Friday, November 22, 2019

Dental Hygiene Board of California

Education Subcommittee

Agenda
Notice is hereby given that a public meeting of the Education Subcommittee of the Dental Hygiene Board of California (DHBC) will be held as follows:

**EDUCATION SUBCOMMITTEE MEETING**

Friday, November 22, 2019
Hilton Los Angeles North/Glendale & Executive Meeting Center
100 West Glenoaks Blvd
Glendale, CA 91202

**Education Subcommittee Members:**

Edcelyn Pujol, Public Member, Chair
Nicolette Moultrie, RDH Member
Garry Shay, Public Member
Evangeline Ward, RDH Member

Upon conclusion of Agenda Item 6 on November 22, 2019.

**Agenda**

**EDU 1** – Roll Call & Establishment of Quorum

**EDU 2** – Chairperson’s Report

**EDU 3** – Discussion and Possible Action, and Recommendation to the Full Board on the Following Proposed Regulatory Package: 16 CCR § 1105. Requirements for RDH Educational Programs Including the Acceptance of Advanced Placement (AP) Coursework or Examination by Dental Hygiene Educational Programs.

**EDU 4** – Discussion and Possible Action, and Recommendation to the Full Board on Proposed Draft Application Language for Approval of New Registered Dental Hygienist in Alternative Practice (RDHAP) Educational Programs.

**EDU 5** – Public Comment for Items Not on the Agenda

*The DHBC 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)).*

**EDU 6** – Future Agenda Items

**EDU 7** – Adjournment of the Education Subcommittee Meeting

DHBC 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 Board’s Web Site at www.dhbc.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 Elizabeth Elias, Assistant Executive Officer, at 916-263-2010, or email Elizabeth.elias@dca.ca.gov or send a written request to the DHBC at 2005 Evergreen Street, Suite 2050, Sacramento, CA 95815. Providing your request at least five (5) business days prior to the meeting will help to ensure availability of the requested accommodation.
Friday, November 22, 2019

Dental Hygiene Board of California

Education Subcommittee Meeting

Agenda Item EDU 2:

Chairperson’s Report:
A Verbal Report Will Be Given
Friday, November 22, 2019

Dental Hygiene Board of California

Education Subcommittee Meeting

Agenda Item EDU 3:

Discussion and Possible Action, and Recommendation to the Full Board on the Following Proposed Regulatory Package: 16 CCR § 1105. Requirements for RDH Educational Programs Including the Acceptance of Advanced Placement (AP) Coursework or Examination by Dental Hygiene Educational Programs.
MEMORANDUM

DATE: November 22, 2019
TO: Dental Hygiene Board of California
FROM: Anthony Lum
Executive Officer
Dental Hygiene Board of California

SUBJECT: EDU3 - Discussion and Possible Action, and Recommendation to the Full Board on the Following Proposed Regulatory Package: 16 CCR § 1105. Requirements for RDH Educational Programs Including the Acceptance of Advanced Placement (AP) Coursework or Examination by Dental Hygiene Educational Programs.

Background:

The Dental Hygiene Board of California (DHBC) began oversite of the Dental Hygiene Educational Programs (DHEP) in January 2016. The enforcement of the laws and regulations for DHEPs continues with ongoing reviews of certain sections that may be considered by the Board for revision or clarification. Once Board approved, the revisions are proposed for approval as quickly as possible to minimize the time to implement the changes so that references and the law remain current and applicable.

Within section 1105 of Title 16 of the California Code of Regulations (CCR) there have been questions with regard to acceptance of current available courses to satisfy Board requirements for prerequisite courses, regarding experience needed for non-employed participants utilized during instruction and supervision within DHEPs, and regarding clarification of state and national regulatory standards that are applicable to DHEPs. Included within the recommendations for clarity are corrections for minor grammatical errors within the regulation.

