



# Dental Hygiene Board of California Teleconference Meeting Minutes

*Tuesday, January 29, 2019*

DHCC Headquarters, 1st Fl., Silverwood Lake Room\*  
 2005 Evergreen Street  
 Sacramento, California 95815

\*No members, only administrative staff at this location

### TELECONFERENCE LOCATIONS:

<p>Susan Good, President, Public Member          Catalano Fenske c/o Bitwise South Stadium          Donkey Kong Conference Room, 1<sup>st</sup> Fl.          700 Van Ness Avenue          Fresno, CA 93721</p>	<p>Sandra Klein, Public Member          Congregation B'nai Israel          2111 Bryan Ave.          Tustin, CA 92782</p>
<p>Michelle Hurlbutt, RDH Educator          West Coast University          Conference Room, 3rd Fl.          1477 S. Manchester Avenue          Anaheim, CA 92802</p>	<p>Timothy Martinez, DMD          Borrego Health          1700 Iowa Street, Suite 290          Riverside, CA 92507</p>
<p>Noel Kelsch, RDHAP          Cabrillo College          HAWK Bldg. Room. 2147          6500 Soquel Dr          Aptos, CA, 95003</p>	<p>Evangeline Ward, RDH          Diablo Valley College          321 Golf Club Road          Life Science Bldg., #109          Pleasant Hill, CA 94523</p>

### DHBC Members Absent and Excused:

Nicolette Moultrie, Vice President, RDH  
 Edcelyn Pujol, Secretary, Public Member  
 Garry Shay, Public Member

### DHBC Staff Present:

Anthony Lum, Executive Officer  
 Elizabeth Elias, Assistant Executive Officer  
 Traci Napper, Licensing Program Analyst  
 Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Educational, Legislative, and Regulatory Specialist  
 Jason Hurtado, Department of Consumer Affairs (DCA) Legal Counsel for the DHBC  
 Patrick Le, DCA Assistant Deputy Director, Office of Board and Bureau Services

## Public Present:

### Fresno:

Lygia Jolley – San Joaquin Valley College - Visalia  
Brenda Serpa – San Joaquin Valley College - Visalia  
Vickie Kimbrough – Taft College  
Joanne Pacheco – Fresno City College

### Tustin:

No Public

### Riverside:

Jean Honny – Southwestern College

### Aptos:

No Public

### Pleasant Hill:

Joanne Galliano MEd, RDH, DHBC Educational Consultant and Subject Matter Expert (SME)  
Ruth Kearn – Diablo Valley College; Chabot College  
Nancy Cheung – Chabot College  
Julie Coan – Chabot College

### Anaheim:

Arezou Goshtasbi – Concorde Career College – Garden Grove  
Sabrina Santucho - Concorde Career College – San Bernardino  
Julia Cherney– Cypress College  
Laurel Sampson - Concorde Career College – San Diego

## 1. Roll Call and Establishment of a Quorum

Susan Good, President of the Dental Hygiene Board of California (DHBC), reviewed teleconference meeting guidelines and called the meeting to order at **12:00 p.m.** She announced Nicolette Moultrie, Edcelyn Pujol, Secretary, and Garry Shay are absent and had been excused. President Good requested Dr. Petty to assume the secretary role in absence of Ms. Pujol and take roll call. Roll call was taken and a quorum was established with six members present.

## 2. Public Comments for Items Not on the Agenda

None received

## 3. President's Report (Informational Only)

Present Good reported she will be appointing committees within the next two weeks. She reminded that members think about rotating committees to provide a balance between public and professional

members and requested members consider chairing a committee and advise EO Lum by February 1, 2019 of any requests.

President Good reported she represented the DHBC at the November Dental Board of California (DBC) meeting. She reported the DBC had a licensee address their successful experience with the Diversion program. In addition, the next DBC meeting is February 7-8, 2019.

#### 4. Approval of the April 21, 2018 Full Committee Meeting Minutes

Susan Good requested a correction to the minutes to replace “seconded” with “concurred” in the statement by Ms. Galliano.

No other corrections.

Sandra Klein motioned to approve the April 21, 2018 Full Committee Meeting Minutes with the correction noted by President Good.

