

DHBC

Dental Hygiene
Board of California

Saturday, November 16, 2024
DHBC Board Meeting Materials



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

DHBC MEETING AGENDA

The DHBC welcomes and encourages public participation in its meetings. The public may take appropriate opportunities to comment on any issue before the Board at the time the item is heard.

Meeting Date and Time

Saturday, November 16, 2024
9:00 am until Adjournment

The DHBC will conduct the meeting in person, via WebEx teleconference for interaction, and Webcast viewing through the DCA portal listed below.

In Person Meeting Location

DHBC Headquarters Building
2005 Evergreen Street, 1st Floor Hearing Room
Sacramento, CA 95815

Instructions for WebEx Meeting Participation

The preferred audio connection is via telephone conference and not the microphone and speakers on your computer. The phone number and access code will be provided as part of your connection to the meeting. Please see the instructions attached hereto to observe and participate in the meeting using WebEx from a Microsoft Windows-based PC. Members of the public may, but are not obligated to, provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make a public comment. Participants who choose not to provide their email address may utilize a fictitious email address in the following sample format:
XXXXX@mailinator.com.

For all those who wish to participate or observe the meeting, please log on to the website below. If the hyperlink does not work when clicked on, you may need to highlight the entire hyperlink, then right click. When the popup window opens, click on "Open Hyperlink" to activate it, and join the meeting.

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=me36f838bcab6bfd39becedb7101f1ed3>

If joining using the link above:

Webinar number: 2483 107 1143

Webinar password: DHBC1116

If joining by phone:

+1-415-655-0001 US Toll

Access code: 2483 107 1143

Passcode: 34221116

The meeting will be webcast, provided there are no unforeseen technical difficulties or limitations. To view the webcast, please visit [Live Webcasts – Department of Consumer Affairs \(thedcapage.blog\)](#). The meeting will not be cancelled if webcast is not available. Meeting adjournment may not be webcast if it is the only item that occurs after a closed session.

Members of the Board

President - Dr. Carmen Dones, RDH Educator Member
Vice President - Sonia “Pat” Hansen, RDH Member
Secretary - Naleni “Lolly” Tribble-Agarwal, RDH Member
RDHAP Member – Michael Long
Dentist Member – Dr. Sridevi Ponnala
Public Member - Sherman King
Public Member – Dr. Justin Matthews
Public Member - VACANT
Public Member - VACANT

**The DHBC welcomes and encourages public participation in its meetings.
Please see public comment specifics at the end of this agenda.**

The DHBC may act on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice.

Agenda

1. Roll Call & Establishment of Quorum.
2. Public Comment for Items Not on the Agenda.
[The DHBC may not discuss or act 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 sections 11125 & 11125.7(a).]

3. President's Report.
4. Update from the Department of Consumer Affairs (DCA) Executive Staff.
5. Update from the Dental Board of California (DBC).
6. Discussion and Possible Action to Approve the July 19, 2024, Full Board Meeting Minutes.
7. Discussion and Possible Action to Approve the July 20, 2024, Full Board Meeting Minutes.
8. Dental Hygiene Board of California Election of Officers.
9. Future Dental Hygiene Board of California Meetings for 2025 and 2026.
10. Executive Officer's Report.
 - Personnel.
 - Budget.
 - Administration – EO Updates.
 - Presentation – Dental Hygiene Educational Program Review Process.
11. Discussion and Possible Action to Amend California Code of Regulations, Title 16, Sections 1104.2, 1104.3, 1105.4, 1107, 1108, and 1109 Regarding the Dental Hygiene Educational Program's "Appeals Processes."
12. Discussion and Possible Action on Education Committee Report and Recommendation(s).
13. Discussion and Possible Action on Legislative and Regulatory Committee Report and Recommendation(s).
14. Enforcement Update: Statistical Report.
15. Licensing, Continuing Education Audits, and Examination Update: Statistical Reports.
16. Discussion and Possible Action Regarding Oromyofunctional Therapy and its Use in the Dental Hygiene Profession.
17. Future Agenda Items.

<<Recess to Reconvene the Full Board for Closed Session>>

18. Closed Session – Full Board

- a) Pursuant to Government Code section 11126(a)(1), the Board will Conduct an Evaluation of Performance of the Executive Officer.
- b) Pursuant to Government Code Section 11126(c)(3), the Board will Deliberate on Disciplinary Actions and Decisions to be Reached in Administrative Procedure Act Proceedings. If there are no disciplinary actions and decisions to be addressed, it will be announced.

<<Return to Open Session>>

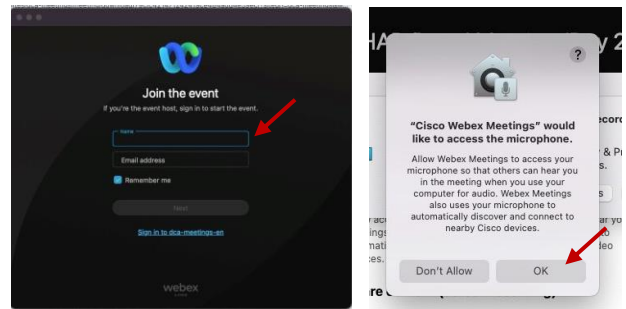
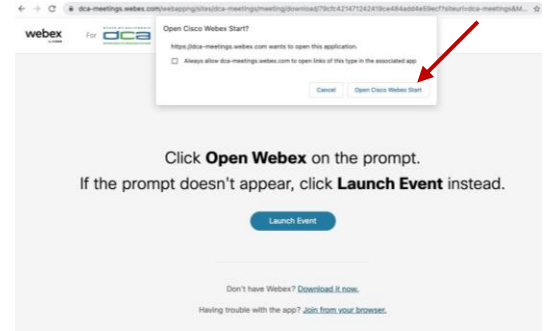
19. Adjournment.

Public comments will be taken on the agenda items at the time the specified item is raised. Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting [Government Code sections 11125, 11125.7(a).]

A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting the DHBC at 916-263-1978, via email at dhbcinfo@dca.ca.gov, or by sending a written request to 2005 Evergreen Street, Suite 1350, Sacramento, CA 95815. Providing your request at least five business days prior to the meeting will help to ensure availability of the requested accommodation.

If joining using the meeting link

- 1 Click on the meeting link. This can be found in the meeting notice you received.
- 2 If you have not previously used Webex on your device, your web browser may ask if you want to open Webex. Click "Open Cisco Webex Start" or "Open Webex", whichever option is presented. DO NOT click "Join from your browser", as you will not be able to participate during the meeting.
- 3 Enter your name and email address*. Click "Join as a guest". Accept any request for permission to use your microphone and/or camera.

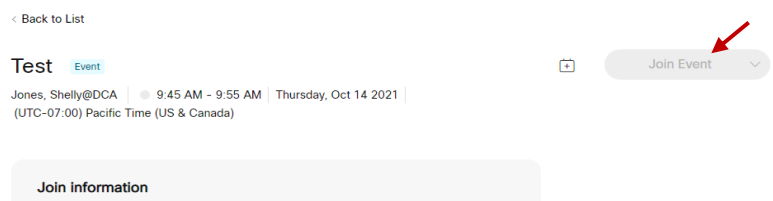
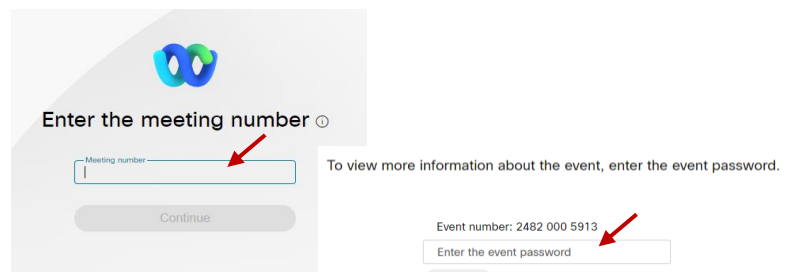
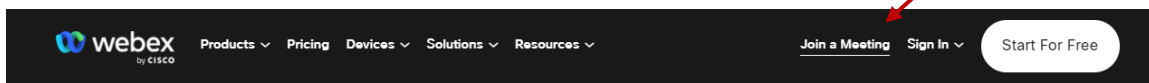


* Members of the public are not obligated to provide their name or personal information and may provide a unique identifier such as their initials or another alternative, and a fictitious email address like in the following sample format: XXXXX@mailinator.com.

OR

If joining from Webex.com

- 1 Click on "Join a Meeting" at the top of the Webex window.
- 2 Enter the meeting/event number and click "Continue". Enter the event password and click "OK". This can be found in the meeting notice you received.
- 3 The meeting information will be displayed. Click "Join Event".



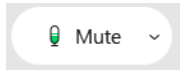
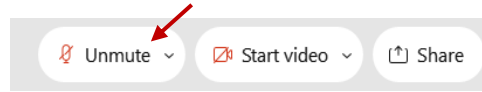
OR

Connect via telephone*:

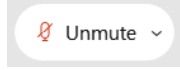
You may also join the meeting by calling in using the phone number, access code, and passcode provided in the meeting notice.

Microphone

Microphone control (mute/unmute button) is located on the command row.

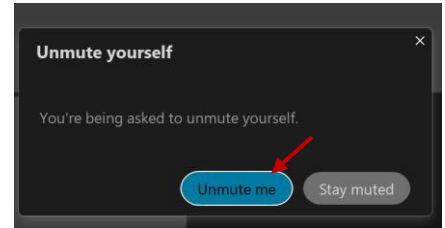


Green microphone = Unmuted: People in the meeting can hear you.



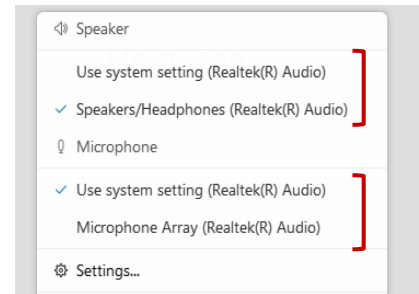
Red microphone = Muted: No one in the meeting can hear you.

Note: Only panelists can mute/unmute their own microphones. Attendees will remain muted unless the moderator enables their microphone at which time the attendee will be provided the ability to unmute their microphone by clicking on "Unmute Me".



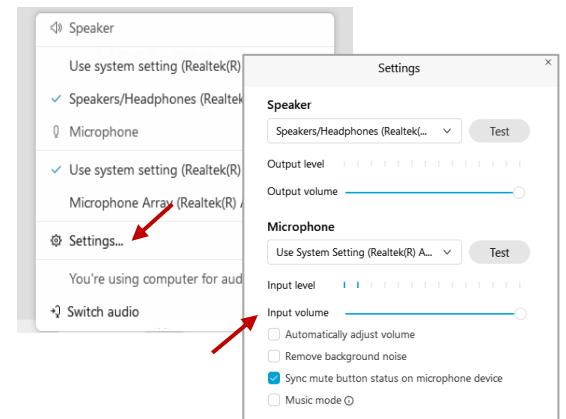
If you cannot hear or be heard

- 1 Click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window, select a different:
 - Microphone option if participants can't hear you.
 - Speaker option if you can't hear participants.



