



## **Dental Hygiene Board of California Meeting Minutes**

Saturday, November 23, 2019

### Location:

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

### **DHBC Members Present:**

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

Susan Good, President of the Dental Hygiene Board of California (DHBC, Board), called the meeting to order at 9:00 a.m. President Good advised that the meeting is being webcast. DHBC Secretary, Edcelyn Pujol, took roll call and a quorum established with nine Members present. President Good reviewed the Bagley-Keene Open Meeting Act and explained that for each action item a roll call vote will be taken.

2. Discussion and Possible Action on the Education Subcommittee Report

Edcelyn Pujol, Chairperson of the Education Subcommittee, proposed to the Full Board a motion to approve changes to language in California Code of Regulations (CCR), Title 16, section 1105.

Motion: The Educational Subcommittee moved to approve proposed language changes to 16 CCR section 1105.

Second: Noel Kelsch.

Discussion commenced regarding changes brought forth by the Educational Subcommittee with regard to proposed language within 16 CCR section 1105. The Board finalized and approved proposed language changes to 16 CCR section 1105.

***Vote: Motion to Approve Proposed Language Changes to 16 CCR section 1105. Pass. 6:3:0.***

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

Edcelyn Pujol proposed to the Full Board a motion to approve proposed draft application language for approval of new Registered Dental Hygienist in Alternative Practice (RDHAP) educational programs.

Motion: The Educational Subcommittee moved to approve proposed draft application language for approval of new Registered Dental Hygienist in Alternative Practice (RDHAP) Educational Programs.

Second: Garry Shay.

No discussion from Board or public.

***Vote: Motion to Approve Proposed Draft Application Language for Approval of New Registered Dental Hygienist in Alternative Practice (RDHAP) Educational Programs.  
Pass. 9:0:0.***

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

### 3. Discussion and Possible Action on the Legislative and Regulatory Subcommittee Report

Noel Kelsch, Chairperson of the Legislative and Regulatory Subcommittee, reported on the actions during the Legislative and Regulatory Subcommittee meeting.

DHBC Executive Officer Anthony Lum reported that the DHBC staff drafted proposed revised statutory language for the Full Board to review regarding Business and Professions Code (BPC) section 1902.3.

Motion: Garry Shay moved to adopt proposed revised statutory language for BPC section 1902.3 and direct staff to submit statutory language in the annual Omnibus

Bill sponsored by the Legislature and any substantive changes unaccepted by the Omnibus Bill, proposed changes will be sought through sponsored legislation.

Second: Timothy Martinez.

No discussion from the Full Board or public.

***Vote: Motion to Adopt Proposed Revised Statutory Language for BPC Section 1902.3 and Direct Staff to Submit Statutory Language in the Annual Omnibus Bill Sponsored by the Legislature and Any Substantive Changes Unaccepted by the Omnibus Bill, Proposed Changes will be Sought Through Sponsored Legislation.  
Pass. 9:0:0.***

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

Chairperson Kelsch reported that DHBC staff drafted proposed revised statutory language for the Full Board to review regarding BPC section 1913.

Motion: Garry Shay moved to adopt proposed revised statutory language for BPC section 1913 and direct staff to submit statutory language in the annual Omnibus Bill sponsored by the Legislature and any substantive changes unaccepted by the Omnibus Bill, proposed changes will be sought through sponsored legislation.

Second: Sandra Klein.

No discussion from the Full Board or public.

***Vote: Motion to Adopt Proposed Revised Statutory Language for BPC Section 1913 and Direct Staff to Submit Statutory Language in***

***the Annual Omnibus Bill Sponsored by the Legislature and Any Substantive Changes Unaccepted by the Omnibus Bill, Proposed Changes will be Sought Through Sponsored Legislation.  
Pass. 8:0:1.***

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

EO Lum reported that the DHBC staff drafted proposed language for the Full Board to review regarding Business and Professions Code (BPC) section 1917.

Motion: Garry Shay moved to adopt proposed revised statutory language for BPC section 1917 and direct staff to submit statutory language in the annual Omnibus Bill sponsored by the Legislature and any substantive changes unaccepted by the Omnibus Bill, proposed changes will be sought through sponsored legislation.

Second: Sandra Klein.

Discussion commenced regarding proposed statutory changes to BPC section 1917. The Full Board finalized and approved the proposed revised statutory language for BPC section 1917.

