

Dental Hygiene Board of California Teleconference Meeting Minutes

Saturday, March 20, 2021

Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-25-20, dated March 12, 2020, neither a public nor teleconference location was provided. Members of the public observed and participated by using the link that was provided in the agenda.

DHBC Members Present:

President – Dr. Timothy Martinez, Public Health Dentist Member
Vice President – Nicolette Moultrie, Registered Dental Hygienist (RDH) Member
Secretary – Garry Shay, Public Member
RDH Educator Member – Dr. Carmen Dones
Registered Dental Hygienist in Alternative Practice (RDHAP) Member – Noel Kelsch
RDH Member – Evangeline Ward
Public Member – Denise Davis
Public Member – Susan Good
Public Member – Erin Yee

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
William Maguire, Department of Consumer Affairs (DCA) Legal Counsel for the DHBC
Danielle Rogers, DCA Regulatory Unit Legal Counsel for the DHBC

1. Roll Call and Establishment of a Quorum

Dr. Timothy Martinez, President of the Dental Hygiene Board of California (DHBC, Board), reviewed teleconference meeting guidelines and called the meeting to order at **10:02 a.m.** Secretary Garry Shay completed the roll call and a quorum was established with all members present.

2. Public Comment for Items Not on the Agenda.

No Comments.

3. President's Report (Informational Only).

Dr. Martinez reported his absence from the March 6, 2021 meeting and thanked Vice President Moultrie for stepping up to convene the meeting.

Dr. Martinez reported his activities including providing an update to the Dental Board at their December 4, 2020 Board meeting and participated in a DCA Sponsored President's Training on February 2, 2021.

Dr. Martinez stated that although there's been a decrease in the number of COVID-19 cases and an increase in vaccine availability, the Board wants everyone to continue to be safe and to please follow the recommended and accepted actions to inhibit the spread of the virus.

Board member comment: None

Public comment: None

4. Update from the Department of Consumer Affairs (DCA) Executive Staff on DCA Staffing and Activities (Informational Only).

Ryan Perez, Board and Bureau Relations Division of the Department of Consumer Affairs (DCA), updated the Board on current DCA activities:

- a. COVID-19:
DCA offices are open and are taking preventative measures to safeguard DCA employees. DCA is employing options such as maximizing telework to reduce the COVID risk to staff at the Boards and Bureaus under DCA.
- b. New DCA Appointments:
Governor Gavin Newsome appointed Monica Vargas as Deputy Director of Communications and Sara Murillo as Deputy Director of Administrative Services.
- c. Board Member Mandatory Trainings and Filings:
Mandatory Sexual Harassment Training is required to be completed during this calendar year and Form 700 - Statement of Economic Interest filing deadline is April 1, 2021.
- d. New 2021 DCA Services:
Executive Officer Cabinet to enhance with communication between the Boards and Bureaus, and the Enlightened Licensing Project to assist Boards and Bureaus to streamline licensing processes.

Member discussion: Ms. Kelsch questioned the DCA requirement for the additional coursework required by DCA to be completed from the California Pharmacy Association (at a cost of \$200) for the RDH to provide COVID-19 vaccinations. Ms. Kelsch requested DCA to consider the World Health Organization's (WHO) COVID-19 vaccination course (provided free of charge). Mr. Perez advised the DCA is aware of the cost concerns as well as to geographic barriers to course access and advised that DCA will be considering alternative coursework as an option for the COVID-19 vaccination waiver for RDHs.

Public comment: Dr. Michelle Hurlbutt echoed Member Kelsch’s concerns regarding restrictions placed on RDHs to provide COVID-19 vaccinations and requested DCA to consider other course providers.

5. Discussion and Possible Action to Approve the March 6, 2021 Full Board WebEx Teleconference Meeting Minutes.

Motion: Nicolette Moultrie moved to approve the amended March 6, 2021 Full Board WebEx Teleconference Meeting Minutes with the substitution of the referenced “mannequin” with “manikin” throughout the minutes.