Second: Susan Good

***Vote: Motion to approve the April 21, 2018 Full Committee Meeting Minutes with the correction. Passed 6:0:3.***

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

#### 5. Executive Officer’s Report (Informational Only)

Announced he hired a new Assistant Executive Officer and welcomed Elizabeth Elias from the Nursing Board.

EO Lum announced it is a DCA reporting year and stated Form 700 (Conflict of Interest) needs to be completed by April 2, 2019 and that he will be sending out reminders to the Members. Other reporting requirements are Sexual Harassment Training, Ethics Training, and the Non-Discrimination and Complaint Procedures Documentation. Additionally, he will be checking the files as to any other documentation that would require completion and notify the member on an individual basis.

EO Lum informed the Board on new legislation (AB 2138). He stated that this will change our denial of licensure processes and will need new regulations to enforce. As the DCA timeline is short, we will be presenting an update and draft regulatory language at the April DHBC meeting. In addition, DCA wants an approved version by May 1, 2019. End goal is for these regulations to be implemented by July 1, 2020.

EO Lum requested questions.

Noel Kelsch welcomed AEO Elias and expressed congratulations to EO Lum for getting help for all the hours that he works.

Discussion took place regarding the drafted language process for AB 2138. EO Lum stated that it is a tight timeline and that the DHBC will be working closely with legal counsel to capture the language by the deadline. LC Hurtado stated that with public comment at the April meeting, the Board would be able to amend the language if necessary and still make the deadline.

Discussion took place regarding AB 2138 and how it reduces barriers to licensure but does not restrict them. EO Lum clarified that AB 2138 reduces barriers to licensure and stated that currently the DHBC can investigate convictions without a timeline. AB 2138 only allows boards to go back seven years of history, thereby allowing more individuals the ability to obtain licensure.

Vickie Kimbrough stated that future public comment may include dental hygiene graduates who have been convicted for driving under the influence and looking at time parameters put on any situation.

There were no further questions.

## 6. Discussion and Possible Action on the Proposed Regulatory Package: 16 CCR §1105.2. Required Curriculum

President Good requested Dr. Adina Pineschi-Petty to present Proposed Regulatory Package: 16 CCR §1105.2. Required Curriculum.

Dr. Petty stated at the November 2018 DHBC meeting, most of the language and forms were reviewed and approved. However, the Board tabled the entire regulatory package and clarified that the out-of-state applicant language on page four as well as the radiology course language were the items that required the regulatory package to be tabled until this teleconference.

President Good requested a motion.

Dr. Hurlbutt motioned to adopt the language in Regulatory Package 16 CCR §1105.2. Required Curriculum and all related forms, to direct staff to take all necessary steps to initiate the formal rulemaking process, including noticing the proposed language for a forty-five-day public comment, setting the proposed language for a public hearing, and authorizing the Executive Officer make any non-substantive changes to the rulemaking package.

Noel Kelsch: Seconded.

Discussion:

President Good stated the package contained past approved language and directed the Board to start their review with the unapproved language of subsection (4) of 16 CCR §1105.2.

Dr. Hurlbutt questioned the use Health and Safety Code (H&SC) section 106975.

Dr. Petty clarified that H&SC section 106975 states that Section 106965 shall not apply to any of the following persons: (b) Students in an approved school for radiologic technologists and in schools of medicine, podiatry or chiropractic when the students are operating X-ray machines under the supervision of an instructor who is a certified radiologic technologist or a certified supervisor or operator; and students of dentistry, dental hygiene and dental assisting when the students are operating X-ray machines under the supervision of an instructor who is a licensed dentist.

Discussion regarding the use of “human subjects” in the regulation. Dr. Hurlbutt stated that the DHBC does not use that language in other regulatory language and requested to consider the use of “patients”. President Good stated that “patients” has a different meaning than “human subjects” and was not sure if the substitution should be made as it would be consistent with other regulations. Dr. Petty clarified that the language was used as staff consulted other regulations of a similar nature and this was the wording that was acceptable at the time.

Dr. Hurlbutt moved to amend the language to strike “human subjects” and insert “patients”.

Ms. Ward seconded.

Discussion:

Dr. Hurlbutt clarified “patients” are used in other areas and clarified the language would be consistent by using “patients”.

