory Subcommittee recommends that the DHCC approve the draft regulatory language and forms for retired licensure.

Ms. Good asked if there were any questions from DHCC members or from the public. There were none.

Motion: Nicolette Moultrie moved to approve the proposed regulatory language and forms, direct staff to make any necessary nonsubstantive changes to the rulemaking file, notice the document and the proposed changes for a 45-day comment period, and delegate the appropriate authority to the EO, and should no

adverse comments be received, to adopt the changes and make nonsubstantive changes necessary to complete the rulemaking file.

Second: Noel Kelsch.

Ms. Good asked if any member of the DHCC or of the public would like to comment. There were no comments.

Vote: The motion to approve the proposed regulatory language and forms, direct staff to make any necessary nonsubstantive changes to the rulemaking file, notice the document and the proposed changes for a 45-day comment period, and delegate the appropriate authority to the EO, and should no adverse comments be received, to adopt the changes and make nonsubstantive changes necessary to complete the rulemaking file passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

FULL 9 Licensing & Examination Subcommittee Report

Ms. Moultrie reported that when the Licensing & Examination Subcommittee met on December 3, 2016, they accepted meeting minutes from May 6, 2016, reviewed the written examination and licensure statistics, and discussed review of out-of-state education in soft tissue curettage, nitrous oxide and oxygen, and administration of local anesthetics.

Motion: Ms. Moultrie stated that the Licensing & Examination Subcommittee recommends that the DHCC table reviewing out-of-state education in soft tissue curettage, nitrous oxide and oxygen, and administration of local anesthesia.

Michelle Hurlbutt stated her opposition to tabling the discussion. She expressed that she felt it was time to investigate further to see if there was a way the DHCC could follow the example of some other states, such as Arizona, that had found a way to evaluate other states' education in this area.

President Kelsch stated that she considered it an important issue and would like to address it at some time in 2017.

Ms. Moultrie explained that the Licensing & Examination Subcommittee made the recommendation to table the item for several reasons, among them was that no member of the public came forward during the meeting to offer testimony on how this regulation affected him or her, yet the Subcommittee did hear testimony from two continuing education providers, both of whom stated that the level of knowledge and skill demonstrated by out-of-state students, who had already achieved certification in other states, indicated a grave disparity between California's and other states' standards of instruction.

Ms. Good reminded the DHCC that it is improper to engage in a discussion on the merits of the substance of an issue which is pending motion to table until at least after a vote has been recorded on that motion. She suggested moving forward with the vote.

Ms. Hurlbutt requested that legal counsel clarify what was allowed. Ms. Pruden answered that since a motion to table had been made, the proper course would be to vote on that motion. She clarified that tabling an item meant that the item could be discussed at a later time if the DHCC should choose to place the item on a future agenda.

Ms. Hurlbutt stated that she was confused as to why members, who were not allowed to participate in the discussion at the subcommittee's meeting, would be denied the ability to discuss the topic at present. Ms. Pruden replied that all DHCC members could engage in the limited discussion as to whether to table the item, but they could not discuss the details of the item itself at the present time.

President Kelsch directed the DHCC to proceed with the vote.

Vote: The motion to table reviewing out-of-state education in soft tissue curettage, nitrous oxide and oxygen, and administration of local anesthesia failed 4-2.

Name	Vote: Aye Nay		Other
Susan Good		X	
Michelle Hurlbutt		X	
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

Motion: Susan Good moved to not take any further action on this topic at the present time.

Second: Noel Kelsch.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments from members of the public.

Ms. Hurlbutt stated that she opposed not taking action. She stated that she would like the DHCC to take action on this item in 2017. Ms. Good stated that the motion was only to not take action at this time, not to prevent action in 2017.

Ms. Moultrie added that she was concerned that there were not sufficient staff resources at the present to begin an evaluation of out-of-state education while also working on other more pressing matters that the DHCC had identified.

President Kelsch agreed that although this issue was important, the staff resources available would be better utilized addressing other issues at the present time.

Public Comment: JoAnn Galliano reminded the DHCC that soft tissue curettage, nitrous oxide and oxygen, and local anesthesia courses in California were in short supply. She voiced her support for directing staff to begin research on how to evaluate other states' training.

