



Licensing and Examination Subcommittee Meeting Minutes

Friday, November 22, 2019

Location:

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

DHBC Members Present:

Sandra Klein, Chair, Public Member
Timothy Martinez, Doctor of Dental Medicine (DMD) Public Health Dentist Member
Nicolette Moultrie, Registered Dental Hygienist (RDH) Member
Edcelyn Pujol, Public Member

DHBC Staff Present:

Anthony Lum, Executive Officer (EO)
Traci Napper, Program Analyst
Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Education, Legislative, and
Regulatory Specialist
Daniel Rangel, Special Investigator
Jason Hurtado, Department of Consumer Affairs (DCA) Legal Counsel for the DHBC

Public Present:

Karen Fischer, Executive Officer, Dental Board of California (DBC)
Mary McCune, California Dental Association (CDA)
Laurel Bleak, California Dental Hygienist's Association (CDHA)
Tonette Steeb, Diablo Valley College
JoAnn Galliano, MEd, RDH, DHBC Educational Consultant and Subject Matter Expert
(SME)
Katie Flournoy
Holli Dillon Burgess
Vickie Kimbrough, California Dental Hygiene Educators' Association (CDHEA), Taft
College, Purple Pen
Kim Laudenslager, Central Regional Dental Testing Service (CRDTS)
Kelly Reich, Western Regional Examining Board (WREB)
Lisa Kamibayashi, West Los Angeles College (WLAC)
Brenda Serpa, San Joaquin Valley College-Visalia (SJVC-V)
Lygia Jolley, SJVC-V, CDHA

1. Roll Call and Establishment of a Quorum

Sandra Klein, Chairperson of the Licensing and Examination Subcommittee, called the meeting to order at **11:35 a.m.** Roll call was taken, and a quorum was established with all four members present.

2. Chairperson's Report

Chair Klein stated that Executive Officer Lum apprised her of agenda items and she was well prepared for this meeting.

3. Discussion and Possible Action, and Recommendation to the Full Board on Proposal to Revise Business and Professions Code Section 1930 to Require RDHAPs to Provide Documentation of an Existing Relationship with a Dentist at Each License Renewal

EO Lum presented that Business and Professions Code (BPC) section 1930 sets forth the requirement that a Registered Dental Hygienist in Alternative Practice (RDHAP) shall provide a documented relationship with at least one dentist for referral, consultation, and emergency services. He stated that Board staff identified a gap in the law for appropriate ongoing notification to the Board that an RDHAP has a current relationship with at least one licensed dentist for referral, consultation, and emergency services for their patients. He noted that the only official notification the Board receives of a dental relationship is when the RDHAP applies for their license and that once licensed, the Board rarely receives notification of the status of that relationship as to whether it continues, is terminated, or if they have a dental relationship at all. EO Lum stated that staff requests and recommends that the Subcommittee review the language in BPC section 1930 and add additional language to require RDHAPs to report a current relationship with a licensed dentist at every license renewal, as well as to report any termination of an existing dentist relationship and identify the new dentist with whom the new relationship has been established for referral, consultation, and emergency services within 10 business days in the interest of consumer protection.

Discussion took place among the Subcommittee regarding RDHAPs report a current relationship with a licensed dentist at every license renewal, as well as to report any termination of an existing dentist relationship and identify the new dentist with whom the new relationship has been established for referral, consultation, and emergency services within 10 business days in the interest of consumer protection.

Motion: Nicolette Moultrie moved to approve and recommend to the Full Board the proposed revised statutory language in BPC section 1930 to require RDHAPs

to provide documentation of an existing relationship with a dentist at each license renewal.

Second: Edcelyn Pujol

No further comments from the Subcommittee or public.

Vote: Motion to Approve and Recommend to the Full Board the Proposed Revised Statutory Language in BPC section 1930 to Require RDHAPs to Provide Documentation of an Existing Relationship with a Dentist at Each License Renewal.

Pass. 4:0:0.

Name	Aye	Nay	Abstain
Sandra Klein	X		
Timothy Martinez	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		

4. Discussion and Possible Action, and Recommendation to the Full Board to Determine the Length of Time for Licensees to Remain on an Inactive Status Before Remediation is Required to Reactivate the Dental Hygiene License

EO Lum reported that this issue was brought forth as a Future Agenda Item at a prior meeting for the Board to discuss as a potential consumer protection issue. BPC section 1940 provides the requirements to apply for, or reactivate, an inactive dental hygiene license, however, there is no prescriptive language as to the duration an inactive license may remain on an inactive status prior to restoring a license to active status and resume patient care. The issue was raised that if a licensee maintains their license for an extended period in the inactive status and not treat patients, at what point would a practitioner's skills diminish where some form of remediation would be necessary for them to resume practice safely on patients. Currently, to restore an inactive license to active status, the licensee is only required to submit an application (Reactivation Application) along with evidence that the licensee completed the required number of approved continuing education (CE) hours within the last two years preceding the date of the application. EO Lum stated that staff is requesting the Subcommittee to review the language in BPC section 1940 to determine if

additional language is needed to limit the length of time for licensees to remain on an inactive status before possible remediation requirements are necessary to restore an active dental hygiene license in the interest of consumer protection.

Discussion took place among the Subcommittee regarding a reasonable amount of time a licensee may remain on inactive status before possible remediation requirements are necessary to restore an active dental hygiene license in the interest of consumer protection. It was decided that inactive California licensees currently practicing out-of-state would have different requirements to reactivate their inactive California dental hygiene license, providing documentation of current practice.

Motion: Nicolette Moultrie moved for staff to research and begin creating language for the length of time for licensees to remain on an inactive status before possible remediation requirements are necessary to restore an active dental hygiene license at five years, including language for inactive California licensees currently practicing out-of-state to reactivate their inactive California dental hygiene license providing documentation of current practice.

Second: Timothy Martinez

No further comments from the Subcommittee or public.

Vote: Motion for Staff to Research and Begin Creating Language for the Length of Time for Licensees to Remain on an Inactive Status Before Possible Remediation Requirements are Necessary to Restore an Active Dental Hygiene License at Five Years, Including Language for Inactive California Licensees Currently Practicing Out-of-State to Reactivate their Inactive California Dental Hygiene License Providing Documentation of Current Practice.

Pass. 4:0:0.

Name	Aye	Nay	Abstain
Sandra Klein	X		
Timothy Martinez	X		
Nicolette	X		
Edcelyn Pujol	X		

5. Discussion and Public Comments for Items Not on the Agenda

There were no comments from the public.

6. Future Agenda Items

There were no future agenda items.

7. Adjournment

Chair Klein adjourned the Dental Hygiene Licensing and Examination Subcommittee meeting at **11:50 a.m.**