Public comment:

Jean Honny concurred with Dr. Hurlbutt as “human subjects” may give the connotation that research is being done and not the actual student experience which is being completed.

***Vote: Motion to Amend the Language to Strike “Human Subjects” and Insert “Patients”. Passed 5:1:3.***

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

Comments:

Vickie Kimbrough questioned (d)(4)(F) Clinical Experience. Dr. Kimbrough stated that the regulation applies to programs and suggested changing “The course of instruction shall include”. Lygia Jolley stated that programs have radiology instruction over several courses and would be limiting which she does not think is the intention of the regulation.

Dr. Hurlbutt moved to strike “The course of instruction shall include” and insert “There shall be sufficient clinical experiences”.

Ms. Ward seconded.

Discussion: None

Public Comment:

Dr. Kimbrough, Brenda Serpa, and Jean Honny appreciated the change as it made the regulation clearer as to the intent.

***Vote: Motion to Amend the Language to Strike “The course of instruction shall include” and Insert “There shall be sufficient clinical experiences”. Passed 6:0:3.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		

<b>Timothy Martinez</b>	X		
<b>Sandra Klein</b>	X		
<b>Nicolette Moultrie</b>			X (absent)
<b>Edcelyn Pujol</b>			X (absent)
<b>Garry Shay</b>			X (absent)
<b>Evangeline Ward</b>	X		

Discussion on the clarification of (d)(4)(F)(i) as to three (3) exposures.

Dr. Petty stated it is three (3) exposures per subject, meaning there can only be three (3) retakes per full mouth radiographs. For every eighteen radiographs in a traditional full mouth, the student can have a maximum of twenty-one (21) exposures. President Good expressed as to the amount of radiation to a patient. Dr. Petty clarified with newer techniques and equipment, twenty-one films do not have as much radiation as it once had and is within current exposure guidelines and stated that 1105.2 (d)(4) is in line with the Dental Board of California’s 1014.1 regulation having three exposures per subject.

Dr. Kimbrough stated that the DHBC may want to include “additional” prior to “exposures” to clarify the language.

Dr. Hurlbutt motioned to add “additional” prior to “exposures” and strike “subject” and replace with “patient” in (d)(4)(F)(i); and change “course” to “instruction in (d)(4) and (d)(4)(H).

Second: Sandra Klein

Discussion:

Dr. Hurlbutt stated that to change “course” to “instruction” would clarify the regulation for educators, as radiology is accomplished over several courses during a dental hygienist’s education.

President Good stated she understands the need to clarify terminology for educators, however as terminology presented was consistent with other regulations, she stated concerns changing the language from similar regulations and stated her opposition to the changes.

Public Comment:

Dr. Kimbrough, Ms. Sampson, Ms. Jolley, and Ms. Kamibayashi agreed with Dr. Hurlbutt to the proposed changes, as DBC regulations apply to dental assistants who are trained with no dental background. The regulation in question will be taught in conjunction with a dental hygiene educational program (DHEP) and will have background in theory prior to working with the public, therefore the word “instruction” is more appropriate. Additionally, Dr. Kimbrough requested clarification on what courses are acceptable as to a “board-approved eight (8) hour course in infection control”. EO Lum stated we would accept DBC-approved courses.

Discussion regarding the intent of the regulation and as to the need of FMXs for patients. It was clarified that the intent of the regulation is to determine competency in radiographic technique in FMXs. The use of FMXs on a patient would be based on need and that all exposures shall only be made for diagnostic purposes. Therefore, the student, along with faculty, would ultimately need to make the choice on which four patients would need the FMX. Dr. Petty stated there is no other way to obtain competency on FMXs except to complete the FMXs.

Nancy Cheung requested clarification if all exposures can be digital or do any have to be analog film. Additionally, she requested if three additional retakes could be modified to five, as DHEPs are dealing with beginning learners and in order to achieve a diagnostic quality set, there are instances where up to five retakes may be necessary. She does not feel that three is any evidence where five additional exposures would increase harm to the patient over three additional exposures. EO Lum stated all exposures may be digital. In addition, the language used indicated three additional retakes was the appropriate number. Increasing additional retakes to five was not recommended. LC Hurtado clarified that the proposed language parallels DPA language currently in regulations.