Additionally, it has been brought to the Board’s attention that language within 16 CCR § 1105 is in conflict with current regulations found within Title 3 of the Education Code (3 CCR §79500) as well as within Title 5 of the Education Code (5 CCR §§ 55050 and 55052). The Education Code allows for institutions of higher learning to accept the completion of Advanced Placement (AP) coursework or examination in high school math and English to be accepted for credit at the higher learning institution as college-level work. The coursework for math and English is listed as prerequisites in most DHEP syllabi as requirements to enter a program. If a higher learning institution abides by the Education Code to accept AP coursework or examination in lieu of the completion of actual coursework, the DHEP should also accept the AP coursework or examination as fulfillment of the prerequisite requirement for the dental hygiene program.

Staff Recommendation:

Staff recommends to the Board to approve the proposed amended language in the attached document to clarify language found within 16 CCR § 1105 applicable to requirements for Registered Dental Hygienist Educational Courses, experience needed for non-employed participants utilized during instruction and supervision within DHEPs, state and national regulatory standards that are applicable to DHEPs, grammatical changes within the language and to consider acceptance of AP coursework or examination in
math and English in lieu of an actual course completion consistent with the Education Code, determine whether additional information or language is required, complete the draft of proposed regulatory language, 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 §1105 as noticed.

**Pros:** By approving staff’s recommendation, the Board will provide clarity to language found within 16 CCR § 1105 applicable to requirements for DHEPs, experience needed for non-employed participants utilized during instruction and supervision within DHEPs, state and national regulatory standards that are applicable to DHEPs, provide grammatical changes within the language, and accept advanced placement (AP) education in Mathematics and English to verify competency as prerequisites for entry into dental hygiene educational programs. The proposed amendments to the regulatory language found in 16 CCR §1105, if approved, would provide clarity, will comply with applicable laws within the Education Code (existing law), and move the proposal forward in the regulatory process.

**Cons:** If the Board does not approve the recommended amendments to the regulatory language found in 16 CCR §1105 for clarity and for congruence with applicable sections of law within the Education Code, the regulation will continue to be open to (possibly incorrect) interpretation and create a conflicting issue where the DHEP will not be in compliance with prerequisite requirements that the educational institution supporting the DHEP accepts for general enrollment of all its students.
TITLE 16. DENTAL HYGIENE BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS
PROPOSED LANGUAGE

Adopt amendments to section 1105 of Title 16 of the California Code of Regulations (CCR) to read as follows:

§ 1105. Requirements for RDH Educational Programs.

As of January 1, 2016, educational programs for registered dental hygienists shall comply with the requirements set forth below in order to secure and maintain approval by the Committee Board.

(a) Administration and Organization. There shall be a written program mission statement that serves as a basis for curriculum structure. Such statement shall take into consideration the individual difference of students, including their cultural and ethnic background, learning styles, and support systems. It shall also take into consideration the concepts of dental hygiene, which must include the dental hygiene process of care, environment, health-illness continuum, and relevant knowledge from related disciplines.

(b) Instruction.

(1) Instruction upon all levels shall be conducted upon the premise that dental hygiene education must meet the test of a true university discipline and shall include lectures, laboratory experiments and exercises and clinical practice under supervision by the faculty.

(2) For purposes of this section, the term “university discipline” is a level of instruction at least equivalent to that level of instruction represented by college courses in the basic sciences commonly offered or accepted in approved California dental schools.

(3) The length of instruction in the educational program shall include two academic years of fulltime instruction at the postsecondary college level or its equivalent, and a minimum of 1,600 clock hours.

(4) The instructor to student ratio shall meet approved Commission on Dental Accreditation standards referenced in subsection (c) of section 1103 of this article.

(5) Instruction involving procedures that require direct supervision shall be supervised by a faculty dentist who possesses an active California license or special permit with no disciplinary actions in any jurisdiction to practice dentistry.

(c) Standards of Competency. Each educational program shall establish and maintain standards of competency. Such standards shall be available to each student, and student and shall be used to measure periodic progress or achievement in the curriculum.