***Vote: Motion to Adopt Proposed Revised Statutory Language for BPC Section 1917 and Direct Staff to Submit Statutory Language in the Annual Omnibus Bill Sponsored by the Legislature and Any Substantive Changes Unaccepted by the Omnibus Bill, Proposed Changes will be Sought Through Sponsored Legislation.  
Pass. 9:0:0.***

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

Chairperson Kelsch reported that DHBC staff drafted proposed revised statutory language for the Full Board to review regarding BPC section 1917.1.

Motion: Garry Shay moved to adopt proposed revised statutory language for BPC section 1917.1 and direct staff to submit statutory language in the annual Omnibus Bill sponsored by the Legislature and any substantive changes unaccepted by the Omnibus Bill, proposed changes will be sought through sponsored legislation.

Second: Sandra Klein.

No discussion from the Full Board or public.

*Vote: Motion to Adopt Proposed Revised Statutory Language for BPC Section 1917.1 and Direct Staff to Submit Statutory Language in the Annual Omnibus Bill Sponsored by the Legislature and Any Substantive Changes Unaccepted by the Omnibus Bill, Proposed Changes will be Sought Through Sponsored Legislation.*

**Pass. 9:0:0.**

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Sandra Klein	X		
Timothy Martinez	X		

Name	Aye	Nay	Abstain
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward	X		

Chairperson Kelsch reported that DHBC staff drafted proposed revised statutory language for the Full Board to review regarding BPC section 1922.

Motion: Garry Shay moved to adopt proposed revised statutory language for BPC section 1922 and direct staff to submit statutory language in the annual Omnibus Bill sponsored by the Legislature and any substantive changes unaccepted by the Omnibus Bill, proposed changes will be sought through sponsored legislation.

Second: Sandra Klein.

No discussion from the Full Board or public.

*Vote: Motion to Adopt Proposed Revised Statutory Language for BPC Section 1922 and Direct Staff to Submit Statutory Language in the Annual Omnibus Bill Sponsored by the Legislature and Any Substantive Changes Unaccepted by the Omnibus Bill, Proposed Changes will be Sought Through Sponsored Legislation.*

**Pass. 9:0:0.**

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

Chairperson Kelsch reported that DHBC staff drafted proposed revised statutory language for the Full Board to review regarding BPC section 1941.

Motion: Garry Shay moved to adopt proposed revised statutory language for BPC section 1941 and direct staff to submit statutory language in the annual Omnibus Bill sponsored by the Legislature and any substantive changes unaccepted by the Omnibus Bill, proposed changes will be sought through sponsored legislation.

Second: Timothy Martinez.

Discussion commenced regarding proposed revised statutory language for BPC section 1941. The Full Board finalized and approved the proposed revised statutory language for BPC section 1941.

*Vote: Motion to Adopt Proposed Revised Statutory Language for BPC Section 1941 and Direct Staff to Submit Statutory Language in the Annual Omnibus Bill Sponsored by the Legislature and Any Substantive Changes Unaccepted by the Omnibus Bill, Proposed Changes will be Sought Through Sponsored Legislation.*

**Pass. 9:0:0.**

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

Chairperson Kelsch reported that DHBC staff drafted proposed revised statutory language for the Full Board to review regarding BPC section 1950.5.

Motion: Garry Shay moved to adopt proposed revised statutory language for BPC section 1950.5 and direct staff to submit statutory language in the annual Omnibus Bill sponsored by the Legislature and any substantive changes unaccepted by the Omnibus Bill, proposed changes will be sought through sponsored legislation.



Second: Nicolette Moultrie.

Discussion commenced regarding proposed revised statutory language for BPC section 1950.5. The Full Board finalized and approved the proposed revised statutory language for BPC section 1950.5.

*Vote: Motion to Adopt Proposed Revised Statutory Language for BPC Section 1950.5 and Direct Staff to Submit Statutory Language in the Annual Omnibus Bill Sponsored by the Legislature and Any Substantive Changes Unaccepted by the Omnibus Bill, Proposed Changes will be Sought Through Sponsored Legislation.*

**Pass. 9:0:0.**

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

Chairperson Kelsch reported that DHBC staff drafted proposed revised statutory language for the Full Board to review regarding BPC section 1951.

Motion: Garry Shay moved to adopt proposed revised statutory language for BPC section 1951 and direct staff to submit statutory language in the annual Omnibus Bill sponsored by the Legislature and any substantive changes unaccepted by the Omnibus Bill, proposed changes will be sought through sponsored legislation.

Second: Michelle Hurlbutt.

No discussion from the Full Board or public.