#### Board Comments:

Discussion took place regarding the increase to five retakes from three. Dr. Hurlbutt stated she was not opposed to five additional exposures and proposed an amendment from three to five additional radiographic retakes.

President Good voiced concerns that increasing the number of additional exposures would increase patient radiation exposure. President Good was opposed to increasing additional exposures to five as three has been the accepted practice by the DPA. Ms. Kelsch clarified that the DDS or instructors would be deciding on additional exposures. She stated that it is necessary to monitor the health of the patient and a positive tool to be utilized to keep the consumers safe and prevent disease from being exacerbated.

EO Lum stated the language is paralleled to the DPA from the Dental Board. He stated the purpose was to mimic what has been in place and in use since 1990. Dr. Hurlbutt clarified that three additional exposures had been added recently and not from the inception of the DPA. Additionally, as a former radiology instructor, she is familiar with the need for additional films and stated there has been no evidence that would suggest five additional films are more harmful than three additional films.

#### Public Comment:

Ms. Cheung stated if the DHBC is concerned with protection of the public, how is the public being protected if additional films are necessary beyond the three additional films and pathology would possibly be overlooked. Additionally, the public is exposed to background radiation daily and does not feel that five additional exposures would do additional harm. Ms. Coan stated that the goal is to have diagnostic radiographs so the consumer receives the care needed.

No further comments.



***Vote: Motion to Amend the Language from “three (3) exposures” to “five (5) exposures” in (d)(4)(F)(i). Failed 2:4:3.***

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

***Vote: Motion to Amend the Language to Add “additional” Prior to “exposures” in (d)(4)(F)(i); Strike “human subject” and Replace with “patient” in (d)(4)(F)(i) and (d)(4)(F)(ii); Strike “subject” and Replace with “patient” (d)(4)(F)(i); Strike “course” and Replace with “instruction” in (d)(4) and (d)(4)(H); Strike “The program” and Replace with “Instruction” in (d)(4)(H). Passed 6:0:3.***

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

## 7. Discussion and Possible Action on the Proposed Regulatory Package: 16 CCR §1109. Radiographic Decision Making and Interim Therapeutic Restorations

Dr. Petty presented proposed regulatory package 16 CCR §1109 in which AB 1174 allowed additional duties in Radiographic Decision Making (RDM) and Interim Therapeutic Restorations (ITRs) for RDHs, RDHAPs, and RDHEFs and staff recommended to the Board to review the required forms and language in the attached starting point document, determine whether additional information or language is required, complete the draft of proposed regulatory language, relative to the implementation of RDM/ITR for RDHs, RDHAPs, and RDHEFs, and direct staff to take all steps necessary to initiate the formal rulemaking process, including noticing the proposed language for 45-day public comment, setting the proposed language for a public hearing, and authorize the Executive Officer to make any non-substantive changes to the rulemaking package. If after the close of the 45-day public comment period and public regulatory hearing, no adverse comments are received, authorize the Executive Officer to make any non-substantive changes to the proposed regulations before completing the rulemaking process, and adopt the proposed text to the California Code of Regulations (CCR), Title 16, Division 11 §1109 as noticed.

President Good requested a motion.

Evangeline Ward motioned to approve the required forms and language in the attached starting point document, determine whether additional information or language is required, complete the draft of proposed regulatory language, relative to the implementation of RDM/ITR for RDHs, RDHAPs, and RDHEFs, and direct staff to take all steps necessary to initiate the formal rulemaking process, including noticing the proposed language for 45-day public comment, setting the proposed language for a public hearing, and authorize the Executive Officer to make any non-substantive changes to the rulemaking package. If after the close of the 45-day public comment period and public regulatory hearing, no adverse comments are received, authorize the Executive Officer to make any non-substantive changes to the proposed regulations before completing the rulemaking process, and adopt the proposed text to the California Code of Regulations (CCR), Title 16, Division 11 §1109 as noticed.

Second: Dr. Martinez

Discussion:

Dr. Hurlbutt stated that RDM and ITR may wish to be taught separately in DHEPs and as such the Board may wish to separate it within the language. LC Hurtado stated that could be a change delegated to the EO as it would be a non-substantive change. Dr. Hurlbutt requested EO Lum to make those changes as they are non-substantive and would add more clarity.