If your microphone volume is too low or too high

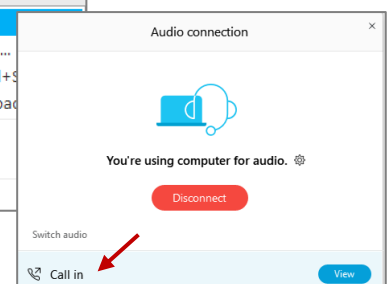
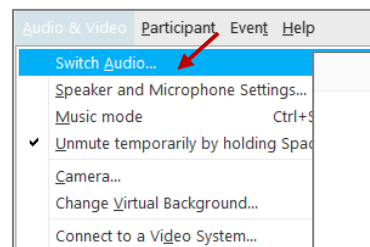
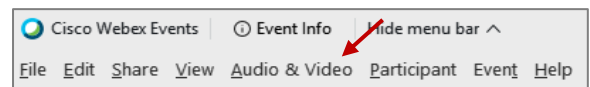
- 1 Locate the command row – click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window:
 - Click on "Settings...":
 - Drag the "Input Volume" located under microphone settings to adjust your volume.



Audio Connectivity Issues

If you are connected by computer or tablet and you have audio issues or no microphone/speakers, you can link your phone through Webex. Your phone will then become your audio source during the meeting.

- 1 Click on "Audio & Video" from the menu bar.
- 2 Select "Switch Audio" from the drop-down menu.
- 3 Select the "Call In" option and following the directions.



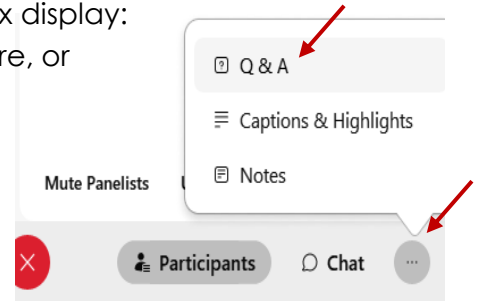
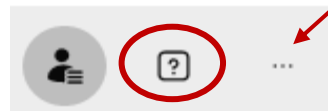
The question-and-answer (Q&A) and hand raise features are utilized for public comments.

NOTE: This feature is not accessible to those joining the meeting via telephone.

Q&A Feature

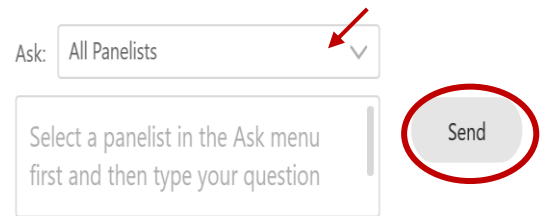
1 Access the Q&A panel at the bottom right of the Webex display:

- Click on the icon that looks like a “?” inside of a square, or
- Click on the 3 dots and select “Q&A”.



2 In the text box:

- Select “All Panelists” in the dropdown menu,
- Type your question/comment into the text box, and
- Click “Send”.



OR

Hand Raise Feature

- 1
- Hovering over your own name.
 - Clicking the hand icon that appears next to your name.
 - Repeat this process to lower your hand.

If connected via telephone:

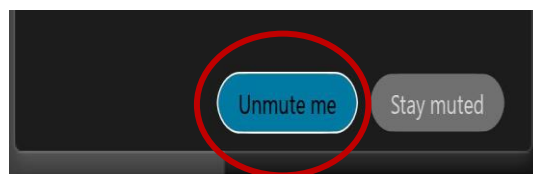
- Utilize the raise hand feature by pressing *3 to raise your hand.
- Repeat this process to lower your hand.

Unmuting Your Microphone



The moderator will call you by name and indicate a request has been sent to unmute your microphone. Upon hearing this prompt:

- Click the **Unmute me** button on the pop-up box that appears.

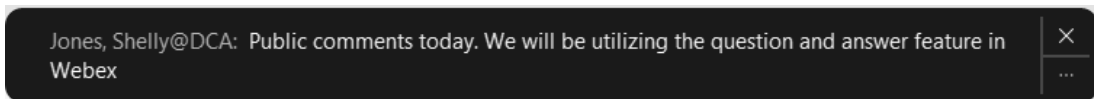


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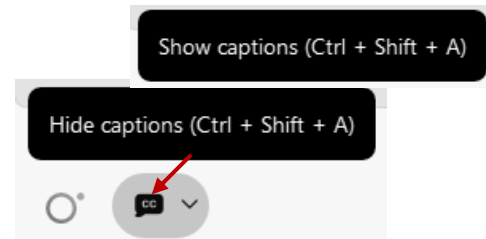
If connected via telephone:

- Press *3 to unmute your microphone.

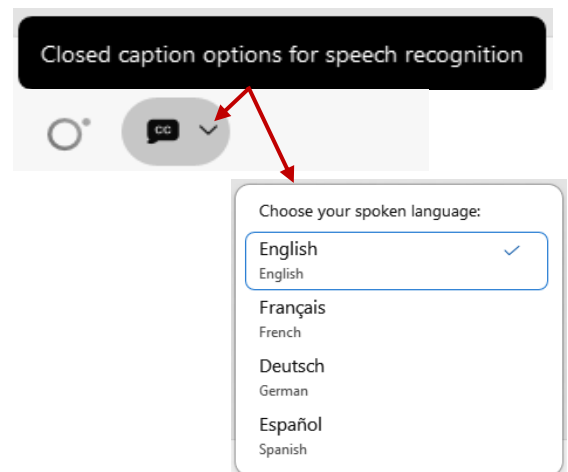
Webex provides real-time closed captioning displayed in a dialog box on your screen. The captioning box can be moved by clicking on the box and dragging it to another location on your screen.



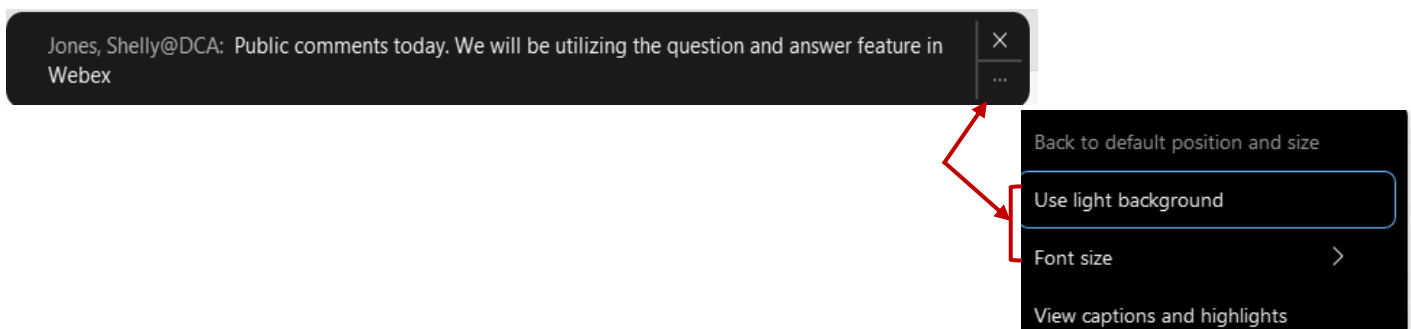
The closed captioning can be hidden from view by clicking on the closed captioning icon. You can repeat this action to unhide the dialog box.



You can select the language to be displayed by clicking the drop-down arrow next to the closed captioning icon.



You can view the closed captioning dialog box with a light or dark background or change the font size by clicking the 3 dots on the right side of the dialog box.





Member	Present	Absent
Carmen Dones		
Sonia "Pat" Hansen		
Sherman King		
Michael Long		
Justin Matthews		
Sridevi Ponnala		
Naleni "Lolly" Tribble-Agarwal		

Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 1.

Roll Call & Establishment of Quorum.

Board Secretary to call the Roll.



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 2.

Public Comment for Items Not on the Agenda.

[The Board may not discuss or act 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 Sections 11125 & 11125.7(a).]



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 3.

President's Report.



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 4.

**Update from the Department of Consumer Affairs (DCA)
Executive Staff.**



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 5.

Update from the Dental Board of California (DBC).



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 6.

**Discussion and Possible Action to Approve the
July 19, 2024, Full Board, Education Committee, and
Legislative and Regulatory Committee Minutes.**



Dental Hygiene Board of California Meeting Minutes

DRAFT

Friday, July 19, 2024

Department of Consumer Affairs
1625 North Market Blvd.
HQ1 Hearing Room, 1st Fl.
Sacramento, CA 95834

DHBC Members Present:

President – Dr. Carmen Dones, Registered Dental Hygienist (RDH) Educator Member
Registered Dental Hygienist in Alternative Practice (RDHAP) Member – Michael Long
Public Member – Sherman King
Public Member – Dr. Justin Matthews
Public Member – Vacant
Public Member – Vacant

DHBC Staff Present:

Albert Law, Assistant Executive Officer
Traci Napper, Licensing Manager
Adina A. Pineschi-Petty, Doctor of Dental Surgery (DDS), Education, Legislative, and
Regulatory Specialist
Crystal Yuyama, Administrative Analyst
Yuping Lin, Department of Consumer Affairs (DCA) Legal Counsel for the DHBC
Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel for the DHBC (via WebEx)

DHBC Members Absent:

Vice President – Sonia “Pat” Hansen, RDH Member
Secretary – Naleni “Lolly” Tribble-Agarwal, RDH Member
Public Health Dentist Member – Sridevi Ponnala

DHBC Staff Absent:

Anthony Lum, Executive Officer

1. FULL Board Agenda Item 1: Roll Call and Establishment of a Quorum

Dr. Carmen Dones, President of the Dental Hygiene Board of California (DHBC, Board), reviewed meeting guidelines and called the meeting to order at **9:13 a.m.** Board Staff Crystal Yuyama completed the roll call; however, a quorum was not established as only four (4) members were present. Board Vice President Sonia “Pat” Hansen, Board Secretary Naleni “Lolly” Tribble-Agarwal, Board Member Dr. Sridevi Ponnala, and Executive Officer Anthony Lum were absent and excused.

2. FULL BOARD Agenda Item 2: Public Comment for Items Not on the Agenda.

Board Member comment: None.

Public comment: None.

3. FULL Agenda Item 3: Discussion and Possible Action for Finalization of the DHBC 2024-2028 Strategic Plan.

Because a quorum was not established, “Agenda Item 3: Discussion and Possible Action for Finalization of the DHBC 2024-2028 Strategic Plan” was tabled until the Board’s November 2024 meeting.

4. FULL Agenda Item 4: DCA Office of Professional Examination Services (OPES) DHBC Law and Ethics Examination Presentation.

Karen Okicich, MA, Research Data Supervisor, and Shana Larrucea, Research Data Specialist from the Department of Consumer Affairs (DCA) Office of Professional Examination Services (OPES) provided a presentation on “Occupational Analysis, Examination Development, and National Review” to the Board. The presentation provided the background and overview of the DHBC Law and Ethics exam development.

Board Member comment: President Dones thanked Ms. Okicich and Ms. Larrucea for the very thorough report and their work for the DHBC.

Public comment: Dr. Adina Petty acknowledged Ms. Larrucea’s skill and professionalism and thanked her for her diligent work on the DHBC Law and Ethics exam.

5. FULL Agenda Item 5: Adjournment to Committee Meetings.

President Dones adjourned the Full Board meeting at **9:40 a.m.**

6. FULL Agenda Item 6: Education Committee Meeting.

7. EDUCATION COMMITTEE Agenda Item 1: Roll Call & Establishment of Quorum.

Dr. Carmen Dones, Education Committee Chair, called the Education Committee to order at **9:49 a.m.**, completed the roll call, and a quorum was established with four (4) members present.

8. EDUCATION COMMITTEE Agenda Item 2: Public Comment for Items Not on the Agenda.

Committee Member comment: None.

