



Dental Hygiene Committee Meeting Minutes

Saturday, November 17, 2018

Radisson Hotel Fresno - Conference Center
1055 Van Ness Avenue
Fresno CA 93721
9:00 am until adjournment

DHCC Members Present:

Susan Good, President, Public Member
Nicolette Moultrie, Vice President, RDH
Edcelyn Pujol, Secretary, Public Member
Michelle Hurlbutt, Registered Dental Hygienist (RDH) Educator
Noel Kelsch, Registered Dental Hygienist in Alternative Practice (RDHAP)
Timothy Martinez, Public Health Dentist
Evangeline Ward, RDH

DHCC Members Absent and Excused:

Sandra Klein, Public Member
Garry Shay, Public Member

DHCC Staff Present:

Anthony Lum, Executive Officer
Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Educational, Legislative, and Regulatory Specialist
Daniel Rangel, DHCC Special Investigator
Jason Hurtado, Department of Consumer Affairs (DCA) Legal Counsel for the DHCC

Public Present:

Brenda Serpa, SJVC – Visalia
Sabrina Santucho, Concorde Career College (CCC) – San Bernardino
Arezou Goshtasbi, CCC – Garden Grove
Kelly Reich, Western Regional Examining Board (WREB)
Karen Fischer, Executive Officer, Dental Board of California (DBC)
Kim Laudenslager – Central Regional Dental Testing Service (CRDTS)
Brianna Pittman-Spencer, California Dental Association (CDA)
Lisa Okamoto, California Dental Hygienist's Association (CDHA)
Joanne Pacheco, Fresno City College
Edward Cramp, Duane Morris, LLP
Vickie Kimbrough, Taft College, Purple Pen
Maureen Titus, CDHA
Laurel Sampson, CCC – San Diego
Sandra Henriquez, CDHA
Tracy Goldman, CDHA
JoAnn Galliano, MEd, RDH, DHCC Educational Consultant and Subject Matter Expert (SME)

1. Roll Call and Establishment of a Quorum

Susan Good, President of the Dental Hygiene Committee of California (DHCC), called the meeting to order at **9:01 a.m.** She announced Sandra Klein and Garry Shay are absent and had been excused. DHCC Secretary, Edcelyn Pujol, took roll call and a quorum was established with seven members present.

2. Public Comments for Items Not on the Agenda

None received

3. Presentation and Update from the Western Regional Examination Board (WREB) (Informational Only)

Kelly Reich, Western Regional Examination Board (WREB), reported on statistics which included some California-specific exam data, patient selection, exam scoring overview, examiner performance and examiner calibration techniques, as well as WREB is aware of the movement toward a non-patient-based exam. Data statistics from 2011-2017 showed 12,000 individual examinees with 13,000 overall attempts at the exam which showed overall 98% success. Stated students well prepared by educators and that the patient qualification process was changed to have more appropriate patient selection. In 2018 all attempts, pass rate 92.6% through September.

Discussion took place regarding the exam process, failure rate, and remediation. It was noted that calculus was the most common reason for failure with very few due to tissue trauma. Additionally, Ms. Reich stated after researching with educators, WREB determined eighty hours was found to be most appropriate.

Discussion took place regarding how out of state candidates find patients. Ms. Reich stated WREB does not assist the candidate and it is up to the candidate to find and screen them. Some schools create a "Special Studies" course to assist out-of-state students. It allowed the student to become a student and be covered by the school's liability insurance.

Discussion took place regarding procedures to capture "test hoppers" which may allow applicants to exceed three attempts. Kim Laudenslager stated it is crucial for California to have a question on the application for licensure which asks for disclosure of all examination attempts. CRDTS asks for disclosure of all examination attempts, however, Ms. Reich stated WREB does not request that information. She will research adding a question asking for disclosure of all examination attempts on their application. Additionally, if WREB discovered the examinee failed three attempts but finally passed a WREB exam on the fourth try, if it was still under three attempts within WREB it would not be cause for remediation as WREB only counts their attempts and there is no mechanism to catch this problem. Ms. Reich: Stated that WREB could work with the DHCC to come to a satisfactory solution.

Discussion took place as to the need for clinical exams vs. a non-patient-based exam. As the WREB statistics showed that there was a 98% pass rate, some Committee members feel there might be a need for a non-patient-based exam, as it appears that the schools are preparing the students well.