Ms. Kelsch stated concerns that subsection (d)(6)(D)(vii) required four follow-up examinations of an ITR within a year. She stated that it places an undo burden to the consumer. Ms. Kelsch recommended two follow-up examinations. Dr. Martinez stated he was in agreement with two follow-up examinations.

EO Lum stated that he and LC Hurtado concurred that the statute indicates that the regulation must conform to HWPP 172 which requires the four checks. He explained that if the Board deviates from statute, then the Board must bring any revisions before the DBC for review.

Dr. Hurlbutt, Ms. Kelsch, and Dr. Martinez were in favor of bringing the revision before the DBC and Dr. Hurlbutt suggested to change the language to read in (d)(6)(D)(vii) "Protocols for follow-up of interim adhesive protective restorations, including but not limited to, at least two (2) follow-up examinations of the ITR within a twelve (12) month period." Ms. Kelsch stated that with her history of working with underserved populations, they might not have the ability or monetary means to have four follow-up visits. The intention of this legislation was to increase access to care to underserved populations and this would be counterproductive. Ms. Kelsch clarified that the patient would still have access to care if there were any concerns and that it would be a patient generated visit. She stated that the material used is a glass ionomer which has the benefit of fluoride release to help mitigate future problems.

President Good stated she was not in favor of the language change as it may present delays and requested clarification of intended patient follow-up care procedures if this change were to be included in the regulation.

EO Lum stated the delay to bring the language change before the DBC would only be three months as their next meeting is in May. This would be a short delay in the overall regulatory process. Dr. Hurlbutt moved to amend subsection (d)(6)(D)(vii) to strike "follow-up examination of the ITR at one (1) week, three (3) months, six (6) months, and one (1) year." and replace with "at least two (2) follow-up examinations of the ITR within a twelve (12) month period."

Second: Noel Kelsch

Member Discussion:

President Good stated she objected to changes that were not approached in a consistent manner. She stated that if there is an objection, a vote would need to occur.

Public Comment:

Discussion regarding CE course follow-up care. Dr. Kimbrough questioned how would language be addressed by a CE course provider and who would be responsible for follow-up ITR checks. She questioned if it would be the responsibility of the CE provider or the student of the CE course. Dr. Hurlbutt stated that as the CE provider would be required to present their protocols to the DHBC for approval, it would have to include protocols to ensure that there is an outreach to the ITR patient to cover ITR follow-up. Further discussion addressed concerns how follow-up care would be cost and facility schedule prohibitive.

President Good requested clarification if the DBC has implemented their regulations yet and if there was any feedback as to ITR follow-up care. EO Lum stated they have not been implemented yet but are in process slightly ahead of our regulations and that he was not aware of any concerns as to follow-up care.

Ms. Kelsch stated that she has heard concerns from Federally Qualified Health Centers (FQHCs) as it is difficult for patients to get appointments for follow-up care if they are not in pain or having a problem.

No further comment.

***Vote: Motion to Amend the Language in Subsection (d)(6)(D)(vii) to Strike “follow-up examination of the ITR at one (1) week, three (3) months, six (6) months, and one (1) year.” and Replace with “at least two (2) follow-up examinations of the ITR within a twelve (12) month period.” Passed 5:0:4.***

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

Dr. Hurlbutt questioned the use of “skill” in subsection (d)(6)(l). She stated that skills are included under competencies and requested “skills” to be stricken.

President Good requested additional comments.

Dr. Hurlbutt questioned subsection (d)(6)(A)(iii) and stating that instruction shall include “The guidelines developed by Pacific Center for Special Care at the University of the Pacific Arthur A. Dugoni School of Dentistry (Pacific) for use in training for Health Workforce Pilot Project (HWPP) #172” when the DHBC changed the follow-up guideline. EO Lum stated since the DHBC is only modifying one small section and as the majority of the language comes from HWPP #172, he is of the opinion that it should remain in the language.

Public Comment:

Dr. Kimbrough requested clarification of subsections (d)(3)(C) and (d)(3)(D). Dr. Hurlbutt suggested to strike (d)(3)(C), (d)(3)(D), and (d)(3)(E) and condense the language for (d)(3)(C) to read “RDH, RDHAP, and RDHEF faculty possess current licensure in RDM and ITR placement.” And renumber (d)(3)(F) to (d)(3)(D).