Public comment: None.

9. EDUCATION COMMITTEE Agenda Item 3: Discussion and Possible Action on the Status of the Pasadena City College Dental Hygiene Educational Program.

Dr. Adina Petty stated that Board staff conducted a site visit on October 12, 2022 of the Pasadena City College Dental Hygiene Educational Program (PCC), and that evidence of program compliance with the minimum Dental Hygiene Educational Program (DHEP) standards set by the California Code of Regulations (CCR) and the Commission on Dental Accreditation of the American Dental Association (CODA) was deficient.

Dr. Petty provided the history of actions and documentation provided by PCC regarding compliance with Board directives related to: 1) the Board's action on October 26, 2023 requiring PCC to send a biannual [every six (6) months] update to on plans for permanent facility compliance for future classes (beginning on May 1, 2024) to ensure progress towards compliance of the law; and 2) the Board's action on March 23, 2024 placing PCC on probation for two (2) years with quarterly reporting requirements (issuing a "stay" of the citation pending documentation from PCC that provides proof the citation would hinder PCC's ability to receive funding).

Motion: Michael Long moved for the Education Committee to recommend to the Full Board to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm placing PCC on probation for two years with quarterly reporting requirements due to non-compliance of the law, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Failure to comply with the mandates set by the Board could result in further Board action, including withdrawing the Board's approval of PCC.

Second: Justin Matthews.

Committee Member discussion: A robust discussion took place regarding the status of PCC's citation and probation status.

Public comment: Dr. Micah Young, PCC Dean of Health Sciences, and Adrine Reganian, PCC DHEP Program Director, reported to the Board on PCC's actions addressing the Board's directives. Dr. Young reported on the status of funding opportunities for PCC to address the clinic facilities, as well as restating the citation, if issued by the Board, may affect the funding opportunities. Ms. Reganian reported the current clinic operations and capacity, and stated the changes have not impacted PCC's DHEP outcomes. She thanked the Board for helping PCC's district understand the significance of making sure that the clinical facilities maintains its compliance with state regulatory standards.

Vote: Motion for the Education Committee to recommend to the Full Board to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm placing PCC on probation for two years with quarterly reporting requirements due to non-compliance of the law, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Failure to comply with the mandates set by the Board could result in further Board action, including withdrawing the Board’s approval of PCC. Passed 4:0:1.

Name	Aye	Nay	Abstain/Absent
Carmen Dones, Chair	X		
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Naleni “Lolly” Tribble-Agarwal			Absent

10. EDUCATION COMMITTEE Agenda Item 4: Discussion and Possible Action on the Status of the Taft College Dental Hygiene Educational Program.

Dr. Adina Petty stated that Board staff conducted a site visit at the Taft College Dental Hygiene Educational Program (Taft) on February 21 - 22, 2024, and that evidence of program compliance with the minimum DHEP standards set by the Business and Professions Code (BPC), the CCR, and CODA was deficient.

Dr. Petty provided the history of actions and documentation provided by Taft regarding compliance with directives related to the Board’s action on March 23, 2024 placing Taft on probation for three (3) years with quarterly reporting requirements (issuing a “stay” of the citation pending documentation from Taft that provides proof the citation would hinder Taft’s ability to receive funding).

Additionally, Dr. Petty informed the Board that on May 13-14, 2024, Board staff conducted a limited site visit to check progress of Taft towards compliance of their violations. After a review of student files, the current Taft graduating class has completed all DHBC, CODA, and Taft requirements for graduation, and that the remaining violations discovered during the February 21 - 22, 2024 site visit are in temporary compliance with a due date of September 1, 2024 for Taft to come into full compliance.

Motion: Justin Matthews moved for the Education Committee to recommend to the Full Board to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm the fine of \$2,000 (\$1,000 for the years of 2022 and 2023 of graduating classes who did not meet minimum Taft requirements pursuant to the law), and placing Taft on a three-year probation period with quarterly reporting requirements identifying corrective

measures where the program will be reassessed, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Additionally, during the probation period, Taft may experience announced and unannounced site visits from Board staff to check on their progress toward compliance.

Second: Sherman King.

Committee Member discussion: A robust discussion took place regarding the status of PCC’s citation and probation status.

Public comment: Dr. Devin Daugherty, Taft College Dean of Instruction and Career Technical Education, and Gina Gardner, Taft College DHEP Interim Director, reported to the Board the violation corrections due in September of 2024 are currently rectified and that the current class is meeting Taft graduation requirements. Dr. Daugherty stated the initial discrepancy regarding competency definitions have been rectified as well.

Ms. Gardner stated she felt the students from the 2022 and 2023 graduating classes were competent, but there was a discrepancy in tracking student progress. She stated Taft implemented a new software system which will improve student and patient tracking.

Vote: Motion for the Education Committee to recommend to the Full Board to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm the fine of \$2,000 (\$1,000 for the years of 2022 and 2023 of graduating classes who did not meet minimum Taft requirements pursuant to the law), and placing Taft on a three-year probation period with quarterly reporting requirements identifying corrective measures where the program will be reassessed, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Additionally, during the probation period, Taft may experience announced and unannounced site visits from Board staff to check on their progress toward compliance. Passed 4:0:1.

Name	Aye	Nay	Abstain/Absent
Carmen Dones, Chair	X		
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Naleni “Lolly” Tribble-Agarwal			Absent

11. EDUCATION COMMITTEE Agenda Item 5: Dental Hygiene Educational Program Site Visit Update and Site Visit Schedule.

Dr. Adina Petty reported on the current status of the following DHEPs: PCC [as reported in Education Committee Agenda Item (3)], Carrington College-Sacramento Campus, Carrington College-San Jose Campus, Cypress College, Taft College [as reported in Education Committee Agenda Item (4)], and Cabrillo College.

Dr. Petty additionally provided the current site visit schedule for the California DHEPs.

Committee member comment: The Committee engaged in a discussion on the status of the following DHEPs: Carrington College-Sacramento Campus, Carrington College-San Jose Campus, Cypress College, and Cabrillo College.

Public comment: Dr. Travaris Harris, Cabrillo College Vice President of Instruction, provided information regarding the enrollment status of the Cabrillo College DHEP, funding sources, and the staffing regarding the Cabrillo College “Periodontal Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen Analgesia (SLN) Expanded Duties” course.

Dr Harris provided narrative regarding the Cabrillo College DHEP report and stated the Cabrillo College DHEP has only been accepting a class every other year since COVID and that class has been funded by the “General Fund.” He stated the monies raised by the “SLN Expanded Duties course” funds to fund the alternate year class. He stated he feels that “it is in the best interest of students if we could start a program every year because I think the 1st year students benefit from working with the 2nd year students.” Dr. Harris stated if CODA requires the Cabrillo College DHEP, his request to CODA is to split the cohort so Cabrillo College would not need to expand the “SLN Expanded Duties” course to supplement the alternate cohort.

12. Discussion and Possible Action on Proposed Statutory Language Amendments to Business and Professions Code Section 1941.

Dr. Adina Petty reported that on February 20, 2020, the United States Department of Education (USDE) sent a letter to State Leaders notifying that as the USDE holds all accrediting agencies to the same standards, the distinctions between regional and national accrediting agencies are unfounded, that the USDE will no longer use the terms "regional" or "national" to refer to an accrediting agency, and that the USDE will distinguish only between institutional and programmatic accrediting agencies.

JoAnn Galliano, DHBC Subject Matter Expert, stated that currently, all of our dental hygiene programs, all of the University of California campuses, California State Universities and Community Colleges, as well as all of the other public and private Universities in California are “regionally accredited” institutions. She stated, “regional accreditation” agencies set a certain standard for faculty, programs, and for the running of the institution, considered the “gold standard,” and is the highest level of accreditation. Ms. Galliano stated, “national accreditation” is typically restricted at this point in time to “proprietary, for

profit” schools and “vocational educational programs,” as opposed to community colleges, universities, or state colleges.

Ms. Galliano reported “regional accreditation” was placed in BPC section 1941 because in order for a student to articulate into a California university or community college at this point, they would have to have graduated from a regionally accredited school. If they do not, the educational units would not transfer to California universities or community colleges, and the student would be limited to their vocation, and would not be able to apply their completed educational units to an advanced degree or program.

Ms. Galliano stated that as the Chancellor’s Office of the California Community College System granted community colleges the ability to grant baccalaureate degrees based on the fact that dental hygiene courses have to be at the level of a university discipline, the movement to accept a national accreditation as opposed to a regional accreditation may put that in jeopardy as the Chancellor’s Office may not recognize or say they don’t make that distinction. She stated the change may be premature and suggested the Board task staff with research into the implications of changes to the language regarding “Regional” versus “National” in BPC section 1941.

Motion: Michael Long moved for the Education Committee to recommend to the Full Board to direct Board staff to investigate the ramifications of changes to the language regarding “Regional” versus “National” in BPC section 1941.

Second: Justin Matthews.

Committee Member discussion: A robust discussion took place regarding changes to the language regarding “Regional” versus “National” in BPC section 1941.

Public comment: Micah Young stated there are some major concerns with the federal government in terms of moving from regional versus national accreditation. He stated through working with the council higher education, he has had experience with all three accreditation forms regional, national, and programmatic. He stated national accreditation will accredit generally vocational schools, but there are some four-year institutions that had national accreditation. Additionally, he stated he was concerned with articulation processes and used the Board’s “wet lab” requirement as an example.

Vote: Motion for the Education Committee to recommend to the Full Board to direct Board staff to investigate the ramifications of changes to the language regarding “Regional” versus “National” in BPC section 1941. Passed 4:0:1.

Name	Aye	Nay	Abstain/Absent
Carmen Dones, Chair	X		
Sherman King	X		
Michael Long	X		

Name	Aye	Nay	Abstain/Absent
Justin Matthews	X		
Naleni “Lolly” Tribble-Agarwal			Absent

13. EDUCATION COMMITTEE Agenda Item 7: Future Agenda Items.

Committee Member comment:

1. Michael Long requested Cabrillo College placed on the November 2024 Board meeting agenda.
2. Michael Long requested Carrington College - Sacramento placed on the November 2024 Board meeting agenda.

Public comment: None.

14. EDUCATION COMMITTEE Agenda Item 8: Adjournment of the Education Committee.

Chair Dones adjourned the Education Committee at 11:50 a.m.

15. FULL Agenda Item 7: Legislation and Regulatory Committee Meeting.

16. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 1: Roll Call & Establishment of Quorum.

Dr. Carmen Dones, Acting Legislation and Regulatory Committee Chair, called the Legislation and Regulatory Committee to order at 1:00 p.m., completed the roll call, and a quorum was established with four (4) members present. Board President and Acting Legislation and Regulatory Committee Chair Dones appointed Board Members Sherman King and Dr. Justin Matthews as acting Legislation and Regulatory Committee members. Committee Chair Naleni “Lolly” Tribble-Agarwal, Board Member Sonia “Pat” Hansen, and Board Member Dr. Sridevi Ponnala were absent and excused.

17. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 2: Public Comment for Items Not on the Agenda.

Committee Member comment: None.

Public comment: None.

18. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 3: Discussion and Possible Action to Approve Responses to Comments and Continue Rulemaking to Amend California Code of Regulations (CCR), Title 16, Section 1116. Mobile Dental Hygiene Clinics; Issuance of Approval, and Section 1116.5. Registered Dental Hygienist in Alternative Practice, Physical Facility Registration.