President Good stated the live exam is there for consistency and scores could easily drop in the future. Ms. Reich stated there still needs to be a “gate-keeper” and a third-party assessment should continue as not all schools are alike. Ms. Kelsch stated licensure by portfolio was tabled previously and wanted all to be aware that this may be an option in the future. Ms. Reich stated she would provide additional “California Only” statistics to the Committee.

Additional public comment:

Ms. Serpa suggested a link should be provided to the DHCC and WREB to be able to check how many attempts are taken by each applicant. Dr. Hurlbutt stated CRDTS provides the DHCC with a dashboard to check applicant attempts and asked Ms. Reich if WREB would consider doing the same. Ms. Reich stated she would bring to the WREB Board.

Ms. Kelsch suggested that the DHCC research a preapplication number issued by the DHCC to tag applicants.

4. Consideration of the Legislative and Regulatory Subcommittee Report

Dr. Martinez presented the Legislative and Regulatory Subcommittee report.

- a. Recommendation from the Legislative and Regulatory Subcommittee to the Full Committee to adopt changes proposed in 16 CCR §1105.4.

Discussion: None.

***Vote: Motion from the Legislative and Regulatory Subcommittee to the Full Committee to Adopt Changes Proposed in 16 CCR §1105.4.
Passed 7:0:2.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

- b. Recommendation from the Legislative and Regulatory Subcommittee to the full Committee to table the proposed changes in 16 CCR §1109 to allow staff to work on the language for presentation at the February 2019 Meeting.

Ms. Kelsch stated that there is urgency for the consumer for the DHCC to adopt these regulations, as it has been delayed.

Dr. Martinez stated concerns about the use of “adhesive” and that it should not include permanent restoration materials.

No further discussion or comments received.

***Vote: Motion from the Legislative and Regulatory Subcommittee to the Full Committee to Table the Proposed Changes in 16 CCR §1109 to Allow Staff to Work on the Language for Presentation at the February 2019 Meeting.
Passed 7:0:2.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

- c. Recommendation from the Legislative and Regulatory Subcommittee to the full Committee to adopt changes proposed in 16 CCR §1115.

EO Lum stated staff had a recommendation after research. It states in the proposed regulation that the licensee has the option to change their license status after two years. In discussion with legal and other licensing entities, staff is recommending the change to three years as it will allow the licensee time to decide if they would like to stay on a retired status if life situations change.

Motion: Motion to amend the proposed Legislative and Regulatory Subcommittee regulation change of 16 CCR §1115 (e)(1) from “two” to “three” years and direct staff to include change on approved forms incorporated by reference.

Motion: Michelle Hurlbutt
 Second: Evangeline Ward

Ms. Moultrie requested all approved forms to reflect these changes.

***Vote: Motion to Amend the Proposed Legislative and Regulatory Subcommittee Regulation Change of 16 CCR §1115 (e)(1) from “two” to “three” Years and Direct Staff to Include Change on Approved Forms Incorporated by Reference.
 Passed 7:0:2.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

***Vote: Motion from the Legislative and Regulatory Subcommittee to the Full Committee to Adopt Changes Proposed in 16 CCR §1115.
 Passed 7:0:2.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		

Garry Shay			X (absent)
Evangeline Ward	X		

- d. Recommendation from the Legislative and Regulatory Subcommittee to the full Committee to adopt changes proposed in 16 CCR §1116.

EO Lum stated staff requests to change seven days to thirty business days in 16 CCR §1116 (b)(1), as workload makes seven days prohibitive.

Motion: Motion to amend the proposed Legislative and Regulatory Subcommittee regulation change of “seven days” to thirty business days in 16 CCR §1116 (b)(1) and direct staff to include change on approved forms incorporated by reference.

Motion: Nicolette Moultrie
 Second: Noel Kelsch

No further comments.

Vote: Motion to Amend the Proposed Legislative and Regulatory Subcommittee Regulation Change of “seven days” to “thirty business days” in 16 CCR §1116 (b)(1) and Direct Staff to Include Change on Approved Forms Incorporated by Reference. Passed 7:0:2.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

Vote: Motion from the Legislative and Regulatory Subcommittee to the Full Committee to Adopt Changes Proposed in 16 CCR §1116. Passed 7:0:2.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

- e. Recommendation from the Legislative and Regulatory Subcommittee to the full Committee to adopt 2019 Legislative Proposals: Omnibus Bill

Ms. Galliano stated there was a request to place in the Omnibus Bill to change language that was approved in SB 1482 from “Hygiene Board” to “Dental Hygiene Board”.