Second: Carmen Dones.

Member discussion: Ms. Kelsch provided clarification that the correct spelling for “Mannequin” throughout the minutes is “Manikin” and requested the minutes to be corrected to show the correct spelling.

Public comment: None.

Vote: Motion to approve the amended March 6, 2021 Full Board WebEx Teleconference Meeting Minutes with the substitution of the referenced “mannequin” with “manikin” throughout the minutes. Passed 9:0:0.

Name	Aye	Nay	Abstain/Absent
Denise Davis	X		
Carmen Dones	X		
Susan Good	X		
Noel Kelsch	X		
Timothy Martinez	X		
Nicolette Moultrie	X		
Garry Shay	X		
Evangeline Ward	X		
Erin Yee	X		

6. Executive Officer's Report (Informational Only).

Executive Officer (EO) Lum reported the following:

a. COVID-19 Issues:

EO Lum reported staff continues to adapt well to teleworking with a rotational schedule to be in the office for coverage while our public counter is open with little disruption to program functions. Additionally, he reported that DCA has been doing an admiral job of keeping staff informed of COVID issues as they arise and staff continue to report any COVID-19-related issues to the department along with staff office occupancy each day.

b. Approved Waivers:

EO Lum reported that pursuant to the Governor's Executive Order N-39-20, during the State of Emergency, the DCA Director may waive any statutory or regulatory renewal requirements pertaining to individuals licensed pursuant to Division 2 of the Business and Professions Code. This Executive Order also extends to requirements related to the education and training necessary to obtain licensure.

c. Continuing Education (CE) Waivers:

EO Lum reported that any licensee who has a CE deficiency to renew their license at the time of expiration, that they have 6 months from the effective date of the waiver to complete the deficient CE hours unless the waiver is amended and extended. The original waiver began for licensee's whose licenses expired at the end of March 2020 and was extended twice. A second waiver was approved that superseded the previous waivers that addressed most of 2020 license renewal CE deficiency requirements through December 31, 2020. Another separate CE waiver (DCA 20-89) was approved for licenses that expired from January 1, 2021 – February 28, 2021 and now a third CE waiver (DCA 21-117) was recently approved for those licenses that expire from March 1, 2021 – March 31, 2021.

EO Lum reminded licensees that the approved waivers are for the CE requirement only and does not authorize a waiver of License Renewal Fees.

d. Wet Laboratories for Prerequisite Biomedical Science Courses:

EO Lum reported that the Wet Laboratory Waiver was approved to temporarily waive the in-person wet laboratory requirement for prerequisite biomedical science coursework for prospective dental hygiene students. He stated that waiver DCA 20-35 was effective as of July 13, 2020 and originally expired on September 11, 2020 unless amended and extended. EO Lum reported that subsequently, the DCA Director authorized the extension of the Wet Lab Waiver through Waiver number DCA 20-56 which extended the waiver's expiration date until December 31, 2020. The administration again extended the waiver in Waiver number DCA 20-88 to now expire on June 30, 2021. EO Lum stated that depending upon the pandemic environment and whether the educational institutions will reopen their classes, the waiver will be reevaluated closer to the deadline to determine if it's still needed.

e. **Waiver Authorizing Dental Hygienists to Administer Vaccines:**
EO Lum reported that waiver DCA 21-113 authorizes dental hygienists to administer the COVID-19 vaccines, epinephrine, or diphenhydramine, under the direct supervision of a dentist, as specified in Business and Professions Code section 1902, or under the supervision of a licensed physician and surgeon, after the completion of two required COVID trainings at this time. These supervisors must be physically onsite at the specific location for dental hygienists to administer the vaccines.

f. **Personnel:**
EO Lum reported that Board staff has been working diligently to fill vacant staff positions and as of last week filled three of four positions. These positions were mostly in Enforcement, as our previous Special Investigator and Enforcement Analyst went to other DCA programs for promotions.