Dr. Adina Petty provided the legislative and regulatory background of California Code of Regulations (CCR), Title 16, Section 1116. Mobile Dental Hygiene Clinics; Issuance of Approval (MDHCs), and Section 1116.5. Registered Dental Hygienist in Alternative Practice (RDHAP), Physical Facility Registration. Additionally, she stated that at the Board's November 19, 2022, Full Board meeting, 1) the Board approved the proposed language and associated form for section 1116, re-established by resolution the fee for the initial MDHC permit at \$100, as well as the fee for MDHC biennial permit renewal at \$160, and authorized the Executive Officer to take all steps necessary to initiate the rulemaking process; and 2) the Board approved the proposed language and associated form for section 1116.5, established by resolution the fee for an additional physical facility permit at \$100, as well as the fee for additional physical facility biennial permit renewal at \$160, and authorized the Executive Officer to take all steps necessary to initiate the rulemaking process.

Dr. Petty stated that at the Board's March 23, 2024 full Board Meeting, RDHAP Board Member Michael Long requested to work with Board staff in reviewing the comments, reviewing any changes to the language, and drafting the responses to the comments received during the 45- and 15-day comment periods. She stated Board staff noticed the proposed rulemakings on January 31, 2024, with a 45-day comment period ending on March 19, 2024 and the Board received two (2) comments. Additionally, due to comments received, on April 26, 2024, the Board noticed the modified texts with the comment period concluding on May 11, 2024 and the Board received one (1) comment. She stated Member Long reviewed the responses and had no additions or comments to the language and comments the Board was to review and approve.

Motion: Michael Long moved for the Legislation and Regulatory Committee to recommend to the Full Board to approve the responses drafted to address public comments received during the 45-day and 15-day comment periods on the Board's proposed regulations regarding Mobile Dental Hygiene Clinics; Issuance of Approval; and Registered Dental Hygienist in Alternative Practice, Physical Facility Registration, and authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1116 and 1116.5 as noticed.

Second: Sherman King.

Committee Member discussion: Michael Long appreciated the opportunity to work with staff on this regulatory package.

Public comment: Tooka Zokaie, Sr. Health Policy Analyst, on Behalf of the California Dental Association (CDA), states CDA appreciates the opportunity to review and comment on the proposed mobile dental hygiene clinic (MDHC) and physical facility registration

regulations. She thanked the Board for accepting CDA’s suggestion clarifying a “dental hygiene care plan” in proposed 16 CCR sections 1116(a)(8) and 1116.5(a)(9). Ms. Zokaie stated CDA has a concern about radiographs being taken without follow-up treatment plan, would not be used appropriately, and would want additional language about treatment planning or follow-up care.

Vote: Motion for the Legislation and Regulatory Committee to recommend to the Full Board to approve the responses drafted to address public comments received during the 45-day and 15-day comment periods on the Board’s proposed regulations regarding Mobile Dental Hygiene Clinics; Issuance of Approval; and Registered Dental Hygienist in Alternative Practice, Physical Facility Registration, and authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1116 and 1116.5 as noticed. Passed 4:0:3.

Name	Aye	Nay	Abstain/Absent
Naleni “Lolly” Tribble-Agarwal, Chair			Absent
Carmen Dones, Acting Chair	X		
Sonia “Pat” Hansen			Absent
Sherman King, Acting Member	X		
Michael Long	X		
Justin Matthews, Acting Member	X		
Sridevi Ponnala			Absent

19. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 4: Discussion and Possible Action to Approve Amended Language and Continue Rulemaking for 16 CCR Section 1105.4 Appeals Process and Reinstatement of Withdrawn Dental Hygiene Educational Programs.

Dr. Adina Petty provided that Board staff discovered there was no clear process within 16 CCR section 1105.4 to reinstate Board approval of DHEPs withdrawn due to noncompliance with Board laws and regulations. Additionally, Board staff determined there was no clear guidance as to requirements to maintain the withdrawn status of DHEPs should the DHEP not comply with the Board directives.

Dr Petty reported that at the Board’s November 18, 2023 Full Board Meeting, the Board approved language to address the lack of process regarding reinstatement of withdrawn DHEPs, as well as for the Board to maintain a DHEP’s withdrawn status. However, during preparation of the regulatory package, the Board’s Regulatory Legal Counsel proposed amendments to the previously approved language for conciseness.

Motion: Justin Matthews moved for the Legislation and Regulatory Committee to recommend to the Full Board to approve the proposed amended language for CCR section 1105.4, and authorize the Executive Officer to take all steps necessary to continue the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If the board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the board in proposing or adopting the action, then the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1105.4 as noticed.

Second: Michael Long

Committee Member discussion: Discussion took place regarding requirements to maintain the withdrawn status of DHEPs should the DHEP not comply with the Board directives as well as timelines for DHEP compliance.

Public comment: None.

Vote: Motion for the Legislation and Regulatory Committee to recommend to the Full Board to approve the proposed amended language for CCR section 1105.4, and authorize the Executive Officer to take all steps necessary to continue the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If the board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the board in proposing or adopting the action, then the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1105.4 as noticed. Passed 4:0:3.

Name	Aye	Nay	Abstain/Absent
Naleni “Lolly” Tribble-Agarwal, Chair			Absent
Carmen Dones, Acting Chair	X		
Sonia “Pat” Hansen			Absent
Sherman King, Acting Member	X		

Name	Aye	Nay	Abstain/Absent
Michael Long	X		
Justin Matthews, Acting Member	X		
Sridevi Ponnala			Absent

20. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 5: Regulatory Update: Status of Dental Hygiene Board of California Regulatory Packages.

Dr. Adina Petty reported as to the current status of DHBC proposed regulatory packages completed and in process for the Board. Additionally, she provided an overview of the regulatory process.

Committee Member discussion: None.

Public comment: None.

21. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 6: Discussion and Possible Action on Proposed Statutory Language Amendments to Business and Professions Code Section 1915.1.

Dr. Adina Petty reported that on October 8, 2024, Governor Gavin Newsom signed into law Assembly Bill (AB) 936 (Wood. Dentistry: exemptions.) allowing a dental student, defined as a person who has begun clinical training at a dental school approved by the Dental Board of California, to practice dentistry at a sponsored event, without compensation or expectation of compensation and under the supervision of a licensed dentist with a clinical faculty appointment.

At the March 23, 2024 Full Board Meeting, President Dones asked staff to research creating legislation to mimic AB 936 for dental hygiene students. This was requested to allow for increased access to necessary dental hygiene care to underserved communities in California.

Motion: Michael Long moved for the Legislation and Regulatory Committee to review the current language to determine if a change in BPC section 1915.1 is warranted. If the Committee determines this change is warranted, I move for the Committee to complete the draft of proposed statutory language. Additionally, I move for the Legislation and Regulatory Committee to recommend to the Full Board to consider, complete, and approve the final draft of proposed statutory language for BPC section 1915.1, and direct staff to seek sponsored legislation in 2025.

Second: Justin Matthews.

Committee Member discussion: Discussion took place regarding proposed language for BPC section 1915.1.

Public comment: JoAnn Galliano stated the faculty to student ratio can vary depending on the types of services being provided. She stated services such as oral hygiene instruction would not require the same faculty to student ratio as students providing oral scaling.

Tooka Zokaie stated that the faculty to student ratio needs to be clear pertaining to the procedures the faculty are overseeing.

Vote: Motion for the Legislation and Regulatory Committee to review the current language to determine if a change in BPC section 1915.1 is warranted. If the Committee determines this change is warranted, I move for the Committee to complete the draft of proposed statutory language. Additionally, I move for the Legislation and Regulatory Committee to recommend to the Full Board to consider, complete, and approve the final draft of proposed statutory language for BPC section 1915.1, and direct staff to seek sponsored legislation for 2025. Passed 4:0:3.

Name	Aye	Nay	Abstain/Absent
Naleni “Lolly” Tribble-Agarwal, Chair			Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent

22. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 7: Legislative Update: Bills of Interest and Legislative Calendar.

Dr. Adina Petty reported as to current legislation of interest to the Board, as well as reporting on the current legislative calendar.

Motion: Michael Long moved for the Legislation and Regulatory Committee to recommend to the Full Board to approve the proposed positions as follows:

Second: Sherman King.

Legislation	DHBC Position
AB (Assembly Bill) 1891 (Weber): Community colleges: allied health programs.	Maintain support.
AB 1991 (Bonta): Licensee and registrant records.	Maintain watch.
AB 2242 (Carrillo, Wendy): Dentistry: dental assistants.	Maintain watch.
AB 2269 (Flora): Board membership qualifications: public members.	Bill Dead. No longer watch.
AB 2510 (Arambula): Dental care for people with developmental disabilities.	Watch for 2025.
AB 2701 (Villapudua): Medi-Cal: dental cleanings and examinations.	Maintain support.
AB 2862 (Gipson): Licenses: African American applicants.	Bill Dead. No longer watch.
AB 2920 (Reyes): Dentistry: dental schools.	Maintain watch.
AB 3127 (McKinnor): Reporting of crimes: mandated reporters.	Maintain watch.
AB 3175 (Villapudua): Health care coverage: dental services.	Maintain watch.
SB (Senate Bill) 1067 (Smallwood-Cuevas): Healing arts: expedited licensure process: medically underserved area or population.	Maintain watch.
SB 1369 (Limón): Dental providers: fee-based payments.	Maintain watch.
SB 1385 (Roth): Professions and vocations.	Bill no longer applies to DHBC. No longer watch.
SB 1451 (Ashby): Professions and vocations.	Maintain support.
SB 1453 (Ashby): Dentistry: board meetings.	Change from watch to “Oppose unless Amended.”

Committee Member discussion: Discussion took place regarding the proposed legislation and their positions.

Public comment: None.

Vote: Motion for the Legislation and Regulatory Committee to recommend to the Full Board to the take the following positions. Passed 4:0:2.

Name	Aye	Nay	Abstain/Absent
Naleni “Lolly” Tribble-Agarwal, Chair			Absent

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent

23. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 8: Future Agenda Items.

Committee Member comment: None.

Public comment: None.

24. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 9: Adjournment of the Legislative and Regulatory Committee Meeting.

Acting Chair Dones adjourned the Education Committee at **2:25 p.m.**

25. FULL BOARD Agenda Item 8: Roll call and re-establishment of quorum.

President Dones re-called the Full Board Meeting to order at **2:25 p.m.**, completed the roll call, and a quorum was re-established with four (4) members present.

26. FULL BOARD Agenda Item 9: Future Agenda Items.

From the Education Committee:

1. Michael Long requested Cabrillo College placed on the November 2024 Board meeting agenda.
2. Michael Long requested Carrington College - Sacramento placed on the November 2024 Board meeting agenda.

27. FULL BOARD Agenda Item 10: Adjournment.

Meeting was adjourned at **2:28 p.m.**



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 7.