LC Hurtado stated the item was amended in the Omnibus section and recorded as amended.

- f. Motion from the Legislative and Regulatory Subcommittee to the Full Committee to Adopt the Legislative and Regulatory Subcommittee Report.

***Vote: Motion from the Legislative and Regulatory Subcommittee to the Full Committee to Adopt the Legislative and Regulatory Subcommittee Report with Amendments.
Passed 7:0:2.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		

Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

5. Consideration of the Licensing and Examination Subcommittee Report

Ms. Kelsch presented the Licensing and Examination Subcommittee report.

President Good questioned if there was any discussion with regard to the subcommittee report.

Discussion took place regarding hiring a “Retired Annuitant” (RA) suggestion by the Subcommittee. President Good stated that there are pros and cons to hiring a RA. She stated the pro would be experience. However, the con would be that it takes the same time and resources to hire an RA as it is to hire permanent staff (3-6 months), as well as the duration of employment is unknown as they are retired. If the same resources are directed to a permanent hire, longevity may work to our advantage. She appreciated the recommendation by the Subcommittee. Ms. Kelsch stated the Subcommittee’s intention was to hire an RA until a permanent hire may be put in place so assist the DHCC with staffing needs. Dr. Hurlbutt stated that the DHCC has utilized RAs in the past and that it has been successful. It was additionally suggested that hiring subject matter experts (SMEs) be considered as well to temporarily assist with the additional workload.

Additional Discussion:

EO Lum stated that with regard to the examination questions brought forth during the Subcommittee meeting and included within the report given by Ms. Kelsch, he stated the Office of Professional Examination Services (OPES) has been invited to the April 2019 meeting to address any questions or concerns the Committee may have.

Leslie Nazaroff stated after presentation of results of the Law and Ethics Exam (L&E), she does not feel 20% or 18% failure rate is acceptable. She questioned if the content is at the new graduate level. She is of the opinion that the L&E exam is the last step prior to licensure and should not be so cumbersome. She stated that it is of concern to the educators and suggested a taskforce in the educational field could have some input. Laurel Sampson stated that the DHCC consider hiring a psychometrist to review the exam. EO Lum stated the process includes licensees disseminating and creating questions. He explained the process that exam development follows.

Ms. Kelsch and President Good thanked Dr. Nazaroff for her input as the Committee appreciates the feedback.

No further comments.

Vote: Motion from the Licensing and Examination Subcommittee to the Full Committee to Adopt the Licensing and Examination Subcommittee Report. Passed 7:0:2.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

6. Consideration of the Enforcement Subcommittee Report

Dr. Hurlbutt presented the Enforcement Subcommittee report.

Dr. Hurlbutt stated that enforcement statistics and performance measures were reviewed as well as stated future agenda items that will be addressed are Diversion, Uniform Standards, and Disciplinary guidelines.

Discussion: None.

Vote: Motion from the Enforcement Subcommittee to the Full Committee to Adopt the Enforcement Subcommittee Report.

Passed 7:0:2.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

7. Consideration of the Education Subcommittee Report

Ms. Moultrie presented the Education Subcommittee report.

- a. Discussion, Possible Action, and Recommendation to the Full Committee Approval of Changes to the San Joaquin Valley College Dental Hygiene Programs Locations.

President Good: Recused herself.

Discussion: None.

***Vote: Motion from the Education Subcommittee to the Full Committee to Approve the Request of SJVC to geographically move the SJVC San Diego Campus Site Approval to the SJVC Ontario Campus.
Passed 6:0:3.***

Name	Aye	Nay	Abstain
Susan Good			X (recused)
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

- b. Discussion, Possible Action, and Recommendation to the Full Committee Approval of Changes to the Carrington College Dental Hygiene Programs.

President Good recused herself.

Discussion: None.

Vote: Motion from the Education Subcommittee to the Full Committee to Approve the Major Change Request of San Joaquin Valley College, Inc. to

Acquire the Stock of Carrington College Pending Receipt of CODA’s Approval Letter.

Passed 6:0:3.

Name	Aye	Nay	Abstain
Susan Good			X (recused)
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

- c. Discussion and Possible Action, and Possible Recommendation to the Full Committee on Approval Status for Concorde Career Colleges Three Campuses (Garden Grove, San Bernardino, and San Diego) due to Dental Hygiene Program Deficiencies

Discussion: None.