EO Lum reported that after a review of our Educational and Examination programs and the specific knowledge required to properly oversee them, he determined that it was in the best interest of the Board to create a new specialist position. Dr. Adina Pineschi-Petty was hired to fill the position and will also maintain her duties as the Board's Legislative and Regulatory person.

g. **Budget:**
EO Lum reported on Budget Expenditure Report and the Fund Condition Report. He stated the overall fund is gradually decreasing because of normal operating expenses and that we haven't had a substantial fee increase in years to raise revenue (structural imbalance where the expenditures outpace the incoming revenue received). EO Lum stated that the Board has not raised license renewal fees since 2014 and at that time, the increase was projected to sustain us for about 5 years. We're well beyond that point so it may be justified to warrant a fee increase in the next couple of years.

h. **Administration:**
Office Move Update:
EO Lum reported that most of December was spent arranging movers, packing, and the physical move occurred during New Year's week. He stated staff is enjoying the additional space and the space will accommodate any future growth.

EO Activities:
EO Lum reported he attended two Dental Board meetings in December 2020 and February 2021, the Board President's Training sponsored by DCA, onboarding of our three new Board members, new Board Member Orientation Training, several other DCA Executive meetings, our office move, two March 2021 Board meetings, interviews to hire staff, and worked to obtain a sponsor for the Board's proposed legislation.

Member discussion: Discussion took place regarding fund condition and the possibility of raising licensing fees in the next few years. Staff will be researching with the assistance of the DCA budget office and will present options to the Board at a future meeting.

Additional discussion took place regarding the ability for the Board to recommend to DCA to allow RDHs the ability to utilize the WHO COVID-19 course to in addition to the course administered by the California Pharmacy Association.

Public comment: None.

7. Report from the Dental Board of California (DBC) by DBC Representative on DBC Activities (Informational Only).

DBC President Joanne Pacheco updated the Board on DBC activities:

- a. Appointments: In October 2020, Governor Gavin Newsom appointed Dr. Sonia Molina (Dentist Member) and Mark Mendoza (Public Member) to the DBC. In January 2021, the Assembly Speaker appointed Angelita Medina (Public Member).
- b. License Renewals: Transitioned to an online only renewal system beginning in July 2021 to streamline the licensing and permit renewal process.
- c. Examinations: DBC moving forward with legislation (Senate Bill 607, Roth) to eliminate practical and clinical examinations required for Registered Dental Assistants in Extended Functions (RDHEF) licensure. Instead, the practical and clinical subject matter will be encompassed in a written exam that is currently under development in the Office of Professional Examination Services (OPES).
- d. Strategic Plan: DBC voted to extend their Strategic Plan at the February 2021 meeting through 2021 to allow time to develop an updated a plan. Planning session will be in Summer and will vote to adopt the new Strategic Plan at the DBC's November 2021 meeting.
- e. Regulatory Packages: DBC had two regulatory packages become effective in 2021 related to Substantial Relationship Criteria and Citation and Fine.
- f. Dental Assisting Council: All vacancies have been filled and met in February covering examination development and validation processes.

Member discussion: None.

Public comment: None.

8. Discussion and Possible Action on Analysis from the DCA Office of Professional Examination Services (OPES) Regarding the Temporary Acceptance of Manikin-based Dental Hygiene Clinical Examinations.

EO Lum reported that at the March 6, 2021 Full Board WebEx Teleconference meeting, the Board extended the temporary acceptance of the alternative manikin-based clinical exams until August 31, 2021. He stated that due to that extension, OPES has obtained additional

information from the clinical exam administrators and will provide a presentation and exam analysis for the Board.