(d) The policies and procedures by which the educational program is administered shall be in writing, shall reflect the mission and goals of the program, and shall be available to all students.
(e) The educational program shall have a written plan for evaluation of all aspects of the program, including admission and selection policy and procedures, attrition and retention of students, curriculum management, patient care competencies, ethics and professionalism, critical thinking, and outcomes assessment, including means of student achievement. If the program has submitted a written plan to the Commission on Dental Accreditation, which includes each of the elements listed above, a copy of such plan may be submitted to the Committee to meet this requirement.

(f) Admission.

(1) The minimum basis for admission into an educational program shall be the successful completion of all of the following:

(A) A high school diploma or the recognized equivalent, which will permit entrance to a college or university accredited by an agency recognized by the U.S. Department of Education or Council for Higher Education Accreditation; and,

(B) College-level general education courses in the topic areas of:

   (i) Oral and Written Communication
   (i) Oral Communication
   (ii) English*
   (iii) (iii) Psychology
   (iii) (iv) Sociology
   (iv) (v) Mathematics*
   (vi) Cultural Diversity**
   (vi) (vii) Nutrition**

*This course is required prior to graduation, and may be waived as an admission requirement if included within the dental hygiene program curriculum.

*Advanced Placement (AP) Exam Score Exemption may be accepted in lieu of this course.

**This course is required prior to graduation and may be waived as an admission requirement if included within the dental hygiene program curriculum.
(C) College-level biomedical science courses, each of which must include a wet laboratory component, in:

(i) Anatomy
(ii) Physiology
(iii) Inorganic Chemistry
(iv) Organic Chemistry with Biochemistry
(v) Microbiology

(2) Admission of students shall be based on specific written criteria, procedures and policies. Previous academic performance and/or performance on standardized national tests of scholastic aptitude or other predictors of scholastic aptitude and ability shall be utilized as criteria in selecting students who have the potential for successfully completing the educational program. Applicants must be informed of the criteria and procedures for selection, goals of the program, curricular content, course transferability and the scope of practice of and employment opportunities for dental hygienists.

(g) The program shall have published student grievance policies.

(h) There shall be an organizational chart that identifies the relationships, lines of authority and channels of communication within the educational program, between the program and other administrative segments of the sponsoring institution, and between the program, the institution and extramural facilities and service learning sites.

(i) The educational program shall have learning resources, including faculty, library, staff and support services, technology and physical space and equipment, including laboratory and clinical facilities, to support the program's stated mission and goals and in accordance with approved accreditation standards referenced in subsection (c) of section 1103 of this article.

(j) The educational program director shall have the primary responsibility for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program.

(k) The number and distribution of faculty and staff shall be sufficient to meet the educational program's stated mission and goals.

(l) When an individual not employed in the educational program participates in the instruction and supervision of students obtaining educational experience, his or her name and responsibilities shall be described in writing and kept on file by the dental hygiene program and shall have twenty-four (24) months of experience providing direct patient care as a registered dental hygienist or dentist.
(m) As of January 1, 2017, in a two-year college setting, graduates of the educational program shall be awarded an associate degree, and in a four-year college or university, graduates shall be awarded an associate or baccalaureate degree.

(n) All requirements shall comply with approved accreditation standards, and state and national regulatory standards including, but not limited to, Commission on Dental Accreditation (CODA), Occupational Safety and Health Administration (OSHA), Health and Safety Code (HSC), Center for Disease Control (CDC), and Health Insurance Portability and Accountability Act (HIPAA).

EDUCATION CODE - EDC
TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060]
( Title 3 enacted by Stats. 1976, Ch. 1010. )
DIVISION 7. COMMUNITY COLLEGES [70900 - 88933]
( Division 7 enacted by Stats. 1976, Ch. 1010. )
PART 48. COMMUNITY COLLEGES, EDUCATION PROGRAMS [78015 - 79500]
( Part 48 enacted by Stats. 1976, Ch. 1010. )
CHAPTER 9. Miscellaneous [79120 - 79500]
( Chapter 9 enacted by Stats. 1976, Ch. 1010. )

ARTICLE 9. Advanced Placement Credit [79500-79500.]
( Article 9 added by Stats. 2016, Ch. 513, Sec. 2. )

79500.