**Discussion and Possible Action to Approve the
July 20, 2024, Full Board Meeting Minutes.**

Dental Hygiene Board of California Meeting Minutes

DRAFT

Saturday, July 20, 2024

Department of Consumer Affairs
1625 North Market Blvd.
HQ1 Hearing Room, 1st Fl.
Sacramento, CA 95834

DHBC Members Present:

President – Dr. Carmen Dones, Registered Dental Hygienist (RDH) Educator Member
Secretary – Naleni “Lolly” Tribble-Agarwal, RDH Member
Registered Dental Hygienist in Alternative Practice (RDHAP) Member – Michael Long
Public Member – Sherman King
Public Member – Dr. Justin Matthews
Public Member – Vacant
Public Member – Vacant

DHBC Staff Present:

Anthony Lum, Executive Officer
Albert Law, Assistant Executive Officer
Traci Napper, Licensing Analyst
Adina A. Pineschi-Petty, Doctor of Dental Surgery (DDS), Education, Legislative, and
Regulatory Specialist
Crystal Yuyama, Administrative Analyst
Yuping Lin, Department of Consumer Affairs (DCA) Legal Counsel for the DHBC
Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel for the DHBC

DHBC Members Absent:

Vice President – Sonia “Pat” Hansen, RDH Member
Public Health Dentist Member – Sridevi Ponnala

1. FULL Board Agenda Item 1: Roll Call and Establishment of a Quorum

Dr. Carmen Dones, President of the Dental Hygiene Board of California (DHBC, Board), reviewed meeting guidelines and called the meeting to order at **9:03 a.m.** Board Secretary Naleni “Lolly” Tribble-Agarwal completed the roll call, and a quorum was established with five (5) members present. Board Members Sonia “Pat” Hansen and Dr. Sridevi Ponnala were absent and excused.

2. FULL BOARD Agenda Item 2: Public Comment for Items Not on the Agenda.

Board Member comment: None.

Public comment: None.

3. FULL BOARD Agenda Item 3: President's Report.

President Dones reported she participated and reported the Board's activities to the Dental Board of California at their May 14, 2024, board meeting in Anaheim and updated them on the following:

- The Board's working to finalize a new Strategic Plan that will include the objectives and goals for our programs through 2028.
- Current regulations that are being promulgated such as RDHAP mobile dental hygiene clinic inspections, to maintain school clinic student to faculty ratios at 1:5, and an RDHAP registration procedure.
- Updates on the dental hygiene educational programs oversight and site visits conducted; and
- Our work that was completed through last year's Sunset Review process to eliminate the clinical examination licensure requirement for all California dental hygiene graduates if they apply for the license within 3 years of graduation effective January 1, 2024.

Additionally, President Dones stated she and Executive Officer (EO) Lum continue to meet at least twice a month or more for updates on Board issues to keep her aware of them or on items that need her attention.

Board Member comment: None.

Public comment: None.

4. FULL BOARD Agenda Item 4: Update from the Department of Consumer Affairs Executive Staff.

Yvonne Dorantes, Assistant Deputy Director, Department of Consumer Affairs (DCA) Member Relations, reported on the following:

a. Governor's Appointments Office Update:

Myriam "Myri" Valdez-Singh, Deputy Appointments Secretary in the Governor's Office, was recently appointed by Governor Newsom as Deputy Commissioner of Legislation at the Department of Financial Protection and Innovation. Myri worked very closely with the Business, Consumer Services and Housing Agency, DCA, boards, and bureaus on appointing and reappointing board and advisory committee members. Her last day with the

Appointments Unit was July 5. During this transition, please continue to work with Board and Bureau Relations on any of your appointment needs.

b. **New Board Member Training Required by August 30:**

Senate Bill (SB) 553 is a new law that became effective in January 2024. SB 553 amended the California Labor Code to require California employers to develop and implement a workplace violence prevention plan and train all employees by July 1, 2024.

As a result of this new law, DCA updated its current Workplace Violence Prevention Policy to include all requirements of SB 553. DCA also developed an annual Workplace Violence Prevention Training that is located on DCA's Learning Management System (LMS). The training is mandatory for all DCA employees -- including Board Members. This new training must be completed by August 30, 2024. She stated if there are any questions or need assistance accessing LMS, to please contact Board and Bureau Relations.

c. **2024-25 State Budget:**

At the end of last month, the California Legislature approved a new State budget that reduces spending to address the State's budget deficit. Effective July 1, the new budget addresses the state's deficit through a mix of broad-based solutions, including an 8% budget cut and permanent reduction of vacant positions for all departments. DCA will share further information and guidance as it is received from the Department of Finance. In the meantime, DCA, boards, and bureaus must continue to scrutinize expenditures and maximize cost savings, only authorizing expenditures that are mission critical and essential to operations and public services.

d. **Expedited Licensure Application Processing for Service Members Enrolled in SkillBridge:**

Beginning July 1, boards and bureaus under DCA must expedite licensure application processing for service members currently enrolled in the U.S. Department of Defense SkillBridge Program. The SkillBridge Program is an opportunity for active-duty Service Members to gain valuable civilian work experience during their last 180 days of service. The program connects service members with private and public sector organizations that offer internship opportunities for transitioning Service Members to build their resumes, explore employment interests, develop job skills, and gain valuable Federal government work experience that will help them prepare for their adjustment to the workplace. DCA is committed to supporting the military community and this is an additional resource available to service members. For more information on expedited licensure and resources for service members and their families, please visit DCA's military page, which can be easily accessed from DCA's homepage (www.dca.ca.gov/military).

e. **Board Leadership and Director's Quarterly Meeting:**

On June 11, 2024, DCA met with board presidents, vice presidents, committee chairs, executive officers, and bureau chiefs at the quarterly leadership meeting. Agency

Secretary Tomiquia Moss shared opening remarks and her priorities for the Business, Consumer Services and Housing Agency. Discussion topics included updates from the Department on the State budget, information security initiatives, DEI activities, and a presentation from the Office of Data Innovation on California's plain language standard.

DCA also released its Inclusive Hiring Principles, which were developed by the Department's DEI Steering Committee to provide a DEI perspective and tips for recruiting, screening, and selecting diverse and qualified candidates. DCA, with input from the DEI Steering Committee, will be developing a training to accompany the inclusive hiring principles.

f. **DEI Update:**

DCA's Diversity, Equity, and Inclusion (DEI) Steering Committee will meet on July 26, 2024. The meeting will include discussion on expanding language access and workforce development. If you have ideas, you'd like the Committee to consider, please share them with your Executive Officer or Bureau Chief.

As a reminder, DCA's Learning Management System has many DEI-related training courses available. Board members are encouraged to participate in trainings and continue to grow in our DEI efforts.

Board Member comment: President Dones inquired about Board appointments from the Governor Newsom's office as we still have two vacancies. Ms. Dorantes stated her department is always working on appointments but have no control over the process. She encouraged President Dones to reach out to the Governor Newsom's office directly.

Public comment: None.

5. **FULL BOARD Agenda Item 5: Update from the Dental Board of California.**

Dr. Alan Felsenfeld, President of the Dental Board (DBC) thanked Dr. Dones, EO Lum, and members of the Board for the opportunity to provide his update.

Dr. Felsenfeld reported on the following:

- The Dental Board is currently in the sunset review process and will provide an update at its August 15, 2024, Board meeting in Sacramento here at DCA Headquarters. SB1453, the Dental Board's Sunset bill, makes numerous changes to the Dental Practice Act to both clarify and improve the regulation of dentistry. The Board has appreciated the dialogue among the Dental Hygiene Board and all stakeholders as this review has unfolded. Dr. Felsenfeld stated the Dental Board is very comfortable as to the progression of the Bill. The Dental Board's May 2024

Board meeting addressed access to care concerns as voiced by Board members and speaker Dolores Suerta.

- The Dental Board's two working groups, Dental Assisting Regulations and Infection Control, are meeting to review and discuss regulatory language to first bring to the Dental Assisting Council and then to the Dental Board. Here too, the Dental Board appreciates the future participation of the Dental Hygiene Board's subject matter expert, Michael Long.
- The Dental Board continues to be busy process licensing applications within its statutory mandates, address access to care, and be responsive to consumers of dental services.
- The Dental Board has 15 seats, and about four of them are unfilled right now. We have five public member seats but has only had two public members for several years now and are looking forward to more. Dr. Felsenfeld stated the Dental Board has had some quorum problems, too, which he doesn't find acceptable, and stated hopefully there will be more appointees.
- Dr. Shakalpi Pendurkar, of Los Gatos, has been appointed State Dental Director at the California Department of Public Health.

Dr. Felsenfeld stated the Dental Board looks forward to our continued partnership with the Dental Hygiene Board.

Board Member comment: None.

Public comment: None.

6. FULL BOARD Agenda Item 6: Discussion and Possible Action to Approve the March 22, 2024, Full Board Meeting Minutes.

Motion: Michael Long moved to approve the March 22, 2024, Full Board Meeting Minutes.

Second: Sherman King.

Board Member discussion: None.

Public comment: None.

Vote: Motion to approve the March 22, 2024, Full Board Meeting Minutes. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia "Pat" Hansen			Absent.
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent.
Naleni "Lolly" Tribble-Agarwal	X		

7. FULL BOARD Agenda Item 7: Discussion and Possible Action to Approve the March 23, 2024, Full Board Meeting Minutes.

Motion: Michael Long moved to approve the March 23, 2024, Full Board Meeting Minutes.

Second: Justin Matthews.

Board Member discussion: None.

Public comment: None.

Vote: Motion to approve the March 23, 2024, Full Board Meeting Minutes. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia "Pat" Hansen			Absent.
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent.
Naleni "Lolly" Tribble-Agarwal	X		

8. FULL BOARD Agenda Item 9: Executive Officer's Report (Informational Only).

Executive Officer (EO) Anthony Lum reported on the following:

a. **Personnel:**

EO Lum reported the Board continues to have an ongoing vacancy rate of 2-3 positions but work to fill them as quickly as possible. He stated that recently the Board lost one of our analysts to promotion at another agency, so we're working to refill it. Additionally, the Board lost a Licensing analyst to promotion, but she became our new Licensing Manager and congratulated Traci Napper as she is the Board's newest manager to assist with staff oversight. Her previous position will be advertised to refill as well.

EO Lum stated the last vacancy the Board has is the Assistant Executive Officer position to assist him in running the Board. He concluded interviews on Thursday and is proceeding through the hiring process. He added that in the new Governor's Budget for Fiscal Year (FY) 2024-25, which includes a 10,000-position vacancy sweep to help with the State's finances. He stated the Board hasn't heard any specifics as to what this entails yet, so the Board is working quickly to get vacancies filled quickly to avoid losing staff positions.

b. **Budget:**

EO Lum provided the latest Revenue and Fund Condition reports to the Board. He stated that these reports show totals from fiscal month 11 which is expenses captured through May 2024. He stated the last report produced for the year is called FM13 which captures all late charges through June which is the end of the fiscal year. He added this report hasn't been released as charges are still being accumulated for the report prior to distribution, so he will include it in his next EO Update to the members.

Additionally, EO Lum reported on the Expenditure Report. He stated that although the latest Expenditure Report is included in the meeting materials, the new fiscal year has already begun as of July 1, 2024, and therefore the projected amounts indicated are moot. He stated that even without the final FM13 report to share, he assured the Board that as he is responsible for the Board's budget, that the Board has spent roughly the amount indicated on this report last year.

EO Lum stated for the new budget year, the Board may be forced to reduce the Board's budget as directed by the Governor for all State programs due to the fiscal crisis. He explained it may affect some programmatic decisions the Board makes, but that it is to be determined as to the extent. He stated currently, he doesn't have any specific information on this issue either but anticipates some shortly and that staff will work through the necessary steps required for compliance.

c. **Administration – EO Activities and Updates:**

EO Lum stated that since his last report, the following are some of his activities:

- Participated in the Dental Board's May Board meeting in Anaheim along with President Dones to provide an update of the Board's activities.

