



Friday, November 17, 2017

Dental Hygiene Committee of California

Legislative & Regulatory Subcommittee

Agenda



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

LEGISLATIVE AND REGULATORY SUBCOMMITTEE MEETING

Friday, November 17, 2017
DHCC Headquarters Building
2005 Evergreen Street, 1st Floor
Hearing Room
Sacramento, CA 95815
9:00 am - adjournment

Legislative and Regulatory Subcommittee Members:

Susan Good, Public Member, Chair
Michelle Hurlbutt, RDH Educator
Nikki Moultrie, RDH
Garry Shay, Public Member

Upon Conclusion of the Licensing and Examination Subcommittee meeting.

Agenda

LEG 1 – Roll Call

LEG 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))]

LEG 3 – Chairperson's Report

LEG 4 – Approval of the May 6, 2017, Leg/Reg Subcommittee Meeting Minutes

LEG 5 – Status Report on Legislative Bills of Interest to DHCC:

- AB 15, Wood. Denti-Cal Reimbursement Rates
- AB 224, Thurmond, Anesthesia and Moderate Sedation
- AB 387, Thurmond, Minimum Wage for Interns
- AB 703, Flora, Fee Waiver for Initial Licensure, Military Applicants
- AB 706, Patterson, License Expiration End of Month 2 Years from Issuance
- AB 753, Caballero, Improved Access to Denti-Cal
- AB 767, Quirk-Silva, Master Business Licensing Act
- AB 1277, Daly, Infection Control Dental Office Waterlines

- SB 379, Atkins, Pupil Oral Health Assessment
- SB 508, Roth, Riverside and San Bernardino Pilot Programs
- SB 572, Stone, 15-Day Grace Period on Violations
- SB 707, Cannella, Denti-Cal Advisory Group

LEG 6 – Discussion and Possible Action, and Recommendation to the Full Committee to Amend CCR, Title 16, Division 11, § 1103 Definitions, to Update Reference to the Commission on Dental Accreditation's Most Current Revision to Accreditation Standards for Dental Hygiene Educational Programs

LEG 7 – Discussion and Possible Action, and Recommendation to the Full Committee for 2018 Legislative Proposals: Omnibus Bill

LEG 8 – Future Agenda Items

LEG 9 – Adjournment

DHCC members who are not members of this subcommittee may attend meetings as observers only, and may not participate or vote. Action may be taken on any item listed on this agenda, including information only items. Items may be taken out of order for convenience, to accommodate speakers, or maintain a quorum. All times are approximate and subject to change. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-1978 or access the Committee'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 Brittany Alicia at (916) 576-5001 or e-mail at: Brittany.alicia@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.



Friday, November 17, 2017

Dental Hygiene Committee of California

Legislative and Regulatory Subcommittee Meeting

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))]