Vote: The motion not to take any further action on this topic at the present time passed 5-1.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt		X	
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

FULL 10 Enforcement Subcommittee Report

President Kelsch reported that the Enforcement Subcommittee met and approved the May 6, 2016 Enforcement Subcommittee meeting minutes,

received reports on enforcement statistics and performance measures, and that there were no future agenda items proposed. The Enforcement Subcommittee suggested that the DHCC accept their report.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

FULL 11 Education Subcommittee Report

Michelle Hurlbutt reported that the Education Subcommittee met, there were no public comments for items not on the agenda, and there was not a chairperson's report. There was discussion on possible action to seek legislation for probationary status and disciplinary actions regarding noncompliant dental hygiene education programs and the subcommittee recommends to the DHCC to seek legislation and regulations to create a framework of progressive disciplinary options that would allow the DHCC to do the following:

- cite and fine for minor violations of standing regulations,
- place a program on probationary status for more serious violations, and
- retain the option of withdrawing approval of programs that commit the most egregious violations.

Michelle Hurlbutt asked if any member of the DHCC or of the public would like to comment. There were no comments.

Vote: The motion to seek legislation and regulations to create a framework of progressive disciplinary options that would allow the DHCC to do the following:

- cite and fine for minor violations of standing regulations,
- place a program on probationary status for more serious violations, and
- retain the option of withdrawing approval of programs that commit the most egregious violations.

The motion passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		

Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

FULL 12 Executive Officer Recruitment & Selection Process

Department of Consumer Affairs (DCA) Chief of Human Resources (HR), Ricardo DeLaCruz, presented the DCA's guidelines for the EO selection process:

- The DHCC could create a selection committee to work with DCA HR through the hiring process. If the selection committee contained more than two members it would be necessary to post public notice ten days prior to any correspondence among members.
- Either the selection committee or the DHCC could create the job advertisement.
- Either the selection committee or the DHCC could create the list of desirable qualifications.
- DCA HR would be responsible for receiving, tracking, and screening all applications.
- The list of desirable qualifications is the document DCA HR would use to screen each applicant.
- DCA HR would conduct reference checks on all candidates who meet the screening criteria and forward the results to the DHCC.
- Either the selection committee or the DHCC could conduct interviews. The DHCC must decide if there will be more than one round of interviews.

Mr. DeLaCruz provided an executive salary schedule and hiring manual for the public and the DHCC. He stated that once a duty statement was created, it too, would need to be made available to the public.

Public Comment: Ms. Moultrie stated that a member of the public at her teleconference site asked how the public could access a copy of the minimum qualifications. Mr. DeLaCruz answered that the minimum qualifications would be made available as part of the job advertisement itself.

Mr. DeLaCruz stated that the DHCC had the option of appointing either an interim EO or an acting EO. He explained the difference between the two was that an interim EO would be temporarily appointed to the EO classification and would receive pay in the EO range, while an acting EO would maintain at

whatever classification and pay that individual already held. Additionally, an interim EO did not have to be a DHCC staff member, while an acting EO did have to be a DHCC staff member.

President Kelsch stated that she would appoint herself and Michelle Hurlbutt to a two-person selection committee.

Ms. Moutrie suggested that one member of the Selection Committee should be a public member to increase perspective and transparency.

Ms. Good stated that she would prefer there be three members. She acknowledged that having a three-member selection committee would mean having to post public notice every time the selection committee met. She stated that transparency is important and worth the extra effort. She also stated that she agreed with Ms. Moutrie that a public member should be on the selection committee.

President Kelsch agreed that transparency is of high value. She stated that she was concerned about scheduling issues that would likely ensue if three or more members had to coordinate and post public notice every time a decision was needed.

Ms. Hurlbutt asked if there was a time limit on completing the hiring process. Mr. DeLaCruz answered that there was not.

President Kelsch asked the DHCC to continue to discuss the issue so that she could gain a better understanding regarding members' preferences and reasoning before she made her final decision on the composition of the selection committee.

Sandra Klein suggested that if a two-person selection committee were to complete most of the groundwork yet be required to present major decisions to the DHCC, this may resolve both timing and transparency issues.

Ms. Good and Ms. Pujol stated that they agreed with Ms. Moultrie that there should be a public member on the selection committee. Ms. Hurlbutt stated that she would be happy either way. Ms. Klein stated two RDH's would be fine.