- The Board is working with the Dental Board to update the Infection Control regulations. Board member Michael Long has generously agreed to participate in their IC Taskforce as a Subject Matter Expert when they meet.
- Newsletter Update – the draft newsletter has been approved by DCA Legal and is being assembled by the DCA Publications, Design, & Editing Unit and once it's complete, he will review it for Board approval prior to distribution.
- Status of Future Agenda Items:

At the Board's March 2024 meeting, there were three Future Agenda Items presented for staff to address. They were:

- President Dones requested staff to review new legislation that allowed dental students to participate in sponsored health events and see if we can mimic the language for dental hygienists. He stated the draft language was presented yesterday in the Legislative and Regulatory (LEG/REG) Committee meeting to be presented to the Full Board for approval today.
- Secretary Tribble-Agarwal requested staff to agendaize Carrington College's Sacramento program for review. He stated the proper process of placing an item on the agenda is a need for Board information or action whether it's a dental hygiene educational (DHEP) program or other issue. If it's warranted for a DHEP to be agendaized, first it should be filtered through the Education (EDU) Committee to review the issues and bring forth recommendation for action to the Full Board. However, if there is no reason or explanation for the Board to review a program, the need for the EDU Committee and subsequently, the Full Board to take action is moot.
 - EO Lum stated there was an update provided by Dr. Petty to the EDU Committee yesterday, providing details that Carrington College-Sacramento Campus is in compliance of the law. He stated the reason the school was not placed on the agenda for an action item is two-fold. He stated according to documents in the EDU Committee meeting materials and communications with staff, the school has corrected their deficiencies of the law and are now in compliance, which indicates no action is needed by the Committee or Board. As the requestor, Secretary Tribble-Agarwal, informed him she would not be in attendance at the EDU Committee meeting, he did not feel it was appropriate to place it on the meeting agenda to be discussed if she was going to be absent from the meeting and discussion. EO Lum stated there may be a reason for the DHEP to be brought back to the Board at a future meeting, but currently they are in compliance of the law.
- Ms. Susan McClaren of the California Dental Hygienists' Association (CDHA) requested to have additional questions be added to the License Renewal

Survey and that a response be delivered to CDHA on or before the next meeting of the Board.

- To fulfill Ms. McLearn's request of a response to her inquiry on or before the next board meeting, EO Lum responded that staff need additional time to review and research this issue prior to bringing it back to a committee or the Board in the future.

Board Member comment: Michael Long thanked EO Lum for sharing the process for prioritizing future agenda items.

Board Member King requested meeting minutes to be given to the Board Members a few weeks prior to the Board meeting they are to be approved at. EO Lum stated he tries avoiding sending documentation to the Board in a "piecemeal" fashion but will try to have the minutes to the Board earlier.

Public comment: Susan McLearn questioned as to what the process is for making requests of the Board. EO Lum clarified that an item can be brought to the Board's attention of a potential future agenda item and then staff will triage what is needed to address and the Board will work on the issues as they're presented.

9. FULL BOARD Agenda Item 9: Discussion and Possible Action on Education Committee Report and Recommendation(s).

Education Committee Chair Carmen Dones stated that because there were action items that required individual recommendations, she reported each item separately, but on the informational only items, a summary was provided at the end of her report.

Chair Dones reported on Education Committee Agenda Item (3) regarding "Discussion and Possible Action on the Status of the Pasadena City College Dental Hygiene Educational Program."

Motion: Michael Long moved for the Board to accept the Education Committee's recommendation to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm placing the Pasadena City College Dental Hygiene Educational Program on probation for two years with quarterly reporting requirements due to non-compliance of the law, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Failure to comply with the mandates set by the Board could result in further Board actions, including withdrawing the Board's approval of the Pasadena City College Dental Hygiene Educational Program.

Second: Sherman King.

Board Member discussion: None.

Public comment: Dr. Micah Young, PCC Dean of Health Sciences, and Adrine Reganian, PCC DHEP Program Director, stated PCC has been actively working as a college to make sure that the PCC DHEP maintains full compliance with the board regulatory standards. They stated PCC never received any official notification or probationary standing or a timeline as to submissions for compliance. Additionally, they reiterated their dispute as to the citation, if issued by the Board, may affect PCC’s funding opportunities.

Vote: Motion for the Board to accept the Education Committee’s recommendation to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm placing the Pasadena City College Dental Hygiene Educational Program on probation for two years with quarterly reporting requirements due to non-compliance of the law, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Failure to comply with the mandates set by the Board could result in further Board actions, including withdrawing the Board’s approval of the Pasadena City College Dental Hygiene Educational Program. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent.
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent.
Naleni “Lolly” Tribble-Agarwal	X		

Education Committee Chair Carmen Dones reported on Education Committee Agenda Item (4) regarding “Discussion and Possible Action on the Status of the Taft College Dental Hygiene Educational Program.”

Motion: Justin Matthews moved for the Board to accept the Education Committee’s recommendation to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm the fine of \$2,000 (\$1,000 for each year of graduating unqualified students pursuant to the law), and placing Taft on a three-year probation period with quarterly reporting requirements identifying corrective measures where the program will be reassessed, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Additionally, during the probation period, Taft may experience announced and unannounced site visits from Board staff to check on their progress toward compliance. Failure to comply with the mandates set by the Board could result in further Board actions, including withdrawing the Board’s approval of the Taft College Dental Hygiene Educational Program.

Second: Sherman King.

Board Member discussion: None.

Public comment: None.

Vote: Motion for the Board to accept the Education Committee’s recommendation to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm the fine of \$2,000 (\$1,000 for each year of graduating unqualified students pursuant to the law), and placing Taft on a three-year probation period with quarterly reporting requirements identifying corrective measures where the program will be reassessed, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Additionally, during the probation period, Taft may experience announced and unannounced site visits from Board staff to check on their progress toward compliance. Failure to comply with the mandates set by the Board could result in further Board actions, including withdrawing the Board’s approval of the Taft College Dental Hygiene Educational Program. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent.
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent.
Naleni “Lolly” Tribble-Agarwal	X		

Education Committee Chair Carmen Dones reported on Education Committee Agenda Item (6) regarding “Discussion and Possible Action on Proposed Statutory Language Amendments to Business and Professions Code Section 1941.”

Motion: Michael Long moved for the Board to accept the Education Committee’s recommendation to investigate the ramifications regarding changing regional versus national accreditation in BPC section 1941.

Second: Justin Matthews

Board Member discussion: None.

Public comment: Aaron Benitez, RDH, West Los Angeles College faculty and Articulation Officer, stated when the Board further researches this topic, the differences between regional and national accreditation are very important to distinguish between the two before any changes to the law.

Vote: Motion for the Board to accept the Education Committee’s recommendation to investigate the ramifications regarding changing regional versus national accreditation in BPC section 1941. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent.
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent.
Naleni “Lolly” Tribble-Agarwal	X		

Education Committee Chair Carmen Dones reported on the Education Committee informational items [EDU Agenda items (5) Dental Hygiene Educational Program Site Visit Update and (7) Future Agenda Items].

Motion: Michael Long moved for the Board to accept the Education Committee report.

Second: Justin Matthews.

Board Member discussion: Discussion took place regarding the Carrington College – Sacramento DHEP, as well as discussion regarding DHEP “Action Plans” after the Board places a DHEP on probation.

Public comment: JoAnn Galliano stated to clarify Board Member Tribble-Agarwal’s request regarding the Carrington College – Sacramento DHEP, the concern is that they continue to have repeated violations, and they don’t correct those violations unless the Board intervenes. She stated the Board may want to consider punitive action with DHEPs that demonstrate repeated violations.

Vote: Motion for the Board to accept the Education Committee report. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent.
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent.
Naleni “Lolly” Tribble-Agarwal	X		

10. FULL BOARD Agenda Item 11: Discussion and Possible Action on Legislative and Regulatory Committee Report and Recommendation(s).

Acting Legislative and Regulatory Committee Chair, Dr. Carmen Dones stated that because there were action items that required individual recommendations, each item would be reported separately, but on the informational only items, a summary was provided at the end of the Legislative and Regulatory Committee report.

Dr. Adina Petty reported on Legislative and Regulatory Committee Agenda Item (3) regarding “Discussion and Possible Action to Approve Responses to Comments and Continue Rulemaking to Amend California Code of Regulations (CCR), Title 16, Section 1116. Mobile Dental Hygiene Clinics; Issuance of Approval, and Section 1116.5. Registered Dental Hygienist in Alternative Practice, Physical Facility Registration.”

Motion: Justin Matthews moved for the Board to accept the Legislative and Regulatory Committee’s recommendation to approve the responses drafted to address public comments received during the 45-day and 15-day comment periods on the Board’s proposed regulations regarding Mobile Dental Hygiene Clinics; Issuance of Approval; and Registered Dental Hygienist in Alternative Practice, Physical Facility Registration, and authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1116 and 1116.5 as noticed.

Second: Michael Long.

Board Member discussion: None.

Public comment: Tooka Zokaie, Sr. Health Policy Analyst, on Behalf of the California Dental Association (CDA), reiterated that CDA appreciates the opportunity to review and comment on the proposed mobile dental hygiene clinic (MDHC) and physical facility registration regulations. She again thanked the Board for accepting CDA’s suggestion clarifying a “dental hygiene care plan” in proposed 16 CCR sections 1116(a)(8) and

1116.5(a)(9). Ms. Zokaie emphasized CDA’s concern about radiographs and suggested additional language about comprehensive treatment planning or follow-up care.

Vote: Motion to accept the Legislative and Regulatory Committee’s recommendation to approve the responses drafted to address public comments received during the 45-day and 15-day comment periods on the Board’s proposed regulations regarding Mobile Dental Hygiene Clinics; Issuance of Approval; and Registered Dental Hygienist in Alternative Practice, Physical Facility Registration, and authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1116 and 1116.5 as noticed. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent
Naleni “Lolly” Tribble-Agarwal	X		

Dr. Adina Petty reported on Legislative and Regulatory Committee Agenda Item (4) regarding “Discussion and Possible Action to Approve Amended Language and Continue Rulemaking for 16 CCR Section 1105.4 Appeals Process and Reinstatement of Withdrawn Dental Hygiene Educational Programs.”

Motion: Justin Matthews moved for the Board to accept the Legislative and Regulatory Committee’s recommendation to approve the proposed amended language for CCR section 1105.4 and authorize the Executive Officer to take all steps necessary to continue the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If the board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the board in proposing or adopting the action, then the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1105.4 as noticed.

Second: Sherman King.

Board Member discussion: None.

Public comment: None.

Vote: I move for the Board to accept the Legislative and Regulatory Committee’s recommendation to approve the proposed amended language for CCR section 1105.4 and authorize the Executive Officer to take all steps necessary to continue the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If the Board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the Board in proposing or adopting the action, then the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1105.4 as noticed. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent
Naleni “Lolly” Tribble-Agarwal	X		

Dr. Adina Petty reported on Legislative and Regulatory Committee Agenda Item (6) regarding “Discussion and Possible Action on Proposed Statutory Language Amendments to Business and Professions Code Section 1915.1.”

Motion: Justin Matthews moved for the Board to accept the Legislative and Regulatory Committee’s recommendation to consider, complete, and approve the final draft of proposed statutory language for BPC section 1915.1, and direct staff to seek sponsored legislation for 2025.

Second: Carmen Dones.

Board Member discussion: None.

Public comment: None.