Friday, November 17, 2017

Dental Hygiene Committee of California

Legislative and Regulatory Subcommittee Meeting

Agenda Item 3

Chairperson's Report

A Verbal Report Will Be Given



Friday, November 17, 2017

Dental Hygiene Committee of California

Legislative and Regulatory Subcommittee Meeting

Agenda Item 4

**Approval of May 2, 2017 Subcommittee
Meeting Minutes**



Friday, November 17, 2017

Dental Hygiene Committee of California

Legislative and Regulatory Subcommittee Meeting

Agenda Item 4

**Approval of May 2, 2017 Subcommittee
Meeting Minutes**



Friday, November 17, 2017

Dental Hygiene Committee of California

Legislative and Regulatory Subcommittee Meeting

Agenda Item 5

**Status Report on Legislative Bills of Interest to
the DHCC**

Bill Number, Author	Topic	DHCC Position Adopted Summer 2017	Current Status
AB 15, Wood	Denti-Cal Reimbursement Rates	Support if Amended	Failed Deadline, May be Acted Upon Jan 2018
AB 224, Thurmond	Anesthesia & Moderate Sedation	Watch	Failed Deadline, May be Acted Upon Jan 2018
AB 387, Thurmond	Minimum Wage for Interns (Allied Health Excluded, Per Amendment)	Oppose	Failed Deadline, May be Acted Upon Jan 2018
AB 703, Flora	Fee Waiver for Initial Licensure, Military Applicants	Support	Failed Deadline, May be Acted Upon Jan 2018
AB 706, Patterson	License Expiration Last Day of Month Two Years from Issuance	Watch	Failed Deadline, May be Acted Upon Jan 2018
AB 753, Caballero	Improved Access to Denti-Cal	Watch	Failed Deadline, May be Acted Upon Jan 2018
AB 767, Quirk-Silva	Master Business Licensing Act	Oppose	Failed Deadline, May be Acted Upon Jan 2018
AB 1277, Daly	Infection Control Dental Office Water Lines	Support	Chapter 413 Filed October 2, 2017
SB 379, Atkins	Pupil Oral Health Assessments	Support	Chapter 772 Filed October 13, 2017
SB 508, Roth	Riverside and San Bernardino Pilot Programs	Watch	Failed Deadline, May be Acted Upon Jan 2018
SB 572, Stone	15-Day Grace Period on Violations	Oppose	Failed Deadline, May be Acted Upon Jan 2018
SB 707, Cannella	Denti-Cal Advisory Group	Support	Failed Deadline, May be Acted Upon Jan 2018

AB 1277, DALY. CHAPTER 413. This bill requires that water or other methods used for irrigation to be sterile or contain recognized disinfecting or antibacterial properties when performing dental procedures that expose dental pulp. This bill was chaptered October 2, 2017.

SB 379, ATKINS. CHAPTER 772. This bill modifies the law regarding pupil oral health assessments by including a provision for parents or guardians to use a passive consent process, and it requires schools to submit reports that will be accessible by the state Dental Director. This bill was chaptered October 13, 2017.



Friday, November 17, 2017

Dental Hygiene Committee of California

Legislative and Regulatory Subcommittee Meeting

Agenda Item 6

**Discussion and Possible Action, and
Recommendation to the Full Committee to
Amend CCR, Title 16, Division 11, § 1103
Definitions, to Update Reference to the
Commission on Dental Accreditation's Most
Current Revision to Accreditation Standards
for Dental Hygiene Educational Programs**



MEMORANDUM

DATE	November 17, 2017
TO	Legislative and Regulatory Subcommittee
FROM	Anthony Lum, Interim Executive Officer
SUBJECT	LEG 6 - Discussion and Possible Action to Amend CCR, Title 16, Division 11, § 1103, Definitions, to Update Reference to the Commission on Dental Accreditation's Most Current Revision to Accreditation Standards for Dental Hygiene Educational Programs

Background

On August 4, 2017, the Commission on Dental Accreditation (CODA) adopted revisions to its Accreditation Standards for Dental Hygiene Education Programs. Specifically, CODA adopted revisions to Standards 2-14, related to competence in providing dental hygiene care for patients with peri-implant disease, and 3-7, related to faculty qualifications.

The Committee uses CODA's Accreditation Standards as the official definition for "approved accreditation standards" and incorporates them by reference into the Committee's regulations. The proposed amendment would update the reference within the Committee's regulation to reflect the most current iteration of CODA's Accreditation Standards.

Committee Action Requested

□ Staff requests that the Legislative and Regulatory Subcommittee recommend to the Full Committee to approve the proposed amendment to Section 1103 and authorize the Interim Executive Officer to make any technical and non-substantive changes to the language and move forward with the rulemaking file.

State of California
Dental Hygiene Committee of California
Department of Consumer Affairs

[Note: The proposed amendments to existing regulation text and subject to comment in this rulemaking are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions.]

California Code of Regulations
Title 16. Professional and Vocational Regulations
Division 11. Dental Hygiene Committee of California
Article 3. Educational Programs

Amend § 1103. Definitions, to read as follows:

For purposes of this division, the term:

(a) “Academic year” means a period of education consisting of a minimum of forty-five (45) quarter units, thirty (30) semester units, or a duration deemed equivalent thereto by the Committee.

(b) “Analgesia” means a state of decreased sensibility to pain, such as that produced by using nitrous oxide and oxygen with or without local anesthesia.