President Kelsch formed a two-person selection committee comprised of herself (RDHAP) and Sandra Klein (public member).

Ms. Good asked for clarification from legal counsel on how the DHCC's policy could be changed so that a committee president would not have absolute authority to appoint a subcommittee. Ms. Pruden replied that any change to DHCC's procedures which had been previously approved as part of the DHCC Member's Guidelines would have to be agendaized and voted upon.

Ms. Hurlbutt stated that she would like the Selection Committee to be required to present the selection criteria to the DHCC for a vote prior to implementing the selection criteria.

Motion: Susan Good moved that the Selection Committee have authority over all aspects of the job advertisement - including determining the length of the job advertisement and the venue of the advertisement. The Selection Committee would also conduct the initial round of interviews. All other items would come to the DHCC.

Second: Nicolette Moultrie.

President Kelsch asked if any member of the DHCC or of the public would like to comment.

Ms. Hurlbutt requested clarification. She stated that she understood the motion would have the Selection Committee create the job description and the duty statement, but those items would come to the DHCC for approval by vote. All aspects of job advertising would be at the discretion of the Selection Committee. Initial interviews would be conducted by the Selection Committee. She asked if this was an accurate view of the motion.

Ms. Good replied that this was correct.

Ms. Hurlbutt suggested a modification to the motion to include that only the top three candidates would come before the DHCC.

Ms. Pruden advised that only the moving member could modify the motion.

Ms. Good expressed her concern that a key person could be left out.

Ms. Hurlbutt suggested the DHCC review all applications yet only see the top three.

Ms. Good accepted the amendment to bring only the top three candidates to the DHCC as long as the DHCC would be presented all applications for review.

Susan Good presented her amended motion:

- The Selection Committee has initial review authority of the job description.
- The Selection Committee has initial review authority of the duty statement.
- The Selection Committee has authority over all aspects of the job advertisement. The Selection Committee will conduct the initial round of interviews.
- The Selection Committee will determine the top three candidates.
- The DHCC will approve or refuse to approve the job description by vote.

- The DHCC will approve or refuse to approve the duty statement by vote.
- The DHCC will be given all applications to review.
- The DHCC will interview the top three candidates.
- The DHCC will make all final-stage approvals except those pertaining to the job advertisement.

Second: Nicolette Moultrie.

President Kelsch asked if any member of the public would like to comment.
There were no comments.

Vote: The motion that:

- The Selection Committee has initial review authority of the job description.
- The Selection Committee has initial review authority of the duty statement.
- The Selection Committee has authority over all aspects of the job advertisement. The Selection Committee will conduct the initial round of interviews.
- The Selection Committee will determine the top three candidates.
- The DHCC will approve or refuse to approve the job description by vote.
- The DHCC will approve or refuse to approve the duty statement by vote.
- The DHCC will be given all applications to review.
- The DHCC will interview the top three candidates.
- The DHCC will make all final-stage approvals except those pertaining to the job advertisement.

The motion passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

President Kelsch stated that the DHCC would meet in closed session to complete the discussion. She asked if any member of the public would like to make a comment before adjourning for closed session. There were no comments.

The DHCC adjourned to closed session.

FULL 13 Closed Session

After meeting in closed session, the DHCC resumed the public meeting.

President Kelsch announced that the DHCC would like Anthony Lum to serve as interim EO. She asked Mr. Lum if he was willing to accept the position. Mr. Lum accepted the position.

President Kelsch stated that the DHCC recommends to DCA HR that Mr. Lum be compensated a 5% pay increase while serving as interim EO.

FULL 14 Election of Officers

Motion: Nicolette Moultrie moved to keep the current officers: Noel Kelsch, President; Susan Good, Vice President; and Evangeline Ward, Secretary.

Second: Michelle Hurlbutt.

Ms. Pruden asked if any member of the DHCC or of the public would like to comment. There were no comments.

Vote: The motion to keep the current officers: Noel Kelsch, President; Susan Good, Vice President; and Evangeline Ward, Secretary passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

FULL 15 Proposed 2017 Meeting Dates & Locations

President Kelsch reported the DHCC meeting dates and locations for 2017. She stated the summer meeting would be near Anaheim on Saturday, May 6, 2017 and Sunday, May 7, 2017. She noted that this is the same weekend as the California Dental Hygienists' Association's (CDHA's) meeting in Anaheim, therefore members and the public will be able to more easily attend both

meetings. She stated that the winter meeting will take place in Sacramento on Friday, November 17, 2017 and Saturday, November 18, 2017.