Heidi Lincer, PhD, Chief of OPES and Karen Okicich, MA, Research Data Supervisor for OPES, provided a presentation on OPES's review of dental hygiene clinical examinations. Dr. Lincer reported that OPES determined that 1) alternative manikin-based formats did not sufficiently assess dental hygiene psychomotor skills; 2) There is insufficient psychometric evidence available to validate manikin-based alternative formats; 3) Candidate performance on non-patient-based examinations is similar to performance on patient-based examinations, however, validity concerns related to the use of typodonts have not changed; and 4) Non-patient-based examination formats are not viable alternatives to patient-based exams at this time.

OPES Summary and Recommendations:

1. Patient-based examinations have sufficient validity, but lack standardization and have high passing rates.
2. Non patient-based examinations have better standardization, but poor validity and high passing rates.
3. Educational programs in California appear to provide high-quality training and assessment.
4. Alternative examination formats should be considered.
5. Board should consider whether a skills-based examination is necessary given the level of structured training and assessments the candidates undergo during their clinicals.

Member discussion: Discussion took place regarding the results of the review of dental hygiene clinical examinations as well as to the timeframe to implement changes to the exam if the Board decides to change examination requirements.

Public comment:

Karen Fisher, DBC EO, commented that changes to the DBC RDHEF examination requires a statute change currently in process which could be effective January 1, 2022, and that the DBC utilizes workshops in during exam development with OPES which could add time to the proposed timelines.

Dr. Michelle Hurlbutt, Program Director at West Coast University, requested clarification from OPES that if the successful passage of the National Board Exam administered by the Joint Commission on National Dental Examinations along with successful completion of a dental hygiene educational program in California would be enough to satisfy the state for a candidate to be licensed. Ms. Okicich stated that additional time and review would be necessary to determine and stated that the Board would be able to potentially consider this option during alternative pathways research.

9. Discussion and Possible Action to Extend Expiration Date of Current Strategic Plan.

EO Lum reported that in September 2016, the Board worked to complete and adopt its current strategic plan with a projected end-date of December 2021. He reported that Board staff have completed most of the goals set by the Board in 2016 but there are still a few complex issues to work on that will take additional time. EO Lum reported that the Board is additionally scheduled to undergo the Sunset Review process in 2022 where the program is evaluated by the Legislature and new mandates could arise from the process for the Board to address. He stated that as the Sunset Review process is a very involved and complex process to prepare and complete, staff will need to direct additional time and resources to address the workload. EO Lum recommended for the Board to extend the end-date of the current strategic plan for two years until December 2023 to be able to research the remaining plan goals, complete Sunset Review, and prepare to conduct the next Strategic Planning session for a new plan.

Motion: Noel Kelsch moved for the Board to approve a two-year extension of the current DHBC Strategic Plan until 2023.

Second: Denise Davis.

Member discussion: Discussion took place regarding the current strategic plan and the need for a two-year extension until 2023.

Public comment: None

Vote: Motion for the Board to approve a two-year extension of the current DHBC Strategic Plan until 2023. Passed 9:0:0.

Name	Aye	Nay	Abstain/Absent
Denise Davis	X		
Carmen Dones	X		
Susan Good	X		
Noel Kelsch	X		
Timothy Martinez	X		
Nicolette Moultrie	X		
Garry Shay	X		
Evangeline Ward	X		
Erin Yee	X		

10. Discussion and Possible Action to Create a Taskforce to Research Alternative Pathways to Dental Hygiene Licensure.

EO Lum reported that for several years, Board members have discussed potential possibilities in alternative pathways to obtain a dental hygiene license. He stated that two options mentioned included a portfolio pathway where it would eliminate the requirement for a clinical examination and be based on the student's competency as reported by the school, or to eliminate the need for a post-graduate clinical examination altogether as the schools graduate their students based upon their practice competency and instead, utilize an exit exam taken while they are still in the dental hygiene educational program where they could correct any issues prior to graduation.

EO Lum reported that due to minimal staff resources and a focus to get other Board functions operational over the years, this issue was not at the forefront of goals to be addressed as there was already an existing, reliable, and efficient licensure process in place. He stated that at the March 6, 2021 meeting, a Board member requested this issue agendaized and presented to the members at this meeting for possible action.