Ms. Kamibayashi questioned if the DHEP is already approved to provide RDM and ITR would they need to submit for reapproval. EO Lum stated reapproval would not be necessary. Additionally, he informed the public that this is not the only time public comment will be received and there will be many times throughout the regulatory process where comments will be solicited.

President Good requested further Board comments.

No further comments received.

***Vote: Motion to Approve the Required Forms and Amended Proposed Language Relative to the Implementation of RDM/ITR for RDHs, RDHAPs, and RDHEFs, and Direct Staff to Take all Steps Necessary to Initiate the Formal Rulemaking Process, Including Noticing the Proposed Language for 45-day Public Comment, Setting the Proposed Language for a Public Hearing, and Authorize the Executive Officer to Make any Non-substantive Changes to the Rulemaking Package. If After the Close of the 45-day Public Comment Period and Public Regulatory Hearing, No Adverse Comments are Received, Authorize the Executive Officer to Make any Non-substantive Changes to the Proposed Regulations Before Completing the Rulemaking Process, and Adopt the Proposed Text to the California Code of Regulations (CCR), Title 16, Division 11 §1109 as noticed. Passed 5:0:4.***

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

8. Discussion and Possible Action on the Proposed Regulatory Package: 16 CCR §1115. Retired License Fee Resolutions and Permanently Disabled Category Subsection

Dr. Petty presented proposed regulatory package 16 CCR §1115 in which B&PC section 1944, subdivision (a) allows the Board to establish by resolution the amount of the fees that relate to the licensing of a registered dental hygienist (RDH), a registered dental hygienist in alternative practice (RDHAP), and a registered dental hygienist in extended functions (RDHEF). In addition, B&PC section 464, subdivision (a) states any of the boards within the department may establish, by regulation, a system for a retired category of licensure for persons who are not actively engaged in the practice of their profession or vocation.

Dr. Petty stated staff is requesting the Board to establish by resolution the fee for retired RDH, RDHAP, and RDHEF licenses, as well as the fee to restore a retired license to an active status. In addition, staff is requesting consideration of the addition of a permanently disabled category subsection to allow permanently disabled RDHs, RDHAPs, and RDHEFs who meet the requirements of that subsection the ability to apply for a retired license as well as to consider removing the seven-year limit to past discipline. As the past discipline has already been cleared, it should not preclude them from retiring their license as they have already atoned for their discipline.

EO Lum stated the DHBC has been receiving questions from disabled dental hygienists regarding retiring their license. By adding this category to the regulations would make it easier to retire their license.

President Good requested a motion.

Evangeline Ward moved to approve the required forms and language in the attached starting point document, determine whether additional information or language is required, complete the draft of proposed regulatory language, relative to the implementation of Retired Licensure for RDHs, RDHAPs, and RDHEFs, and direct staff to take all steps necessary to initiate the formal rulemaking process, including noticing the proposed language for 45-day public comment, setting the proposed language for a public hearing, and authorize the Executive Officer to make any non-substantive changes to the rulemaking package. If after the close of the 45-day public comment period and public regulatory hearing, no adverse comments are received, authorize the Executive Officer to make any non-substantive changes to the proposed regulations before completing the rulemaking process, and adopt the proposed text to the California Code of Regulations (CCR), Title 16, Division 11 §1115 as noticed.

Second: Noel Kelsch

President Good questioned if there was any opposition on the change or discussion.

None received.

Public Comment: None

***Vote: Motion to Approve the Required Forms and Amended Proposed Language Relative to the Implementation of Retired Licensure for RDHs, RDHAPs, and RDHEFs, and Direct Staff to Take all Steps Necessary to Initiate the Formal Rulemaking Process, Including Noticing the Proposed Language for 45-day Public***

***Comment, Setting the Proposed Language for a Public Hearing, and Authorize the Executive Officer to Make any Non-substantive Changes to the Rulemaking Package. If After the Close of the 45-day Public Comment Period and Public Regulatory Hearing, No Adverse Comments are Received, Authorize the Executive Officer to Make any Non-substantive Changes to the Proposed Regulations Before Completing the Rulemaking Process, and Adopt the Proposed Text to the California Code of Regulations (CCR), Title 16, Division 11 §1115 as noticed. Passed 5:0:4.***

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

President Good requested a motion on the fee resolution.