Ms. Good said the meeting in Anaheim would require her to drive five hours each way. Additionally, she had a prior engagement on Sunday, May 7, 2017. She requested that the DHCC consider meeting on Friday, May 5, 2017 and Saturday, May 6, 2017 so that she would have the opportunity to participate and still drive back to her city of residence in time to fulfill her previous commitment.

Ms. Hubble suggested offering the option for Ms. Good to teleconference in to attend. She added that rescheduling for Friday would overlap with the CDHA meeting. Ms. Good replied that offering the teleconference option would make her attendance on Saturday easier but she regretted that she would not be able to attend on Sunday due to her previous commitment.

Ms. Moultrie asked if other members would have the option of attending via teleconference as well. President Kelsch noted that it would only be fair to extend the same option to all members, yet she emphasized that the public would benefit the most if as many members could meet in person as possible since personal meetings are more effective.

Motion: Noel Kelsch moved to hold DHCC's May meetings for 2017 on Saturday, May 6, 2017 and Sunday, May 7, 2017 in or near Anaheim, California with the option for attendance via teleconference. The DHCC would also hold meetings Friday, November 17, 2017 and Saturday, November 18, 2017 in Sacramento, California.

Second: Susan Good.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

Vote: The motion to hold DHCC's May meetings for 2017 on Saturday, May 6, 2017 and Sunday, May 7, 2017 in or near Anaheim, California with the option for attendance via teleconference and for the DHCC to also hold meetings Friday, November 17, 2017 and Saturday, November 18, 2017 in Sacramento, California passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

FULL 16 Information Regarding Health Professional Shortage Area Designations

Estelle Champlain explained that Health Profession Shortage Areas (HPSAs) within California are federally funded by the U.S. Department of Health and Human Services. Every four years, California must report to the federal government regarding the status of HPSAs in California and nominate new sites for the designation. This cycle is soon to be set at three, instead of four-year intervals. The Office of Statewide Health Planning and Development's Shortage Designation Program is California's focal point for HPSAs.

Ms. Champlain provided an overview of the criteria used to determine whether an area may qualify for HPSA designation. She noted that HPSA designation impacts the DHCC because it affects access to dental care generally and more specifically, it affects the feasibility of RDHAPs ability to set up and maintain businesses in different regions within California.

President Kelsch stated that at a prior meeting, a member of the public had brought to the attention of the DHCC how revocation of her region's HPSA designation had resulted in her having to close her RDHAP business and abandon her patients. President Kelsch said that she would like the DHCC to discuss the problem of RDHAPs having to leave their patients if their designation is revoked.

Ms. Champlain reported that some RDHAP applicants have expressed to staff during the application for licensure process that they feel uncertain whether they will be able to afford to take the risk of establishing a business as an RDHAP since there is a real possibility they may be forced to close at some point due to revocation of the area's HPSA designation. They expressed tension between the sincere desire to provide dental care to those in need and the practical consideration of needing to maintain a viable business.

Ms. Good stated that she lives in an area designated as an HPSA so she is deeply aware of the challenges present in HPSAs. She suggested the DHCC should receive regular reports on this topic at its meetings.

Ms. Hurlbutt noted that it is profoundly unfair as well as counterproductive that a provider of necessary care would be forced to close his or her business and leave patients as a result of that provider having fulfilled a need. This penalizes both the provider and the patients. She therefore suggested that in each report the DHCC should receive an update on any RDHAP who was affected by the HPSA designation process. She additionally suggested that the DHCC consider seeking legislation to allow RDHAPs who have gone into an area of need to keep their practice if that area's HPSA designation is removed.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

FULL 17 Update on Regulations

Ms. Champlain reported that the DCA's budget office notified her on November 3, 2016 that the rulemaking files for Out-of-State Licensees at Sponsored Free Health Care Events and for Local Anesthesia, Nitrous Oxide and Oxygen Analgesia, and Periodontal Soft Tissue Curettage would progress out of the budget office on that day. Then, on December 2, 2016, the legal office sent notice of some modifications that needed to be made to the rulemaking file for the Local Anesthesia, Nitrous Oxide and Oxygen Analgesia, and Periodontal Soft Tissue Curettage. Those modifications were made and the rulemaking file was resubmitted.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

FULL 18 Executive Officer's Report on Operational, Administrative, & Logistical Issues Concerning the Committee

Ms. Hubble reported that the DHCC recently filled two positions: Adina Pineschi-Petty for education specialist and Daniel Rangel for special investigator. A new receptionist had been hired and was set to begin work in January 2017. Also, preparations were being made to advertise for a probation monitor.