EO Lum recommended for the Board to assemble a task force made up of two Board members, educators, and interested stakeholders to research alternative pathways to dental hygiene licensure for consideration by the Board at a future meeting.

Motion: Noel Kelsch moved for the Board to direct the Executive Officer to assemble and create a taskforce to research alternative pathways to licensure and bring a recommendation back to the Board at a future meeting and include Board Members Noel Kelsch and Carmen Dones to act as co-chairs who will nominate additional members of the taskforce in an unspecified number in consultation with the Executive Officer and staff, with the Executive Officer to accept or reject those nominations.

Second: Nicolette Moultrie.

Member discussion: Discussion took place regarding assembly of a task force to research alternative pathways to dental hygiene licensure.

Public comment: Dr. Michelle Hurlbutt stated that in the 2016 taskforce, the Board sent an email to the educators to identify interested parties for taskforce selection and suggested the Board may wish to consider this as an option for selection of the current taskforce.

Vote: Motion for the Board to direct the Executive Officer to assemble and create a taskforce to research alternative pathways to licensure and bring a recommendation back to the Board at a future meeting and include Board Members Noel Kelsch and Carmen Dones to act as co-chairs who will nominate additional members of the taskforce in an unspecified number in consultation with the Executive Officer and staff, with the Executive Officer to accept or reject those nominations. Passed 9:0:0.

Name	Aye	Nay	Abstain/Absent
Denise Davis	X		
Carmen Dones	X		
Susan Good	X		
Noel Kelsch	X		
Timothy Martinez	X		
Nicolette Moultrie	X		
Garry Shay	X		
Evangeline Ward	X		
Erin Yee	X		

11. Discussion and Possible Action on Proposed Amended Regulatory Package: 16 CCR 1107: RDH Course in Periodontal Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen Analgesia (SLN).

Dr. Adina Petty reported that on February 16, 2021 the Board received comments from the Office of Administrative Law (OAL) on the Board’s proposed regulations requesting substantive changes that require the Board’s approval. Dr. Petty informed the Board of all OAL changes, requested for the Board to consider and approve the changes for proposed amendments to California Code of Regulations (CCR), Title 16, section 1107, and requested for the Board to direct staff to take all steps necessary to complete the rulemaking process, authorize the Executive Officer to make any non-substantive changes to the proposed regulation, and adopt the proposed text to 16 CCR section 1107.

Motion: Carmen Dones moved for the Board to approve the Board’s proposed amended regulation and associated forms for 16 CCR 1107 and direct staff to take all steps necessary to complete the rulemaking process, authorize the Executive Officer to make any non-substantive changes to the proposed regulation, and adopt the proposed text to 16 CCR section 1107.

Second: Evangeline Ward

Member discussion: None.

Public comment: None.

Vote: Motion for the Board to approve the Board’s proposed amended regulation and associated forms for 16 CCR 1107 and direct staff to take all steps necessary to complete the rulemaking process, authorize the Executive Officer to make any non-

substantive changes to the proposed regulation, and adopt the proposed text to 16 CCR Section 1107. Passed 9:0:0.

Name	Aye	Nay	Abstain/Absent
Denise Davis	X		
Carmen Dones	X		
Susan Good	X		
Noel Kelsch	X		
Timothy Martinez	X		
Nicolette Moultrie	X		
Garry Shay	X		
Evangeline Ward	X		
Erin Yee	X		

**12. Discussion and Possible Action on Proposed Amended Regulatory Package
Language: 16 CCR 1123: Dental Hygiene Clinical Examinations; Passing Scores.**

Dr. Adina Petty reported that at the Board’s November 21, 2020 Full Board WebEx Teleconference meeting, the regulatory proposal was presented to the Board for its review and approval to establish language for passing scores in clinical examinations. The Board approved the proposed language and delegated authority to the Board’s executive officer to make any technical, non-substantive changes, if necessary. Dr. Petty stated that after consultation with Board counsel and the Office of Professional Examination Services at the Department of Consumer Affairs, substantive changes were made to the proposed language to provide for additional clarity as to the definition of criterion-referenced passing scores. Dr. Petty requested the Board to review the proposed amended language, determine whether additional information or language is required, complete the draft of proposed regulatory language, and direct staff to take all steps necessary to continue the formal rulemaking process.