(a) The office of the Chancellor of the California Community Colleges shall, in collaboration with the Academic Senate for California Community Colleges, do both of the following:
(1) Commencing January 1, 2017, begin development of, and each community college district subsequently shall begin adoption and implementation of, a uniform policy to award a pupil who passes an Advanced Placement examination course credit for California Intersegmental General Education Transfer Curriculum, California State University General Education Breadth, or local community college general education requirements, as appropriate for the pupil’s needs, in a course with subject matter similar to that of the Advanced Placement examination.
(2) Periodically review and adjust the policy adopted pursuant to subdivision (a) to align it with policies of other public postsecondary educational institutions.
(b) If the policy to be adopted pursuant to subdivision (a) is not implemented for the entering class in the fall 2017 academic term, the California Community Colleges shall adopt and implement, commencing with the 2017–18 academic year, the Advanced Placement policy adopted by the California State University.
(c) Each community college campus shall post on its Internet Web site the most recent policy adopted pursuant to this section.
(Added by Stats. 2016, Ch. 513, Sec. 2. (AB 1985) Effective January 1, 2017.)
§ 55050. Credit by Examination.

(a) The governing board of each community college district shall adopt and publish policies and procedures pertaining to credit by examination in accordance with the provisions of this section.

(b) The governing board may grant credit to any student who satisfactorily passes an examination approved or conducted by proper authorities of the college. Such credit may be granted only to a student who is registered at the college and in good standing and only for a course listed in the catalog of the community college.

(c) The nature and content of the examination shall be determined solely by faculty in the discipline who normally teach the course for which credit is to be granted in accordance with policies and procedures approved by the curriculum committee established pursuant to section 55002. The faculty shall determine that the examination adequately measures mastery of the course content as set forth in the outline of record. The faculty may accept an examination conducted at a location other than the community college for this purpose.

(d) A separate examination shall be conducted for each course for which credit is to be granted. Credit may be awarded for prior experience or prior learning only in terms of individually identified courses for which examinations are conducted pursuant to this section.

(e) The student’s academic record shall be clearly annotated to reflect that credit was earned by examination.

(f) Grading shall be according to the regular grading system approved by the governing board pursuant to section 55023, except that students shall be offered a “pass-no pass” option if that option is ordinarily available for the course.

(g) Units for which credit is given pursuant to the provisions of this section shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree.

(h) A district may charge a student a fee for administering an examination pursuant to this section, provided the fee does not exceed the enrollment fee which would be associated with enrollment in the course for which the student seeks credit by examination.


HISTORY
1. New article 5 (sections 55050-55052) and section filed 7-17-2007; operative 8-16-2007.
   Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2007, No. 35).

This database is current through 8/30/19 Register 2019, No. 35

5 CCR § 55050, 5 CA ADC § 55050
§ 55052. Advanced Placement Examinations.

5 CA ADC § 55052

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

5 CCR § 55052

§ 55052. Advanced Placement Examinations.
The governing board of a community college district may adopt policies to grant credit for satisfactory completion of advanced placement examinations typically recognized by colleges and universities as measuring competencies comparable to those achieved in baccalaureate level courses.
The faculty in the appropriate discipline must approve advanced placement examinations, scores deemed to constitute satisfactory performance, courses offered by the college for which credit will be granted, and requirements that may be met by such examinations in accordance with policies and procedures approved by the curriculum committee established pursuant to section 55002.
The student's academic record shall be clearly annotated to reflect that credit was earned through an advanced placement examination.
Friday, November 22, 2019

Dental Hygiene Board of California

Education Subcommittee Meeting

Agenda Item EDU 4:

Discussion and Possible Action, and Recommendation to the Full Board on Proposed Draft Application Language for Approval of New Registered Dental Hygienist in Alternative Practice (RDHAP) Educational Programs.
MEMORANDUM

DATE
November 22, 2019

TO
Dental Hygiene Board of California

FROM
Anthony Lum
Executive Officer
Dental Hygiene Board of California

SUBJECT
EDU 4 - Discussion and Possible Action, and Recommendation to the Full Board on Proposed Draft Application Language for Approval of New Registered Dental Hygienist in Alternative Practice (RDHAP) Educational Programs.