Ms. Hubble reported that the DHCC had been utilizing the new DCA computer system, BreEZe, for close to a year. She stated that although several improvements were made to BreEZe over the year, there are some technical challenges that remain.

Ms. Hubble noted that this would be her final EO report before retirement. She closed her report by expressing gratitude for having been given the opportunity to participate in positive change for California as the DHCC's EO. She thanked the DHCC members as well as the dental hygiene community for being such wonderful people to work with.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

FULL 19 Future Agenda Items

DHCC members reported that the following items should be placed on future agenda(s):

- Describe to the public how WREB reports to the DHCC concerning results of its exams including incidences that occur at the exam sites during exams.
- Discuss seeking legislation to prevent RDHAPs from having to close their practices when an HPSA designator is withdrawn.
- Discuss possible modification of DHCC bylaws to cease allowing the DHCC president to appoint committees, specifically in the context of hiring an EO.
- Discuss whether the DHCC should evaluate/accept SLN training gained outside of California.

President Kelsch stated that in regards to the request made by a member of the public to receive information on the hiring policies for DHCC staff, since DHCC's staff are California state employees, details of their employment process is not under the purview of the DHCC. She asked Mr. Lum to present a brief and general overview of the state's hiring process at a future meeting.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

FULL 20 Adjournment

President Kelsch adjourned the meeting at 11:52 a.m.



Saturday, May 6, 2017

Dental Hygiene Committee of California

Agenda Item 5

**Approval of the August 20, 2016 Full
Committee Meeting Minutes**



DENTAL HYGIENE COMMITTEE MEETING MINUTES

Saturday, August 20, 2016
DHCC Headquarters, 1st Fl. Hearing Room
2005 Evergreen Street
Sacramento, California 95815

Roll Call – Noel Kelsch, President of the Dental Hygiene Committee of California (DHCC), called the full committee meeting to order at 8:00 a.m. DHCC Secretary, Evangeline Ward, took roll call and a quorum was established with seven DHCC members present. President Kelsch thanked all attending DHCC members as well as members of the public for their presence at the meeting, she also announced that protection of the public is the highest priority of the DHCC and that when protection of the public is inconsistent with other interests sought to be promoted, protection of the public shall be paramount.

DHCC Members Present:

Noel Kelsch, President, Registered Dental Hygienist in Alternative Practice (RDHAP)
Evangeline Ward, Secretary, Registered Dental Hygienist (RDH)
Susan Good, Public Member
Timothy Martinez, Doctor of Dental Medicine (DMD)
Nicolette Moultrie, RDH
Edcelyn Pujol, Public Member
Garry Shay, Public Member

DHCC Members Absent:

Michelle Hurlbutt, RDH Educator
Sandra Klein, Public Member

DHCC Staff Present:

Lori Hubble, Executive Officer (EO)
Anthony Lum, Assistant EO
Estelle Champlain, Legislative and Regulatory Analyst
Karyn Dunn, Investigator
Gary Duke, Department of Consumer Affairs (DCA) Legal Counsel for the DHCC

DHCC Expert Witnesses Present:

JoAnn Galliano, RDH, Educational Consultant
Adina Pineschi-Petty, RDH, Doctor of Dental Surgery (DDS)

Public Present:

Edward Cramp, Legal Counsel for Concorde Career College-Garden Grove
(CCC-GG)

Nicholas Ewell, Campus President, CCC-GG

Karen Fischer, EO, Dental Board of California (DBC)

Ken Guerrero, Market President, Concorde Career College campuses San
Bernardino and Garden Grove

Lygia Jolley, RDH, Past President, California Dental Hygienists' Association
(CDHA)

Lory Laughter, RDH, RDH Magazine

Gail Mathe, California Dental Association (CDA)

Kelly Reich, Director, Western Regional Examining Board (WREB)

Brenda M. Serpa, RDH, San Joaquin Valley College (SJVC), Visalia

Cynthia Simpson, RDHAP

Full 1 – President's Report

President Kelsch said that due to the short amount of time that was given to prepare for this meeting, she will postpone her President's Report until its regularly scheduled time at the December meeting. Similarly, the Closed Session appearing on today's meeting agenda as "Item 6" will be postponed until the December meeting.