Motion: Nicolette Moultrie moved for the Board to approve the Board’s proposed amended language and direct staff to take all steps necessary to continue 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 section 1123.)

Second: Carmen Dones

Member discussion: None.

Public comment: None.

Vote: Motion for the Board to approve the Board’s proposed amended language and direct staff to take all steps necessary to continue 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 section 1123.) Passed 9:0:0.

Name	Aye	Nay	Abstain/Absent
Denise Davis	X		
Carmen Dones	X		
Susan Good	X		
Noel Kelsch	X		
Timothy Martinez	X		
Nicolette Moultrie	X		
Garry Shay	X		
Evangeline Ward	X		
Erin Yee	X		

13. Regulatory Update: Status of Dental Hygiene Board of California Regulatory Packages (Informational Only).

Dr. Adina Petty reported the current status as to DHBC proposed regulatory packages in process for the Board.

Member discussion: Discussion took place regarding the status of 16 CCR section 1116 (Mobile Dental Hygiene Clinics). Dr. Petty reported that 16 CCR section 1116 until the Board can obtain statutory authority for inspections.

Public comment: None.

14. Discussion and Possible Action on the Following Legislation:

a. DHBC 2021 Legislation Update.

i. Senate Bill (SB) 534 (Jones).

EO Lum presented that the Board was able to obtain an author, Senator Brian Jones, for the DHBC's proposed statutory amendments and thanked the California Dental Hygienists' Association (CDHA) for agreeing to co-sponsor the bill along with thanks to contributors JoAnn Galliano, Jennifer Tannehill, and Darla Dale, CDHA President.

ii. Revised Business and Professions Code section 1902.3: Special Permits.

EO Lum reported that at the November 22, 2019 Board meeting, the Board voted to have Special Permits issued under Business and Professions Code (BPC) section 1902.3 be valid for a maximum of five years, then terminate. He stated that in pursuing a legislative sponsor to carry the language and further research into this code section (BPC 1902.3(e), it was discovered that in BPC section 1944(k), a Special Permit biennial renewal fee was already established for the Board to charge a renewal fee after two years. With the approved draft language indicating that the Special Permit is valid for five years, this odd number of years does not coincide with the biennial renewal fee (renewed after two years for an additional two years, then terminate equaling four years). The intent of this permit was to allow an out-of-state licensee to obtain a temporary teaching position in CA, so reducing it by one year should not substantially impact its use.

EO Lum reported that with time being short to get the draft language into legislation due to deadlines, he revised the Special Permit duration from five years to four to coincide with the existing Special Permit biennial renewal fee and would request the Board to approve this revision to the language after submission. Although not within his normal authority to make modifications to legislation, and because of the very short deadline to submit draft language to the author's office, EO Lum thought it was in the best interest of the Board to revise it and request approval of the revision at the March 20, 2021 meeting.

EO Lum recommended approval of the revision to BPC section 1902.3 to have the duration of a Special Permit issued by the Board reduced to four years instead of five.

Motion: Susan Good moved for the Board to approve the revision in BPC section 1902.3 to change the Special Permit maximum duration from five years to four years to coincide with the biennial renewal fee that is currently exists in law – BPC section 1944(k.)

Second: Nicolette Moultrie

Member discussion: None

Public comment: None.

Vote: Motion for the Board to approve the revision in BPC section 1902.3 to change the Special Permit maximum duration from five years to four years to coincide with the biennial renewal fee that is currently exists in law – BPC section 1944(k). Passed 8:0:1.