Vote: Motion for the Board to accept the Legislative and Regulatory Committee’s recommendation to consider, complete, and approve the final draft of proposed statutory language for BPC section 1915.1, and direct staff to seek sponsored legislation for 2025. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent
Naleni “Lolly” Tribble-Agarwal	X		

Dr. Adina Petty reported on Legislative and Regulatory Committee Agenda Item (7) regarding “Legislative Update: Bills of Interest and Legislative Calendar.”

Motion: Michael Long moved for the Full Board to accept the Legislative and Regulatory Committee’s recommendation to approve the proposed positions as stated:

Legislation	DHBC Position
AB (Assembly Bill) 1891 (Weber): Community colleges: allied health programs.	Maintain support.
AB 1991 (Bonta): Licensee and registrant records.	Maintain watch.
AB 2242 (Carrillo, Wendy): Dentistry: dental assistants.	Maintain watch.
AB 2269 (Flora): Board membership qualifications: public members.	Bill Dead. No longer watch.
AB 2510 (Arambula): Dental care for people with developmental disabilities.	Watch for 2025.
AB 2701 (Villapudua): Medi-Cal: dental cleanings and examinations.	Maintain support.
AB 2862 (Gipson): Licenses: African American applicants.	Bill Dead. No longer watch.
AB 2920 (Reyes): Dentistry: dental schools.	Maintain watch.
AB 3127 (McKinnor): Reporting of crimes: mandated reporters.	Maintain watch.

Legislation	DHBC Position
AB 3175 (Villapudua): Health care coverage: dental services.	Maintain watch.
SB (Senate Bill) 1067 (Smallwood-Cuevas): Healing arts: expedited licensure process: medically underserved area or population.	Maintain watch.
SB 1369 (Limón): Dental providers: fee-based payments.	Maintain watch.
SB 1385 (Roth): Professions and vocations.	Bill no longer applies to DHBC. No longer watch.
SB 1451 (Ashby): Professions and vocations.	Maintain support.
SB 1453 (Ashby): Dentistry: board meetings.	Change from watch to “Oppose unless Amended.”

Second: Justin Matthews.

Board Member discussion: None.

Public comment: None.

Vote: Motion for the Full Board to accept the Legislative and Regulatory Committee’s recommendation to approve the proposed positions as stated. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent
Naleni “Lolly” Tribble-Agarwal	X		

Dr. Adina Petty reported on informational items [EDU Agenda items (5) Status of Dental Hygiene Board of California Regulatory Packages and (8) Future Agenda Items.]

Motion: Sherman King moved for the Board to accept the Legislative and Regulatory Committee report.

Second: Michael Long.

Board Member discussion: Naleni “Lolly” Tribble-Agarwal thanked Dr. Dones for filling in as Acting Legislative and Regulatory Committee Chair during her absence.

Public comment:

Vote: Motion for the Board to accept the Legislative and Regulatory Committee report. Passed 5:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen			Absent
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Sridevi Ponnala			Absent
Naleni “Lolly” Tribble-Agarwal	X		

11. FULL BOARD Agenda Item 11: Enforcement Update: Statistical Report (Informational Only).

Enforcement Manager Albert Law reported Enforcement statistics and reported on the current status for consumer complaints, Board initiated complaints, arrest/conviction complaints, desk investigations, field investigations, citations and fines, as well as probation violations for Fiscal Year 2023-2024 through June 30, 2024.

Board Member comment: President Dones inquired about the comparison of enforcement statistics from FY 2022-2023 and FY 2023-2024. Enforcement Manager Law stated that the numbers can be retrieved from DCA’s Annual Report website and can be collected for the Board to review the comparisons. Enforcement Manager Law also shared that the FY 2022-2023 and FY 2023-2024 numbers should reflect similarities except for an increase in Citation and Fines issued due to placing more efforts to reduce backlog of citations.

Public comment: None

12. FULL BOARD Agenda Item 12: Licensing and Examination Statistics and Continuing Education Audits Update (Informational Only).

Licensing Manager Traci Napper reported on the applications and renewals for RDH, RDHAP, and fictitious Name Permits, as well as the total licensee population for Fiscal

Year 2023-2024. Additionally, Ms. Napper reported on the passage rates for the DHBC Law and Ethics exams for RDHs and RDHAPs through Fiscal Year 2023-2024.

Ms. Napper provided the background on the process for conducting Continuing Education audits, as well as the monthly data for Fiscal Year 2023-2024. She also provided the current data regarding failure rate data of those audits.

Board Member comment: Secretary Tribble-Agarwal inquired if licensure applications should be provided in other languages to assist prospective licentiates who are not native English speakers. Executive Officer (EO) recognized that while there are many different languages spoken in California one of the requirements for students to enter a dental hygiene program is that they must be proficient in English. EO Lum stated that staff can research the process of adding applications in other languages and if any prospective licentiates need assistance, they can reach out to staff by phone or email.

Board member Matthews inquired why there was a significant difference in total Continuing Education (CE) Audits conducted from FY 2022-2023 and FY 2023-2024. Enforcement Manager Albert Law stated that internal administrative changes with the promotion of the sole CE Auditor staff resulted in a lower amount of CE audits to be conducted. Enforcement Manager Law anticipates the number of CE Audits to increase as the CE Auditor position has been filled.

Public comment: Susan McLearn requested for licensee data (including inactive and active licensees) to be organized by county to showcase areas experiencing a shortage of hygienists. Licensing Manager Traci and EO Lum stated that it is possible to show the data organized by county. EO Lum acknowledged that the data may be skewed as there may be licensees that are concurrently working and living in different counties.

DBC Executive Officer (EO) Tracy Montez thanked Licensing Manager Napper for initiating a line of communication between the DBC and the DHBC to collaborate and share Continuing Education (CE) resources, such as CE Letters, pertinent sections of law for each board, and identifying contact person(s) to transfer relevant CE or complaint information to.

EO Lum expressed gratitude to the DBC for allowing the DHBC to use their approved CE providers and coursework. He recognized and acknowledged the efforts of the DBC staff who maintain the approved CE providers directory as the DHBC relies on the directory to verify providers for DHBC's licensees' CE requirements. EO Lum stated that he hopes the collaboration between the two boards continues.

13. FULL BOARD Agenda Item 13: Discussion and Possible Action Regarding Myofunctional Therapy and its Use in the Dental Hygiene Profession.

Executive Office Anthony Lum stated that the myofunctional therapy presentation was added to the July 2024 Board Meeting agenda at the request of a Board Member to discuss the role of myofunctional therapy within the dental hygiene profession. EO Lum reminded

the Board that decision-making of scope of practice issues is not the primary objective or mandate of the DHBC.

Board Member Long introduced the agenda item and stated that “orofacial” pertains around the face and “myofunctional” is muscle. He introduced the two presenters: Dr. Kevin Adair and Nerissa Boggan to speak on the topic of orofacial and myofunctional therapy.

The presenters referenced their experiences and involvement in practicing orofacial myofunctional therapy and expressed the importance of the therapy intervention and why it is essential that it should be a part of a dental hygienist’s scope of practice.

Motion: TABLED to November Board Meeting.

Board Member discussion: A robust discussion took place among the Board Members regarding orofacial myofunctional therapy and its place in the practice of dental hygiene.

Public comment: Joanne Galliano asserted that myofunctional therapy is part of the scope of practice. She stated that the Board should first decide if myofunctional therapy is part of the scope of practice or not. If the Board agrees then they can work out what certification looks like for consumer safety and how the board will regulate this addition to the profession.

Joanne Galliano stated that it is the duty of the Board to decide what is within the scope. She disagreed with having to go to legislature to gain approval for myofunctional therapy as part of the scope. Galliano also mentioned the parallels of the proposed myofunctional therapy and of the use of lasers within dental hygiene.

Discussion took place regarding the specifics of how to categorize or list the specialty of RDH with Myofunctional Therapy function. Boggan suggested that a new acronym for dental hygienists that have the required myofunctional therapy training to be called the Registered Dental Hygienist in Orofacial Myology (RDHOM). Manager Napper stated that a new dental hygienist acronym would require new exams and transactions. Board Members and the presenters drew comparisons to dental hygienists who received additional training to be laser certified and are still RDH in title. EO Lum added that new acronyms would need to be addressed by legislature and included into the statutes. Boggan agreed to settle with the current RDH title and not proceed with seeking the addition of RDHOM acronym.

Dr. Adair stated that myofunctional therapy is not currently regulated. Patients cannot file complaints and no disciplinary action or citations can be issued. He stated that if myofunctional therapy is agreed as part of scope of practice, then the Dental Hygiene Board of California can regulate and enforce its practices. Dr. Adair stated a taskforce be assembled to assist the Board and staff.

A motion was made/seconded, amended/seconded, and later rescinded and tabled for future discussion. President Dones stated that more time is needed for staff to gather information to disseminate language to board, including what the law currently states and how the board can develop processes, so that the Board Members can better understand

the facets of the topic to make an informed decision. Board Member Matthews requested that staff include comparisons/parallels to laser function and what it would look like to do that to myofunctional therapy. He also stated that public members may need more information compared to the Board Members part of the profession to make an informed decision.

Susan McLearan suggested adding the following motion language: “Staff to create clarifying language if necessary and next steps to clarify educational requirements and regulations”.

EO Lum stated his concern for staff workload. He also questioned if the process for adding scope items should be decided by the Board and not through legislation.

14. FULL BOARD Agenda Item 14: Future Agenda Items.

1. Michael Long: Orofacial Myofunctional Therapy.
2. Carmen Dones: Exam passage rates by College.

15. FULL BOARD Agenda Item 15: Closed Session.

The Board met in Closed Session to deliberate on enforcement disciplinary actions and decisions to be reached in Administrative Procedure Act Proceedings.

16. FULL BOARD Agenda Item 16: Adjournment.

Meeting was adjourned at **1:52 p.m.**



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 8.

Election of New 2025 Board Officers.



MEMORANDUM

DATE	November 16, 2024
TO	Dental Hygiene Board of California
FROM	Anthony Lum Executive Officer
SUBJECT	FULL 8: Dental Hygiene Board of California Election of Officers.

Current Officers:

President	Dr. Carmen Dones
Vice President	Sonia “Pat” Hansen
Secretary	Naleni “Lolly” Tribble-Agarwal

Nominations for New Officers:

President	
Vice President	
Secretary	

Member	Aye	Nay	Other
Carmen Dones			
Sonia “Pat” Hansen			
Sherman King			
Michael Long			
Justin Matthews			
Sridevi Ponnala			
Naleni “Lolly” Tribble-Agarwal			



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 9.

**Discussion and Possible Action on 2025 and 2026 Scheduled
Board Meeting Dates.**



MEMORANDUM

DATE	November 16, 2024
TO	Dental Hygiene Board of California
FROM	Anthony Lum Executive Officer
SUBJECT	FULL 9: Future Dental Hygiene Board of California Meetings for 2025 and 2026.

Staff has researched and reviewed the following proposed meeting dates for 2025 and 2026. These dates plan for 2-day meetings should issues arise for committee(s) to act upon. If there is no need for any Committee action and information for committees will be staff updates only that can be shared with the Board, the date will be reduced to a single 1-day Board meeting to conserve resources. Please review your calendars for any potential date conflicts and discuss with the Board. Staff present the following proposed meeting dates to the Board for approval.

2025

- Friday March 28, 2025 - Saturday, March 29, 2025
- Friday July 18, 2025 - Saturday, July 19, 2025
- Friday November 21, 2025 - Saturday, November 22, 2025

2026

- Friday March 27, 2026 - Saturday, March 28, 2026
- Friday July 17, 2026 - Saturday, July 18, 2026
- Friday November 20, 2025 - Saturday, November 21, 2026



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 10.