*Vote: Motion to Adopt Proposed Revised Statutory Language for BPC Section 1951 and Direct Staff to Submit Statutory Language in the Annual Omnibus Bill Sponsored by the Legislature and Any Substantive*

*Changes Unaccepted by the Omnibus Bill, Proposed Changes will be Sought Through Sponsored Legislation.*

**Pass. 9:0:0.**

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

Chairperson Kelsch reported that in order to implement the provisions of BPC §1941.5 to allow 16 CCR §1104.3 to move forward in the regulatory process, regulatory language and fees must be approved by the Board. She reported that DHBC staff drafted proposed draft regulatory language for 16 CCR 1104.3. Site Visits, Investigations, Cite and Fine, and Probationary Status for Dental Hygiene Educational Programs. Additionally, Chairperson Kelsch reported that staff requested the Board establish by resolution the authority to assess an administrative fine, not to exceed five thousand dollars (\$5,000), for a deficiency in any regulation or standard applicable to a Dental Hygiene Educational Program.

Motion: Garry Shay moved to adopt proposed draft regulatory language for 16 CCR 1104.3. Site Visits, Investigations, Cite and Fine, and Probationary Status for Dental Hygiene Educational Programs 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

Second: Timothy Martinez.

No discussion from the Full Board or public.

*Vote: Motion to Adopt Proposed Draft Regulatory Language for 16 CCR 1104.3. Site Visits, Investigations, Cite and Fine, and Probationary Status for Dental Hygiene Educational Programs 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.*

**Pass. 9:0:0.**

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

Motion: Garry Shay moved to adopt by resolution that the Board or their authorized representative shall have the authority to assess an administrative fine, not to exceed five thousand dollars (\$5,000), for a deficiency in any regulation or standard applicable to a Dental Hygiene Educational Program.

Second: Michelle Hurlbutt.

No discussion from the Full Board or public.

*Vote: Motion to Adopt by Resolution that the Board or Their Authorized Representative Shall Have the Authority to Assess an Administrative Fine, Not to Exceed Five Thousand Dollars (\$5,000), for a Deficiency in any Regulation or Standard Applicable to a Dental Hygiene Educational Program.*

**Pass. 9:0:0.**

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

Name	Aye	Nay	Abstain
Noel Kelsch	X		
Sandra Klein	X		
Timothy Martinez	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward	X		

Chairperson Kelsch reported that staff requested the Subcommittee to discuss and make a recommendation to the Full Board to allow DHBC staff to work with the Dental Board of California (DBC) to relocate sections of the CCR in the DBC's regulations pertaining to dental hygienists to be renumbered and relocated into the DHBC's CCR sections.

Motion: Legislative and Regulatory Subcommittee moved to allow DHBC staff to work with the Dental Board of California (DBC) to identify and relocate regulatory sections of the CCR in the DBC's regulations pertaining to dental hygienists to be renumbered and relocated into the DHBC's CCR sections.

Discussion commenced regarding allowing DHBC staff to work with the DBC to identify and relocate sections of the CCR in the DBC's regulations pertaining to dental hygienists to be renumbered and relocated into the DHBC's CCR sections.

*Vote: Motion to Allow DHBC Staff to Work with the Dental Board of California (DBC) to Identify and Relocate Regulatory Sections of the CCR in the DBC's Regulations Pertaining to Dental Hygienists to be Renumbered and Relocated into the DHBC's CCR Sections.*

**Pass. 9:0:0.**

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

Name	Aye	Nay	Abstain
<b>Edcelyn Pujol</b>	X		
<b>Garry Shay</b>	X		
<b>Evangeline Ward</b>	X		

Chairperson Kelsch reported that staff recommended to the Board to review the related forms to complete the draft of proposed regulatory amendments to 16 CCR section 1105.2, and direct staff to take all steps necessary to initiate the formal rulemaking process. Additionally, she reported that staff recommended to establish the fees to review and approve an out-of-state Dental Hygiene Educational Program (DHEP) Course in Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen (SLN) and for certification of out-of-state dental hygiene education in SLN at \$500 each to cover application processing, review, and issuance of approval.

Motion: Legislative and Regulatory Subcommittee moved for the Full Board to Approve of Forms and Fee Resolution for Out-of-State Dental Hygiene Educational Programs and Individual Applicant's Review and Approval of Training in the Procedures of Soft Tissue Curettage, Local Anesthesia Administration, and Nitrous Oxide and Oxygen Analgesia

Discussion commenced regarding proposed revised regulatory language for CCR section 1105.2.

Amended motion following discussion: Garry Shay moved to table discussion on proposed regulatory amendments to 16 CCR section 1105.2 and bring back to the Board as a future agenda item.

Second: Nicolette Moultrie.