(c) “Approved accreditation standards” means for the purposes of this section those standards contained in the Commission on Dental Accreditation's “Accreditation Standards for Dental Hygiene Education Programs (as last revised ~~February 6, 2015~~ August 4, 2017)” which is hereby incorporated by reference and referenced throughout this article.

(d) “Clinical instruction” means instruction in which students receive supervised patient care experiences in performing procedures in a clinical setting to achieve safe and effective clinical outcomes. The instructor to student ratio shall meet approved accreditation standards, as referenced in subsection (c) of section 1103 of this article.

(e) “Clinical practice” means the planned learning experiences designed for students to apply dental hygiene knowledge and skills to meet course objectives in a variety of Committee-approved clinical settings. Clinical practice may include learning experiences provided in various settings, including, but not limited to, dental hygiene skills labs, simulation labs, and computer labs, as well as health care agencies.

(f) “Clinical setting” means a setting that accommodates patient care.

(g) “Clinical outcome” is the result derived from a specific intervention or treatment.

(h) “Competencies” means statements describing the abilities needed to practice dental hygiene, including skills, understanding, and professional values that are performed independently in realistic settings.

(i) “Competent” means possessing the knowledge, skills and values required in the dental hygiene process of care to practice dental hygiene or provide instruction within a dental hygiene educational program.

(j) “Curriculum” means an organized set of courses of learning which are prerequisite to the award of a degree or diploma.

(k) “Dental hygiene process of care” means the application of scientific, evidence-based knowledge in the identification and treatment of actual or potential patient health problems as related to oral health.

The dental hygiene process of care includes:

(1) Comprehensive collection of patient data to identify the physical and oral health status;

(2) Analysis of assessment findings and use of critical thinking in order to address the patient's dental hygiene treatment needs;

(3) Establishment of a dental hygiene care plan that reflects the realistic goals and treatment strategies to facilitate optimal oral health;

(4) Provision of patient-centered treatment and evidence-based care in a manner minimizing risk and optimizing oral health;

(5) Measurement of the extent to which goals identified in the dental hygiene care plan are achieved;

(6) Complete and accurate recording of all documentation relevant to patient care. These standards are located in the approved accreditation standards incorporated by referenced in section 1103(c) of this article.

(l) “Didactic instruction” means instruction through lectures, seminars or demonstrations, as distinguished from clinical or laboratory instruction.

(m) “Distance education” means education to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and instructor, either synchronously or asynchronously using one or more of the following technologies:

(1) the Internet;

(2) one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite or wireless communication devices;

(3) audio conferencing;

(4) video cassettes, DVDs, and CD-ROMS, if the cassettes, DVDs or CD-ROMS are used in a course in conjunction with any of the technologies listed in (l)(1-3).

(n) "Educational program" means a progressive or planned system of training, instruction or study.

(o) "Goal" means an intention or expectation that requires several tasks to produce the desired result.

(p) "Graduate" means a dental hygiene student who has completed all required studies within a dental hygiene educational program and has obtained a degree.

(q) "Homebound" means a person who is unable to receive care in a dental office or clinic due to a disabling physical or mental condition.

(r) "Laboratory instruction" means instruction designed to perform procedures using instructional materials in which students receive supervised experience performing procedures. The instructor to student ratio shall meet approved accreditation standards referenced in subsection (c) of section 1103 of this article.

(s) "Learning experience" means those activities planned for students by the faculty that are designed to meet the objectives of the required course of instruction, including the basic standards of competent performance.

(t) "Learning outcomes" are statements that clearly state the expected knowledge, skills, values and competencies that students are expected to acquire in both didactic and clinical coursework.

(u) "Local anesthesia" is the temporary loss of sensation, such as pain, in the oral cavity, produced by an injected anesthetic agent without inducing loss of consciousness.

(v) "Mission" means an institution's stated educational reasons to exist. The mission shall have all of the following characteristics:

(1) It shall include the institution's goals concerning the education which students will receive, including the acquisition of the body of knowledge presented in the educational program, the development of intellectual, analytical, and critical abilities, and the fostering of values such as a commitment to pursue lifelong learning;

(2) It shall relate to the educational expectations of the institution's students and faculty and the community which the institution serves.