Vote: Motion from Education Subcommittee to Recommend to the full Committee to Approve the Curriculum Changes, the Date of Implementation and Restore the DHCC Approval Status for the Concorde Career College Programs to “Approved”.

Passed 7:0:2.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		

Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

d. Educational Regulations

1. Motion from the Education Subcommittee to the Full Committee to Adopt Proposed Amendments to 16 CCR §1107.

Dr. Hurlbutt stated that she supports what was done and wanted to comment that having a taskforce of educators to look at the language worked out well and encourage the DHCC to consider utilizing task forces in future projects.

No further comments received.

Vote: Motion from the Education Subcommittee to the Full Committee to Approve the Proposed Regulatory Text of 16 CCR §1107 as Amended, Direct Staff to Submit the Text to the Director of the Department of Consumer Affairs and the Business Consumer Services and Housing Agency for Review and if No Adverse Comments are Received, Authorize the Executive Officer to Take All Steps Necessary to Initiate the Rulemaking Process, Make any Non-Substantive Changes to the Package, and set the matter for a Hearing.

Passed 7:0:2.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

2. Motion to table 16 CCR §1105.2 Until the Next Meeting.

Discussion: None

***Vote: Motion from the Education Subcommittee to the Full Committee to Refer 16 CCR §1105.2 Back to Staff for Revisions and Be Placed as a Future Agenda Item.
Passed 7:0:2.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

3. Motion from the Education Subcommittee to the Full Committee to Adopt Proposed Amendments to 16 CCR §§1103 through 1108 except for §1107

Discussion:

Ms. Ward requested clarification on the wording in 16 CCR §1105.1(b)(1).

No further comments received.

***Vote: Motion from the Education Subcommittee to the Full Committee to Approve the Proposed Regulatory Text of 16 CCR §§1103 through 1108 except for §1107 and §1105.2 as Amended and Including Forms Incorporated by Reference, Direct Staff to Submit the text to the Director of the Department of Consumer Affairs and the Business Consumer Services and Housing Agency for Review and if No Adverse Comments are Received, Authorize the Executive Officer to Take All Steps Necessary to Initiate the Rulemaking Process, Make any Non-Substantive Changes to the Package, and set the matter for a Hearing.
Passed 7:0:2.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

- Motion from the Subcommittee to the Full Committee to Adopt the Education Subcommittee Report.

Discussion: None

Vote: Motion from the Subcommittee to the Full Committee to Adopt the Education Subcommittee Report.

Passed 7:0:2.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

8. Election of 2019 DHCC Officers

President Good opened nominations:

2019 Officer Nominations			
Office	Name	Nominated	Second
President	Susan Good	Noel Kelsch	Michelle Hurlbutt
Vice President	Nicolette Moultrie	Noel Kelsch	Michelle Hurlbutt
Secretary	Edcelyn Pujol	Noel Kelsch	Michelle Hurlbutt

No additional nominations received.

Discussion:

Noel Kelsch expressed her gratitude that a public member has served as President of the Committee as this is the Department of Consumer Affairs and has been refreshing to have her input.

Motion: Motion to Close Nominations.

Motion: Noel Kelsch

Second: Michelle Hurlbutt

Discussion: None

Vote: Motion to Close Nominations.

Passed 7:0:2.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

Motion: Motion to Accept 2019 Officer Nominations.

Motion: Noel Kelsch

Second: Michelle Hurlbutt

Discussion: None

Vote: Motion to Accept 2019 Officer Nominations.

Passed 7:0:2.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

9. Future Agenda Items

1. Requested WREB to provide additional "California Only" statistics to the Committee.
2. 16 CCR §1105.2 Regulatory Language for the Educational Subcommittee.
3. Diversion Program and Uniform Standards and Disciplinary Guidelines for the Enforcement Subcommittee.
4. ITRs and associated legislation.
5. Statistics from OPES.
6. Retired Licensure Category (16 CCR §1115)
7. Research into applicant testing procedures preventing multiple exam attempts without completing remediation.
8. Reinstating a taskforce to research into Alternative Pathways to Licensure.
9. Omnibus update at February 2019 Meeting.
10. Update in DHCC hiring status.

10. Adjournment

Motion: Motion to adjourn.

Motion: Edcelyn Pujol
Second: Timothy Martinez

***Vote: Motion to Adjourn.
Passed 7:0:2.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			X (absent)
Evangeline Ward	X		

President Good adjourned the Full Committee meeting of the DHCC at **11:16 a.m.**