To enable a quorum in the Education Subcommittee, President Kelsch appointed herself and Nicolette Moultrie to serve on the Education Subcommittee at today's meeting. Both Ms. Moultrie and President Kelsch verbally affirmed that they accepted their appointments to the Education Subcommittee.

Full 2– Public Comment for Items Not on the Agenda

President Kelsch explained that any public comment raised for an item not on the agenda would not be acted upon during today's meeting but that any person present was welcome to make a public comment so that the DHCC could consider placing the item on a future agenda. She also asked that each person wishing to make a public comment limit the comment to three minutes.

There were no public comments.

Full 3 – Approval of the May 6-7, 2016 Meeting Minutes

Susan Good brought an omitted necessary word to the attention of the DHCC for revision. Within the EO's Report section, the minutes draft listed, "San Joaquin College" when in fact, the title of the college is "San Joaquin Valley College." Lori Hubble said that staff will make the correction.

President Kelsch asked if there were any further comments from the members or from the public.

Public Comment: Gail Mathe stated the DHCC's Definitions regulatory package should have been, in her opinion, sent to the Dental Board of California (DBC) before being finalized.

There was no further comment.

Motion: Garry Shay moved to accept the May 6-7, 2016 meeting minutes, as amended.

Second: Nicolette Moultrie.

Vote: The motion to accept the May 6-7, 2016 meeting minutes, as amended, passed 4-0 (Michelle Hurlbutt and Sandra Klein were absent for this meeting thus unable to vote; Susan Good, Nicolette Moultrie and Evangeline Ward abstained because they were absent during the May 6-7, 2016 meeting).

Name	Minutes Vote:		Other
	Aye	Nay	
Susan Good			X
Michelle Hurlbutt			X
Noel Kelsch	X		
Sandra Klein			X
Timothy Martinez	X		
Nicolette Moultrie			X
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X

Full 4 – Discussion and Possible Action Regarding Adoption of Revisions to the DHCC Member Guidelines and Procedure Manual

Estelle Champlain explained that the principal additions the proposed revision of the *DHCC Member Guidelines and Procedure Manual* include material regarding the most current provisions of the Bagley-Keene Open Meeting Act, a glossary of enforcement terminology, an index, and an overall approach to more concise language.

Gary Duke, Department of Consumer Affairs (DCA) legal counsel for the DHCC, advised that the sentence pertaining to legal counsel setting election procedures and conducting the election of member officers is inconsistent with legal

counsel's proper role. He suggested removing the sentence. Ms. Hubble stated that staff would remove the sentence.

There was no public comment.

Motion: Garry Shay moved to adopt revisions to the *DHCC Member Guidelines and Procedure Manual*, minus the sentence which had allowed for legal counsel to conduct the election and set election procedures for member officer elections.

Second: Susan Good.

Vote: The motion to adopt revisions to the *DHCC Member Guidelines and Procedure Manual*, minus the sentence which had allowed for legal counsel to conduct the election and set election procedures for member officer elections passed 7-0 (Michelle Hurlbutt and Sandra Klein were absent for this meeting thus unable to vote).

Name	Minutes Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt			X
Noel Kelsch	X		
Sandra Klein			X
Timothy Martinez	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward	X		

President Kelsch recessed the Full Committee at 8:15 a.m. so that the Education Subcommittee could meet.

President Kelsch called the Full Committee back to order at 9:20 a.m.

Full 5 – Education Subcommittee Report

President Kelsch asked Ms. Moultrie to present the Education Subcommittee's report to the full committee.

Ms. Moultrie reported that the Education Subcommittee had discussed information pertaining to the dental hygiene program at Concorde Career College, Garden Grove (CCC-GG). The Education Subcommittee recommended

to the full committee to withdraw the DHCC's approval for the dental hygiene education program at CCC-GG.