Background

At the August 6, 2019 Teleconference Meeting of the Dental Hygiene Board of California (Board), the Board reviewed and established by resolution the fee for application, review, and approval of new Registered Dental Hygienist in Alternative Practice (RDHAP) Educational Programs.

Currently, the Board does not have an application form for new RDHAP Educational Programs to apply for review and approval of their new RDHAP Educational Program pursuant to the requirements of California Code of Regulations (CCR) title 16, sections 1073.2 and 1073.3.

Staff Recommendation

Staff recommends for the Board to review and approve the application for review and approval of new RDHAP Educational Programs.

Pros: In order to allow applications by RDHAP Educational Programs to move forward in the application process, the application for the review and approval of new RDHAP Educational Programs must be established by the Board.

Cons: If the application is not established for review and approval of new RDHAP Educational Programs, the Board may not approve new RDHAP educational programs, deny potential new RDHAPs to be educated, and deny much needed care to the citizens of California who rely on RDHAPs for their dental hygiene care needs.
# Application for Approval of an Educational Program for Registered Dental Hygienists in Alternative Practice

The information requested in this application reflects the statutory and regulatory requirements of Business & Professions Code sections 1905, subdivision (a)(1), 1941, and 1941.5, and Title 16 of the California Code of Regulations, sections 1073.2 and 1073.3, which each applicant must meet to secure and maintain educational program approval by the Dental Hygiene Board of California.

Non-Refundable Fee: $1,000  
(Must accompany application)

**PLEASE TYPE OR PRINT LEGIBLY.**

<table>
<thead>
<tr>
<th>RDHAP Educational Program Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Institution/Program Name</strong></td>
</tr>
<tr>
<td><strong>Mailing Address</strong></td>
</tr>
<tr>
<td><strong>City</strong></td>
</tr>
<tr>
<td><strong>Program Director Name</strong></td>
</tr>
</tbody>
</table>

## Requirements for Program Approval:

Any Educational Program Applicant seeking to instruct Registered Dental Hygienists in Alternative Practice (RDHAP) shall apply for and receive approval from the Dental Hygiene Board of California (Board) prior to operation. RDHAP educational program records shall be subject to periodic surveys, evaluations, and site visits by the Board. The Board may withdraw program approval for any RDHAP program found to be noncompliant with educational program requirements.

1. Will the RDHAP program be a minimum of 150 hours in length?  
   - Yes ☐  
   - No ☐

2. Will the program provide instruction in content designed to prepare the student to assess, plan, implement, and evaluate dental hygiene services as an independent practitioner as specified in Title 16, section 1073.3, subdivision (e) of the California Code of Regulations (CCR)?  
   - Yes ☐  
   - No ☐

   *Attach a copy of RDHAP program curriculum and label as Exhibit 1. The curriculum must include course syllabi which includes curriculum content; specific instruction hours in the individual areas of didactic, laboratory and clinical instruction; written course and specific instructional learning outcomes that will be accomplished within the framework of the course(s), including theoretical aspects of RDHAP practice as well as practical application; competency forms, and methods of evaluation; remediation policies; and faculty assignments.*

3. Will the course be established at the post-graduate educational level?  
   - Yes ☐  
   - No ☐

4. Will all faculty possess all faculty requirements pursuant to Title 16, CCR section 1105.1?  
   - Yes ☐  
   - No ☐

   *Attach a list of names of all faculty, copies of their CA RDHAP/DDS/DMD licensures. Label as Exhibit 2.*
5. Will the RDHAP program provide the resources necessary to accomplish education as specified in Title 16, CCR section 1073.3?  
   Yes ☐  No ☐