Name	Aye	Nay	Abstain/Absent
Denise Davis	X		
Carmen Dones	X		
Susan Good	X		
Noel Kelsch	X		
Timothy Martinez	X		
Nicolette Moultrie	X		
Garry Shay	X		
Evangeline Ward	X		
Erin Yee			X (Not Present)

b. Bills of Concern to the DHBC:

Dr. Adina Petty reported the updated status as to proposed legislative packages currently in progress of concern for the Board which included:

Legislation	DHBC Position
AB 29 (Cooper): State bodies: meetings.	<i>Staff Recommended: Oppose unless Amended</i>
AB 54 (Kiley): COVID-19 emergency order violation: license revocation.	<i>Staff Recommended: Oppose unless Amended</i>
AB 107 (Salas): Licensure: veterans and military spouses. Susan Good requested an explanation to be included in the letter to identify as to how the Board would like the bill amended by further defining required documentation and consideration of the Board’s required Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen Analgesia Expanded Functions education course requirement for clarity.	<i>Staff Recommended: Oppose unless Amended</i> Susan Good: Oppose unless Amended with Edits Second: Evangeline Ward
AB 339 (Lee): State and local government: open meetings.	<i>Staff Recommended: Oppose unless Amended</i>
AB 526 (Wood): Dentists: clinical laboratories: vaccines.	<i>Staff Recommended: Watch</i>
AB 646 (Low): Department of Consumer Affairs: boards: expunged convictions.	<i>Staff Recommended: Watch</i>
AB 657 (Bonta): State civil service system: personal services contracts: professionals.	<i>Staff Recommended: Oppose unless Amended</i>

Legislation	DHBC Position
Susan Good requested an explanation to be included in the letter to identify as to how the Board would like the bill amended to include exclusion of the DHBC from the bill.	Susan Good: Oppose unless Amended with Edits Second: Evangeline Ward
AB 733 (Chiu): Dental hygienists: registered dental hygienist in alternative practice.	<i>Staff Recommended: Support</i>
AB 858 (Jones-Sawyer): Employment: health information technology: clinical practice guidelines: worker rights.	<i>Staff Recommended: Watch</i>
AB 927 (Medina): Public postsecondary education: community colleges: statewide baccalaureate degree pilot program.	<i>Staff Recommended: Watch Noel Kelsch: Support Second: Denise Davis</i>
SB 534 (Jones): Dental Hygienists.	<i>Staff Recommended: Support</i>
SB 772 (Ochoa Bogh): Professions and vocations: citations: minor violations.	<i>Staff Recommended: Watch</i>

Motion: Garry Shay moved for the Board to approve the Board's positions as amended.

Second: Noel Kelsch

Member discussion: Discussion took place regarding the Board's positions on Assembly Bill (AB) 29, AB54, AB107, AB339, AB526, AB646, AB657, AB733, AB858, AB927, Senate Bill (SB) 534, and SB772.

Public comment:

Lisa Kamibayashi recommended for the Board to support AB 927.

Maureen Titus stated that CDHA recommends supporting AB 927.

Board Member Positions: A=Aye N=Nay AB=Abstain

Member	AB29 Oppose unless Amended	AB54 Oppose unless Amended	AB107 Oppose unless Amended with Edits	AB339 Oppose unless Amended	AB526 Watch	AB646 Watch	AB657 Oppose unless Amended with Edits	AB733 Support	AB858 Watch	AB927 Support	SB534 Support	SB772 Watch
Denise Davis	A	A	A	A	A	A	A	A	A	A	A	A
Carmen Dones	A	A	A	A	A	A	A	A	A	A	A	A
Susan Good	A	A	A	A	A	A	A	A	A	A	A	A
Noel Kelsch	A	A	A	A	A	A	A	A	A	A	A	A
Timothy Martinez	A	A	A	A	A	A	A	A	A	A	A	A
Nicolette Moultrie	A	A	A	A	A	A	A	A	A	A	A	A
Garry Shay	A	A	A	A	A	A	A	A	A	A	A	A
Evangeline Ward	A	A	A	A	A	A	A	A	A	A	A	A
Erin Yee	A	A	A	A	A	A	A	A	A	A	A	A
P = Pass F = Fail	P	P	P	P	P	P	P	P	P	P	P	P

Vote: Motion for the Board to approve the Board’s positions as amended. Passed 9:0:0.