Evangeline Ward requested clarification on how supervision of infection control occurred during the weeks after the previous Clinic Coordinator departed. She inquired if perhaps an instructor may have chosen to take charge. Ms. Ward stated that she needed to know if the infection control process was truly neglected.

President Kelsch asked if Ms. Ward meant to refer to the licensed professionals on site, such as the director who is a dentist or RDH's working as instructors.

Ms. Ward inquired whether any of the licensed professionals working at the site handled infection control in this case.

Ms. Galliano stated that during the June 28, 2016 site visit, she was told that instructors were overseeing the infection control procedures, yet on that day, when Ms. Galliano asked instructors if they were overseeing the infection control procedures the instructors replied that they were not because they were needed elsewhere to oversee patient care. Ms. Galliano explained that the Commission on Dental Accreditation (CODA) requires that in a clinical setting while treating patients, there must be one instructor for every six students and that the instructor is responsible to oversee those students. Therefore, for these instructors in this context, having to oversee infection control would have meant that the instructor would have had to leave the six students unattended while treating patients. She said that based on her observations the instructors did not leave their students unattended in the clinical setting with patients. The instructors were focused on their students and the patient care that was being given. Meanwhile, there were two students in the infection control area and those two students were unsupervised.

Dr. Pineschi-Petty stated that on the August 10, 2016 follow-up visit to CCC-GG which she attended, the DBC Investigator specifically questioned the Interim Program Director as to who oversees infection control. The Interim Program Director stated that the instructors oversaw infection control. When the instructors were specifically questioned on whether they oversaw infection control they stated that they do not.

Ms. Ward also stated that according to her understanding of the evidence, it appeared that there was some fraudulent activity regarding dental hygiene kits. The evidence seemed to support that students were being billed for dental hygiene kits under the premise that each student would have their own dental hygiene kit. The college collected payment from the students but did not provide enough dental hygiene kits to distribute one to each student. As a result, students had to share dental hygiene kits even though they had paid to receive their own.

Ms. Galliano stated that this was a complaint students raised. It appeared that there were several complaints concerning billing for undelivered dental hygiene kits as well as complaints regarding possible lack of instructor qualifications and Program Director qualifications, but since the focus of the investigation was directed at public safety, concerns not directly pertaining to public safety were noted for follow-up.

Public Comment: Karen Fischer, Executive Officer (EO), Dental Board of California (DBC), stated that the DBC's involvement in this case was restricted to providing inspection assistance for the purpose of determining if infection control was being carried out properly at CCC-GG. She clarified that the DBC and DHCC are autonomous from one another in that they each have their own education requirements, administration of programs, etc. President Kelsch thanked Ms. Fischer for her support during the investigation and for explaining to the public that although the DBC and DHCC have the same mission to protect the public, they are two distinct entities with their own separate operations.

Lygia Jolley, Past President, California Dental Hygienists' Association (CDHA), stated that she had expressed to the Education Subcommittee that part of the CDHA's ambition is to advocate for high professional standards in dental hygiene education. The CDHA pursues this goal so that their future colleagues will be educated properly and have everything they need to become good quality dental hygienists out in the field. Ms. Jolley explained that much of what distinguishes a good-quality dental hygienist is not determined by how well that person passes the board. She stated that a hygienist can pass the board with a minimal level of competency but that the actual job requires far more. For example, a hygienist must have a true understanding of how a human body works, how a human mind works, and how we as a people eat. Details such as where nerves are located or how to recognize the signs of periodontal disease are critical skills that impact the quality of patient care. Hygienists must possess all these skills as well as the professional knowledge regarding how to bring the right information to the attention of a supervising dentist. Ms. Jolley stated that it seems as though some of these important elements are missing from the training hygiene students are receiving at CCC-GG. She stated that the students there are members of the CDHA and that the CDHA will stand by those students. She also stated that the CDHA is deeply concerned for the public's safety. She asked the DHCC for clarification on what would happen if the DHCC were to withdraw approval of the dental hygiene program at CCC-GG.

President Kelsch replied that the outcome could go in a variety of different directions. She emphasized that the DHCC has to take care of consumers including the students. The outcome as it affects the school itself is not a concern for the DHCC.