6. Will physical facilities and equipment be maintained and replaced in a manner designed to provide students with an educationally optimal environment for use by RDHAP students as specified by Title 16, CCR section 1073.3 subdivision (c)?  
   *Attach a facility site map indicating each of these areas. Label as Exhibit 3.  
   Yes ☐  No ☐

7. Will the organization for the curriculum for the RDHAP program be flexible, creating opportunities for adjustments to, and research of advances, in RDHAP practice? In addition, will each program establish and maintain qualitative standards for proficiency and accomplishment?  
   Yes ☐  No ☐

8. Will RDHAP students have access to dental/medical reference texts, current journals, audiovisual materials and other relevant resources to ensure they achieve and maintain the proficiency standards established by the program?  
   *Attach a list of reference materials and resources. Label as Exhibit 4.  
   Yes ☐  No ☐

9. Will you retain for at least five (5) years copies of individual RDHAP student records, including those necessary to establish satisfactory completion of the program; copies of lab and clinical competency documents; copies of faculty calibration plans; faculty credentials, licenses, and certifications including documented background in educational methodology within previous two years; copies of participant course evaluations and a summation thereof; and copies of curriculum, including course syllabi, exams, sample test questions and clinic rubrics?  
   Yes ☐  No ☐

10. Will the RDHAP program issue and provide the participant with an original “Certification of Completion of a RDHAP Program” only after a participant has successfully completed the requirements of their RDHAP program?  
    *Attach a sample of the certificate that will be issued. Label as Exhibit 5.  
    Yes ☐  No ☐

Acknowledgement:

11. Will the RDHAP educational program inform the DHBC of any changes to the course content, physical facilities, and faculty within ten (10) business days of such changes?  
    Yes ☐  No ☐

12. Have you reviewed Business and Professions Code (B & PC) sections 1941 and 1941.5, and Title 16, CCR sections 1073.2 and 1073.3?  
    Yes ☐  No ☐

13. Do you agree to abide by the statutory and regulatory requirements set forth in B & PC section 1941 and CCR sections 1073.2 and 1941.5, and Title 16, 1073.3? In addition, do you acknowledge that failure to do so may result in loss of course approval?  
    Yes ☐  No ☐

The Board may approve or deny approval of any RDHAP program. If the Board denies approval of a course, the reasons for denial will be provided in writing within ninety (90) business days pursuant to Title 16, CCR section 1073, subdivision (c).

Certification:

I certify, under the penalty of perjury under the laws of the State of California, that the statements made in the application are true and correct.

_______________________________________________________  
Signature of Program Director  
____________________________  
Date  

INFORMATION COLLECTION AND ACCESS

The information requested herein is mandatory and is maintained by the Dental Hygiene Board of California, 2005 Evergreen Street, Suite 2050, Sacramento, CA 95815, Executive Officer, 916-263-1978, in accordance with Business & Professions Code, §1900 et seq. The information requested will be used to determine eligibility. Failure to provide all or any part of the requested information will result in the rejection of the application as incomplete. Each individual has the right to review his or her own personal information maintained by the agency as set forth in the Information Practices Act unless the records are exempt from public disclosure. Applicants are advised that the names(s) and address(es) submitted may, under limited circumstances, be made public.
Friday, November 22, 2019

Dental Hygiene Board of California

Education Subcommittee Meeting

Agenda Item EDU 5:

Public Comment for Items Not on the Agenda

[The DHBC 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 22, 2019

Dental Hygiene Board of California

Education Subcommittee Meeting

Agenda Item EDU 6:

Future Agenda Items
Friday, November 22, 2019

Dental Hygiene Board of California

Education Subcommittee Meeting

Agenda Item EDU 7:

Adjournment of the Education Subcommittee Meeting