Name	Aye	Nay	Abstain/Absent
Denise Davis	X		
Carmen Dones	X		
Susan Good	X		
Noel Kelsch	X		
Timothy Martinez	X		
Nicolette Moultrie	X		
Garry Shay	X		
Evangeline Ward	X		
Erin Yee	X		

15. Education Update (Informational Only).

Dr. Adina Petty reported the current status of Dental Hygiene Educational Program (DHEP) compliance at Cypress College, Carrington College-San Jose, Carrington College-Sacramento, Shasta College, and the University of Southern California. Additionally, she updated the Board on the current Site Visit schedule for upcoming program reviews.

Member discussion: Discussion took place regarding the current status of DHEP compliance as well as the plans for future site visits to DHEPs.

Public comment: None.

16. Enforcement Update: Statistics Report (Informational Only).

Assistant Executive Officer (AEO) Elizabeth Elias reported that the Enforcement Unit has undergone changes since the last Board meeting. She stated that Matthew Gonzalez joined the Board as the Citation and Fine Analyst, Marsha Boykin joined the Board as the Enforcement Analyst, and welcomed back Albert Law who was the Board’s former probation monitor and now appointed as the Special Investigator.

AEO Elias stated that management acknowledged Brittany Elliott, Probation Monitor, who has gone above and beyond assisting with tasks on other desks within the Enforcement Unit, all while maintaining her own role and responsibilities.

AEO Elias reported current enforcement statistics for the Board as to current Board investigations and licensee probation status.

Member discussion: None.

Public comment: None.

17. Licensing, Continuing Education Audits and Examination Update: Statistical Reports (Informational Only).

Traci Napper, DHBC Program Analyst, provided overall licensing statistics as of February 10, 2021 and RDH and RDHAP written law and ethics exam statistics for November 05, 2020 – February 10, 2021.

Member discussion: None.

Public comment: None.

AEO Elias reported that the Board established a goal in the DHCC's 2017-2021 Strategic Plan to create and implement a continuing education (CE) compliance program to verify licensee's completion of the CE requirements for license renewal in order to protect the public. She stated that in an effort to accomplish that goal, in August of 2020 the Board hired a full-time dedicated CE Analyst who has randomly contacted 334 licenses to begin the CE audit process. She reported that to date, the CE Analyst completed 257 audits and the results of the audits completed identified a 41% failure rate.

AEO Elias stated the CE deficiencies identified in the failed audits include: insufficient CE hours completed, failure to respond to the audit, failure to complete mandatory CE coursework, providing CE certificates of completion with invalid CE providers and other issues. Some licensees may have several deficiencies discovered through the audit. She stated that licensees who fail a CE audit may be subject to an administrative citation and fine or disciplinary action which may result in but is not limited to probation or revocation of licensure.

Member discussion: Discussion took place regarding the current status of continuing education audits. Noel Kelsch requested the Board to possibly include information in a future newsletter.

Public comment: Maureen Titus requested to allow CDHA to use the continuing education audit statistics to disseminate to CDHA members. EO Lum stated that as the Board data presented at this meeting is public information and would be allowed to be use by CDHA.

18. Future Agenda Items.

1. Clarification of Wet Lab requirements/status (Board Member Carmen Dones and Public comment Lisa Kamibayashi).
2. Regulation status for SB 653 from 2020 Legislation (Maureen Titus).

19. Closed Session

A closed session was held for this meeting.

20. Adjournment

Meeting was adjourned at **4:47 p.m.**