Noel Kelsch motioned to adopt the proposed fees.

Second: Michelle Hurlbutt

Discussion: None

Public Comment: None

***Vote: Motion to Adopt by Resolution the Proposed Fees for the Retired RDH, RDHAP, or RDHEF License Fee to be One-half of the Current License Renewal Fee and Reactivation of a Retired RDH, RDHAP, or RDHEF License Fee to be \$160. Passed 5:0:4.***

Name	Aye	Nay	Abstain
Susan Good	X		

<b>Michelle Hurlbutt</b>	X		
<b>Noel Kelsch</b>	X		
<b>Timothy Martinez</b>	X		
<b>Sandra Klein</b>			X (absent)
<b>Nicolette Moultrie</b>			X (absent)
<b>Edcelyn Pujol</b>			X (absent)
<b>Garry Shay</b>			X (absent)
<b>Evangeline Ward</b>	X		

## 9. Carrington College Stock Transfer Update

Dr. Petty reported at the November 17, 2018 meeting, the Committee discussed the major change request of San Joaquin Valley College, Inc. to acquire the stock of Carrington College. The Committee voted on the “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”. The motion passed 6:0:3.

The DHBC received confirmation from CODA approving the major change request of San Joaquin Valley College, Inc. to acquire the stock of Carrington College on December 4, 2018. Dr. Petty stated that staff recommendation is to confirm approval voted on November 17, 2018 of the major change request of San Joaquin Valley College, Inc. to acquire the stock of Carrington College.

Michelle Hurlbutt motioned for the Board to confirm the DHCC approval voted on at the November 17, 2018 meeting of the major change request of San Joaquin Valley College, Inc. to acquire the stock of Carrington College.

Second: Noel Kelsch

Discussion: None

Public Comment: None

***Vote: Motion to Confirm the DHCC Approval Voted on at the November 17, 2018 Meeting of the Major Change Request of San Joaquin Valley College, Inc. to Acquire the Stock of Carrington College. Passed 5:0:4.***

<b>Name</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
<b>Susan Good</b>	X		
<b>Michelle Hurlbutt</b>	X		



<b>Noel Kelsch</b>	X		
<b>Timothy Martinez</b>	X		
<b>Sandra Klein</b>			X (absent)
<b>Nicolette Moultrie</b>			X (absent)
<b>Edcelyn Pujol</b>			X (absent)
<b>Garry Shay</b>			X (absent)
<b>Evangeline Ward</b>	X		

## 10. Omnibus Update

EO Lum stated at the November meeting he presented the opportunity to make non-substantive changes to a bill that is presented by the legislature every year for our existing statutes. What was presented to the Board were proposed changes for clarity purposes such as inserting “Dental” in front of “Hygiene Board”, as well as numbering changes and punctuation errors. In addition, at the November meeting there were concerns brought up regarding “adhesives” with regard to ITR, so “interim” was placed for clarity.

At a follow-up meeting with the Senate Business, Professions, and Economic Development Committee (B&P) staff to discuss our omnibus revisions, EO Lum stated they had minimal questions and accepted the changes, seemed satisfied and pleased with our proposal. Senate B&P suggested for clarity in Section 1905.2 regarding scope of practice issues, since the DHBC is now a Board, they suggested adding “Dental” before “Board” to clarify reference to the DBC.

President Good offered congratulations to the staff for their work on the Omnibus proposal.

President requested questions or comments.

None received.

## 11. Future Agenda Items

1. Dr. Hurlbutt requested the DHBC review settings and supervision levels for RDHs, RDHAPs, and RDHEFs.
2. Dr. Martinez requested the DHBC review length of inactivation of licensure and if any remediation or CE prior to reactivation should be required.
3. Brenda Serpa requested the Board consider allowing the DHEP students to take the DHBC Law and Ethics Exam during their final term prior to student graduation.

## 12. Adjournment

Meeting was adjourned at **3:03 p.m.**