(w) "Nitrous Oxide-Oxygen" is an inhalation agent used to achieve analgesia.

(x) “Outcomes assessment” means an ongoing process aimed at improving student learning that includes a profile of measures evaluating the effectiveness of the program in meeting its goals and learning outcomes.

(y) “Preclinical instruction” means instruction in which students receive supervised experience using instructional materials to prepare them for clinical experiences to achieve safe and effective clinical outcomes. The instructor to student ratio shall meet approved accreditation standards referenced in subsection (c) of section 1103 of this article.

(z) “Quarter” means at least ten (10) weeks of instruction.

(aa) “Quarter unit” means at least ten (10) hours of college or university level instruction during a quarter. Additional time outside of instruction may be required for a student to devote to preparation for planned learning experiences, such as preparation for instruction, study of course material, or completion of educational projects.

(ab) “Remedial education” means education designed to achieve competency required for initial, continuation, or reinstatement of licensure, and may be required for purposes of discipline. Remedial Education is the act or process of correcting a deficiency and its intent is to restore skills to competency.

(ac) “Semester” means at least fifteen (15) weeks of instruction.

(ad) “Semester unit” means at least fifteen (15) hours of college or university level instruction during a semester. Additional time outside of instruction may be required for a student to devote to preparation for planned learning experiences, such as preparation for instruction, study of course material, or completion of educational projects.

(ae) “Service learning” is a teaching and learning experience that combines community service with academic preparation. Students engaged in service learning learn about their roles as dental professionals through provision of patient care and related services in response to community-based problems.

(af) “Sponsoring institution” means an institution of higher education approved or who has applied for approval for a dental hygiene educational program. If the sponsoring institution has more than one campus, the campus where the physical location of the educational program exists shall be deemed the sponsoring institution.

(ag) “Staff” means professional, technical, and clerical employees of the institution to support its educational program.

(ah) “Technology” means equipment, tools, and devices that are used to facilitate and support teaching and learning.

(ai) "Wet laboratory" is a term used to distinguish classical benchtop experiments handling biological material from computer analysis or other theoretical work.

Note: Authority cited: Section 1905, Business and Professions Code. Reference: Sections 1905 and 1917, Business and Professions Code.



Friday, November 17, 2017

Dental Hygiene Committee of California

Legislative and Regulatory Subcommittee Meeting

Agenda Item 7

**Discussion and Possible Action, and
Recommendation to the Full Committee for
2018 Legislative Proposals: Omnibus Bill**

DENTAL HYGIENE COMMITTEE OF CALIFORNIA

2005 Evergreen Street, Suite 2050 Sacramento, CA 95815

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MEMORANDUM

DATE	November 17, 2017
TO	Legislative and Regulatory Subcommittee
FROM	Anthony Lum, Interim Executive Officer
SUBJECT	LEG 7 - Discussion and Possible Action, and Recommendation to the Full Committee for 2018 Legislative Proposals: Omnibus Bill

Background

The Senate Business, Professions, and Economic Development (BP&ED) Committee plans to introduce two technical, non-substantive committee bills during the 2018 legislative year that revise provisions in the Business and Professions Code relating to the state's licensure of non-health and health professionals and vocations under DCA. One bill will be for non-health related fields and the second for health-related professions. The Committee states that proposals should include statutory changes that are non-controversial and non-substantive, intended to clarify, update, and strengthen current law.

The Committee's deadline to accept proposed language is January 9, 2018, but should be submitted prior to this date for review.

Committee Action Requested

□ Staff requests that the Legislative and Regulatory Subcommittee review existing language in the BPC to determine whether any language would benefit from any non-substantive and non-controversial changes to the DHCC statutes to be proposed to the BP&ED Committee for inclusion in the 2018 Omnibus Bill.



Friday, November 17, 2017

Dental Hygiene Committee of California

Legislative and Regulatory Subcommittee Meeting

Agenda Item 8

Future Agenda Items



Friday, November 17, 2017

Dental Hygiene Committee of California

Legislative and Regulatory Subcommittee Meeting

Agenda Item 9

Adjournment