*Vote: Motion to Table Discussion on Proposed Regulatory Amendments to 16 CCR section 1105.2 and Bring Back to the Board as a Future Agenda Item.*

**Pass. 8:0:1.**

Name	Aye	Nay	Abstain
<b>Susan Good</b>	X		
<b>Michelle Hurlbutt</b>	X		
<b>Noel Kelsch</b>	X		
<b>Sandra Klein</b>	X		
<b>Timothy Martinez</b>			X (absent)

Name	Aye	Nay	Abstain
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward	X		

#### 4. Discussion and Possible Action on the Licensing and Examination Subcommittee Report

Sandra Klein, Chairperson of the Licensing and Examination Subcommittee, reported on the actions during the Licensing and Examination Subcommittee meeting.

Chairperson Klein reported that staff requested that the Licensing and Examination 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.

Motion: The Licensing and Examination Subcommittee moved to adopt proposed revised statutory language for BPC section 1930 and direct staff to submit statutory language in the annual Omnibus Bill sponsored by the Legislature and any substantive changes unaccepted by the Omnibus Bill, proposed changes will be sought through sponsored legislation.

No Full Board or public discussion.

*Vote: Motion to Adopt Proposed Revised Statutory Language for BPC Section 1930 and Direct Staff to Submit Statutory Language in the Annual Omnibus Bill Sponsored by the Legislature and Any Substantive Changes Unaccepted by the Omnibus Bill, Proposed Changes will be Sought Through Sponsored Legislation.*

**Pass. 9:0:0.**

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

Chairperson Klein reported that staff requested the Licensing and Examination 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. She informed the Board that the Subcommittee tabled the item to allow staff to return with statistics on how other California agencies work with inactive licenses.

Motion: Evangeline Ward moved to approve the Licensing and Examination Subcommittee Report.

Second: Noel Kelsch.

*Vote: Motion to approve the Licensing and Examination Subcommittee Report.*

**Pass. 9:0:0.**

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

Name	Aye	Nay	Abstain
<b>Edcelyn Pujol</b>	X		
<b>Garry Shay</b>	X		
<b>Evangeline Ward</b>	X		

## 5. Election of New 2020 DHBC Officers

President Good conducted proceedings for election of officers.

<b>2020 Officers</b>			
Office	Name	Nominated	Second
<b>President</b>	Timothy Martinez	Michelle Hurlbutt	Garry Shay
<b>Vice President</b>	Nicolette Moultrie	Michelle Hurlbutt	Garry Shay
<b>Secretary</b>	Garry Shay	Noel Kelsch	Michelle Hurlbutt

*Vote: Motion to approve the 2020 Officers as nominated.*

**Pass. 9:0:0.**

Name	Aye	Nay	Abstain
<b>Susan Good</b>	X		
<b>Michelle Hurlbutt</b>	X		
<b>Noel Kelsch</b>	X		
<b>Sandra Klein</b>	X		
<b>Timothy Martinez</b>	X		
<b>Nicolette Moultrie</b>	X		
<b>Edcelyn Pujol</b>	X		
<b>Garry Shay</b>	X		
<b>Evangeline Ward</b>	X		



## 6. Update on 2019-2020 Legislation and Pending Regulatory Packages (Informational Only)

Dr. Adina Pineschi-Petty, DHBC Education, Legislative, and Regulatory Specialist, provided an update as to the status of 2019 Legislation of interest to the Board. Additionally, Dr. Pineschi-Petty provided an update as to the status of regulatory changes initiated by the Board with regard to 16 CCR § 1107. RDH Course in Local Anesthesia, Nitrous Oxide-Oxygen Analgesia and Periodontal Soft Tissue Curettage, 16 CCR § 1109. Approval of Curriculum Requirements for Radiographic Decision-Making and Interim Therapeutic Restoration Courses for the Registered Dental Hygienist (RDH), Registered Dental Hygienist in Alternative Practice (RDHAP), and Registered Dental Hygienist in Extended Functions (RDHEF), 16 CCR § 1115. Retired Licensure, 16 CCR § 1116. Mobile Dental Hygiene Clinics; Issuance of Approval, and 16 CCR §§ 1135 – 1137. Substantial Relationship and Rehabilitation Criteria (AB 2138).

Discussion commenced regarding the regulatory process. Jason Hurtado, Legal Counsel for DHBC, explained the timeline for regulatory package submittals. Additionally, EO Lum informed the Board that all proposals for the Legislative Omnibus Bill will be due mid-January 2020.

Dr. Martinez stated that he is in favor of SB 66 as it will increase the public's access to care.