Mr. Duke described that the DHCC has regulations for dental hygiene educational programs and that if it were the case that approval were to be withdrawn from a program, then the EO would provide the program administrators a letter to that effect within 90 days, an informal conference between the EO and the program administrators could take place, and after that, there would likely be an appeal that would have to go through due process and could involve the Office of Administrative Hearings. This process could take a significant amount of time.

Mr. Shay commented that although the Education Subcommittee had heard testimony from the school, the full committee had not.

President Kelsch stated that if anyone from CCC-GG would like to make additional comments they certainly may do so.

Mr. Ewell, campus President at CCC-GG, stated that there are some factual disagreements as well as some documents that cannot be admitted today for procedural reasons. He stated that his main purpose in attending the present meeting is to advocate for more time so that more information can be exchanged before a decision is made.

Mr. Shay asked whether the factual disagreements that Mr. Ewell referenced were disagreements with evidence that was included as part of the binder for the present meeting.

Mr. Ewell stated that there was some disagreement on the information in the binder. He stated that there are further documents that, due to procedural rules, he was not allowed to enter into the meeting today.

Mr. Shay asked if, at the point in time that the report was developed, the information was correct.

Mr. Ewell stated that the evidence CCC-GG submitted is correct.

President Kelsch stated that the special witnesses had also verified, during the Education Subcommittee meeting, that the evidence was correct, including the failed test in July and subsequent failure to pull the instruments.

President Kelsch asked if there were any more comments from the public or from the committee.

There was no further comment.

Motion: Nicolette Moultrie moved to accept the Education Subcommittee's recommendation to withdraw DHCC's approval of CCC-GG.

Second: Noel Kelsch.

Vote: The motion to accept the Subcommittee's recommendation to withdraw DHCC's approval of CCC-GG passed 7-0 (Michelle Hurlbutt and Sandra Klein were absent for this meeting thus unable to vote.).

Name	Minutes Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt			X
Noel Kelsch	X		
Sandra Klein			X
Timothy Martinez	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward	X		

Full 6 – Closed Session

There was no closed session, as President Kelsch postponed it until the December 2016 meetings.

Full 7 – Future Agenda Items

President Kelsch asked if anyone would like to propose agenda items for a future meeting.

There were no future agenda items.

Full 8 – Adjournment

President Kelsch adjourned the Full Committee at 9:38 a.m.



Saturday, May 6, 2017

Dental Hygiene Committee of California

Agenda Item 6

**President's Report
- Activities**



Saturday, May 6, 2017

Dental Hygiene Committee of California

Agenda Item 7

Interim Executive Officer's Report:

- **Sunset Review**
- **Vacancies/Hires/Hiring Process Overview**
 - **Outreach**
- **New Department of Consumer Affairs (DCA)**
 - Director**
 - **DCA Legal Counsel Update**

DCA's New Director

Dean R. Grafilo was appointed Director at the California Department of Consumer Affairs on February 22, 2017. With the department's executive team, he leads the 40 regulatory entities and other divisions within DCA. Prior to his appointment, Grafilo was Chief of Staff in the Office of California State Assemblymember Rob Bonta since 2012. He was Associate Director of Government Relations at the California Medical Association from 2009 to 2012, Chief of Staff in the Office of California State Assemblymember Warren T. Furutani from 2008 to 2009 and a Senior Legislative Assistant in the Office of California State Assemblymember Alberto Torrico from 2004 to 2008. Grafilo was an Organizer Representative at Service Employees International Union Local 925 from 2003 to 2004 and a political intern at the M.L. King County Labor Council in 2002 in Seattle. Starting in 1996 through 2001, he was a Field Representative and Organizer at International Longshore and Warehouse Union Local 142 in Hawai'i. Grafilo earned a Master of Public Administration degree from the University of Washington.





Saturday, May 6, 2017

Dental Hygiene Committee of California

Agenda Item 8

Update from Dental Board of California (DBC)

A Verbal Report Will Be Provided



Saturday, May 6, 2017

Dental Hygiene Committee of California

Agenda Item 9

**Western Regional Examining Board (WREB)
Presentation**



Saturday, May 6, 2017

Dental Hygiene Committee of California

Subcommittee Meetings:

**Legislative & Regulatory
Licensing & Examination
Enforcement
Education**