No further discussion.

## 7. Discussion and Possible Action on Proposal for 2020 Legislative Omnibus Bill

EO Lum requested that in addition to the Statutory changes reviewed within the Legislative and Regulatory Subcommittee, he requested the Board put forth any suggestions for Legislative changes for the 2020 Omnibus Bill.

Motion: Nicolette Moultrie moved to approve submitted Omnibus changes to move forward in the Omnibus process.

Second: Edcelyn Pujol.

No further discussion or suggestions received.

*Vote: Motion to Approve Submitted Omnibus Changes to Move Forward in the Omnibus Process.*

**Pass. 9:0:0.**

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

## 8. Update on the Status of Dental Hygiene Educational Programs (Informational Only)

Dr. Pineschi-Petty provided a status update to the review of RDH educational programs conducted by DHBC staff at Sacramento City College, Diablo Valley College, Cabrillo College, and San Joaquin Valley College – Visalia.

Discussion commenced regarding requests for extensions by Dental Hygiene Educational Programs (DHEPs). The Board was advised that extensions are granted depending on severity on a case by case basis by EO Lum.

No further discussion.

## 9. Report on Licensing Statistics (Informational Only)

Traci Napper, DHBC Program Analyst, presented licensing statistics for the DHBC, as well as statistics for the Law and Ethics exam.

Discussion commenced regarding multiple attempts on the Law and Ethics exam. Multiple attempts for in-state candidates was a cause of concern for the Board. The Board discussed options for future types of the exam as well as to options to assist the student in preparation for the exam.

No further discussion.

10. Report on Enforcement Statistics (Informational Only)

Daniel Rangel, DHBC Special Investigator, presented current enforcement statistics for the DHBC. He informed the Board that the Enforcement Unit changed the way statistics were captured and explained the current process. Additionally, EO Lum informed the Board that due to passage of Assembly Bill 2138, the Board is limited to seven years with regard to considering past convictions.

Discussion commenced regarding the process to review past convictions and staff procedures with regard to probation testing.

No further discussion.

11. Discussion and Possible Action on Myofunctional Therapy: Is it Within the Dental Hygiene Scope of Practice [CCR 1088(c)(E)]?

EO Lum reported that at prior Board meeting, a member of the public requested to have myofunctional therapy placed on the agenda for the Board to discuss whether this treatment technique is within the scope of practice for dental hygienists. He reported that staff requested the Board to discuss and make a recommendation as to if ongoing myofunctional therapy treatments is within the dental hygiene scope of practice.

Motion: Susan Good moved that Myofunctional Therapy is not currently within the dental hygiene scope of practice but Myofunctional Evaluation Is.

Second: Edcelyn Pujol.

Discussion commenced amongst the Board as to whether myofunctional therapy is within the scope of practice for dental hygienists. The Board decided to table the decision as to whether myofunctional therapy is within the scope of practice for dental hygienists and refer it back to staff to research and bring back to the Board as a future agenda item.

*Vote: Motion that Myofunctional Therapy is not Currently Within the Dental Hygiene Scope of Practice but Myofunctional Evaluation Is. Fail. 4:5:0.*

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

Name	Aye	Nay	Abstain
Sandra Klein		X	
Timothy Martinez	X		
Nicolette Moultrie		X	
Edcelyn Pujol	X		
Garry Shay		X	
Evangeline Ward	X		

Motion: Noel Kelsch moved for staff to research Myofunctional Therapy with respect to Dental Hygiene and bring forward the appropriate parties and their research to the Board as a future agenda item.

Second: Michelle Hurlbutt.

*Vote: Motion for Staff to Research Myofunctional Therapy with Respect to Dental Hygiene and Bring Forward the Appropriate Parties and Their Research to the Board as a Future Agenda Item.*

**Pass. 8:1:0.**

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

## 12. Public Comment for Items Not on the Agenda

None received.

13. Future Agenda Items

Informed Consent.  
Membership and Board Representation in WREB and CRDTS.

Future Board Meetings:  
Motion: Evangeline Ward moved for the November 2020 Board Meeting to be moved to Sacramento and the July 2020 Meeting moved to Southern California.

Second: Michelle Hurlbutt.

*Vote: Motion for the November 2020 Board Meeting to be Moved to Sacramento and the July 2020 Meeting Moved to Southern California.*  
**Pass. 9:0:0.**

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

Acknowledgements for the diligent work for all Board Members serving on the Board was expressed.

14. Adjournment of the November 23, 2019 DHBC Meeting

President Good adjourned the meeting at **1:50 p.m.**