Executive Officer's Report.

Department of Consumer Affairs

Expenditure Report

Dental Hygiene Board of California

Reporting Structure(s): 11111100 Support

Fiscal Month: 3

Fiscal Year: 2024 - 2025

Run Date: 10/21/2024

PERSONAL SERVICES

Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5100 PERMANENT POSITIONS		\$1,052,000	\$76,220	\$220,901	\$0	\$220,901	\$831,099
5100000000	Earnings - Perm Civil Svc Empl	\$970,000	\$66,210	\$190,921	\$0	\$190,921	\$779,079
5105000000	Earnings-Exempt/Statutory Empl	\$82,000	\$10,010	\$29,980	\$0	\$29,980	\$52,020

Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5100 TEMPORARY POSITIONS		\$59,000	\$0	\$0	\$0	\$0	\$59,000
5100150004	Temp Help (907)	\$57,000	\$0	\$0	\$0	\$0	\$57,000
5100150005	Exam Proctor (915)	\$2,000	\$0	\$0	\$0	\$0	\$2,000

Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5105-5108 PER DIEM, OVERTIME, & LUMP SUM		\$24,000	\$0	\$900	\$0	\$900	\$23,100
5105100001	Bd/Commission Mbrs (901, 920)	\$24,000	\$0	\$900	\$0	\$900	\$23,100

Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5150 STAFF BENEFITS		\$626,000	\$46,647	\$119,698	\$0	\$119,698	\$506,302
5150150000	Dental Insurance	\$3,000	\$259	\$778	\$0	\$778	\$2,222
5150250000	Employee Assistance PGM Fee	\$0	\$25	\$50	\$0	\$50	-\$50
5150350000	Health Insurance	\$182,000	\$6,204	\$18,622	\$0	\$18,622	\$163,378
5150400000	Life Insurance	\$0	\$25	\$75	\$0	\$75	-\$75
5150450000	Medicare Taxation	\$8,000	\$1,058	\$3,075	\$0	\$3,075	\$4,925
5150500000	OASDI	\$68,000	\$4,148	\$12,025	\$0	\$12,025	\$55,975
5150600000	Retirement - General	\$299,000	\$19,432	\$56,438	\$0	\$56,438	\$242,562
5150750000	Vision Care	\$1,000	\$58	\$174	\$0	\$174	\$826
5150800000	Workers' Compensation	\$20,000	\$0	\$0	\$0	\$0	\$20,000
5150800004	SCIF Allocation Cost	\$0	\$8,614	\$8,614	\$0	\$8,614	-\$8,614
5150820000	Other Post-Employment Benefits	\$27,000	\$2,281	\$6,625	\$0	\$6,625	\$20,375
5150900000	Staff Benefits - Other	\$18,000	\$4,543	\$13,222	\$0	\$13,222	\$4,778
PERSONAL SERVICES		\$1,761,000	\$122,867	\$341,499	\$0	\$341,499	\$1,419,501

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5301 GENERAL EXPENSE		\$38,000	\$0	\$49	\$2,976	\$3,025	\$34,975
5301100003	Fingerprint Reports	\$3,000	\$0	\$49	\$0	\$49	\$2,951
5301350000	Freight and Drayage	\$0	\$0	\$0	\$1,500	\$1,500	-\$1,500
5301400000	Goods - Other	\$27,000	\$0	\$0	\$0	\$0	\$27,000
5301700000	Office Supplies - Misc	\$8,000	\$0	\$0	\$1,476	\$1,476	\$6,524

Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5302 PRINTING		\$17,000	\$194	\$194	\$13,985	\$14,179	\$2,821
5302300000	Office Copiers - Maintenance	\$0	\$194	\$194	\$0	\$194	-\$194
5302900000	Printing - Other	\$17,000	\$0	\$0	\$13,985	\$13,985	\$3,015
Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5304 COMMUNICATIONS		\$13,000	\$144	\$144	\$0	\$144	\$12,856
5304100000	Cell Phones, PDAs, Pager Svcs	\$0	\$144	\$144	\$0	\$144	-\$144
5304800000	Communications - Other	\$13,000	\$0	\$0	\$0	\$0	\$13,000
Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5306 POSTAGE		\$20,000	\$0	\$0	\$0	\$0	\$20,000
5306700000	Postage - Other	\$20,000	\$0	\$0	\$0	\$0	\$20,000
Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
53202-204 IN STATE TRAVEL		\$20,000	\$3,012	\$3,012	\$0	\$3,012	\$16,988
5320220000	Travel-In State-Per Diem Lodgi	\$0	\$1,533	\$1,533	\$0	\$1,533	-\$1,533
5320230000	Travel-In State-Per Diem Meals	\$0	\$674	\$674	\$0	\$674	-\$674
5320240000	Travel-In State-Per Diem Other	\$0	\$99	\$99	\$0	\$99	-\$99
5320420002	Uber-Transportation Network Co	\$0	\$25	\$25	\$0	\$25	-\$25
5320440000	Travel - In State -Private Car	\$0	\$647	\$647	\$0	\$647	-\$647
5320470000	Travel - In State - Rental Car	\$0	\$35	\$35	\$0	\$35	-\$35
5320490000	Travel - In State - Other	\$20,000	\$0	\$0	\$0	\$0	\$20,000
Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5322 TRAINING		\$7,000	\$0	\$0	\$0	\$0	\$7,000
5322400000	Training - Tuition & Registrat	\$7,000	\$0	\$0	\$0	\$0	\$7,000
Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5324 FACILITIES		\$171,000	\$11,771	\$35,314	\$107,705	\$143,019	\$27,981
5324350000	Rents and Leases	\$171,000	\$0	\$0	\$0	\$0	\$171,000
5324450000	Rent -Bldgs&Grounds(Non State)	\$0	\$11,771	\$35,314	\$107,705	\$143,019	-\$143,019
Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
5326 UTILITIES		\$1,000	\$0	\$0	\$0	\$0	\$1,000
5326900000	Utilities - Other	\$1,000	\$0	\$0	\$0	\$0	\$1,000
Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
53402-53403 C/P SERVICES (INTERNAL)		\$74,000	\$36,296	\$36,296	\$2,850	\$39,146	\$34,854
5340290000	Health and Medical	\$0	\$0	\$0	\$2,850	\$2,850	-\$2,850
5340310000	Legal - Attorney General	\$47,000	\$36,296	\$36,296	\$0	\$36,296	\$10,704
5340320000	Office of Adminis Hearings	\$3,000	\$0	\$0	\$0	\$0	\$3,000
5340330000	Consult & Prof Svcs-Interdept	\$24,000	\$0	\$0	\$0	\$0	\$24,000

Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Balance
53404-53405 C/P SERVICES (EXTERNAL)		\$241,000	\$8,499	\$8,829	\$53,533	\$62,362	\$178,638
5340420000	Administrative	\$187,000	\$7,849	\$8,179	\$47,871	\$56,050	\$130,950
5340420001	Expert Examiners- Exam Process	\$25,000	\$0	\$0	\$0	\$0	\$25,000
5340540001	Evidence/Witness Fees	\$0	\$650	\$650	\$2,800	\$3,450	-\$3,450
5340580000	Consult & Prof Svcs Extern Oth	\$29,000	\$0	\$0	\$2,862	\$2,862	\$26,138
5342 DEPARTMENT PRORATA		\$575,000	\$143,750	\$287,500	\$0	\$287,500	\$287,500
5342500050	Division of Investigation DOI	\$8,000	\$2,000	\$4,000	\$0	\$4,000	\$4,000
5342500055	Consumer Client Servs Div CCSD	\$567,000	\$141,750	\$283,500	\$0	\$283,500	\$283,500
5342 DEPARTMENTAL SERVICES		\$30,000	\$3	\$3	\$0	\$3	\$29,997
5342500090	Interagency Services	\$30,000	\$0	\$0	\$0	\$0	\$30,000
5342600000	Departmental Services - Other	\$0	\$3	\$3	\$0	\$3	-\$3
5344 CONSOLIDATED DATA CENTERS		\$12,000	\$0	\$0	\$0	\$0	\$12,000
5344000000	Consolidated Data Centers	\$12,000	\$0	\$0	\$0	\$0	\$12,000
5346 INFORMATION TECHNOLOGY		\$3,000	\$274	\$274	\$1,370	\$1,644	\$1,356
5346350000	IT Services - Subscription	\$0	\$274	\$274	\$1,370	\$1,644	-\$1,644
5346390000	IT Svcs-Oth(Security/Archival)	\$0	\$0	\$0	\$0	\$0	-\$0
5346900000	Information Technology - Other	\$3,000	\$0	\$0	\$0	\$0	\$3,000
5390 OTHER ITEMS OF EXPENSE		\$8,000	\$0	\$0	\$0	\$0	\$8,000
5390870000	Other Vehicle Operations Svcs	\$8,000	\$0	\$0	\$0	\$0	\$8,000
OPERATING EXPENSES & EQUIPMENT		\$1,230,000	\$203,943	\$371,615	\$182,419	\$554,034	\$675,966
OVERALL TOTALS		\$2,991,000	\$326,810	\$713,114	\$182,419	\$895,533	\$2,095,467

Department of Consumer Affairs
Expenditure Projection Report
 Dental Hygiene Board of California
 Reporting Structure(s): 11111100 Support
 Fiscal Month: 3
 Fiscal Year: 2024 - 2025
 Run Date: 10/23/2024

PERSONAL SERVICES

Fiscal Code	Line Item	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5100	PERMANENT POSITIONS	\$1,052,000	\$800,133	\$1,052,000	\$76,220	\$220,901	\$0	\$220,901	\$920,035	\$131,965
5100	TEMPORARY POSITIONS	\$59,000	\$0	\$59,000	\$0	\$0	\$0	\$0	\$0	\$59,000
5105-5108	PER DIEM, OVERTIME, & LUMP SUM	\$24,000	\$3,815	\$24,000	\$0	\$900	\$0	\$900	\$4,415	\$19,585
5150	STAFF BENEFITS	\$619,000	\$456,702	\$626,000	\$46,647	\$119,698	\$0	\$119,698	\$498,534	\$127,466
	PERSONAL SERVICES	\$1,754,000	\$1,260,650	\$1,761,000	\$122,867	\$341,499	\$0	\$341,499	\$1,422,984	\$338,016

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	Line Item	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5301	GENERAL EXPENSE	\$38,000	\$10,185	\$38,000	\$0	\$49	\$2,976	\$3,025	\$8,867	\$29,133
5302	PRINTING	\$17,000	\$32,121	\$17,000	\$194	\$194	\$13,985	\$14,179	\$18,405	-\$1,405
5304	COMMUNICATIONS	\$13,000	\$4,172	\$13,000	\$144	\$144	\$0	\$144	\$3,906	\$9,094
5306	POSTAGE	\$20,000	\$6,472	\$20,000	\$0	\$0	\$0	\$0	\$6,472	\$13,528
5308	INSURANCE	\$0	\$27	\$0	\$0	\$0	\$0	\$0	\$27	-\$27
53202-204	IN STATE TRAVEL	\$20,000	\$11,334	\$20,000	\$3,012	\$3,012	\$0	\$3,012	\$12,049	\$7,951
5322	TRAINING	\$7,000	\$1,000	\$7,000	\$0	\$0	\$0	\$0	\$1,000	\$6,000
5324	FACILITIES	\$171,000	\$149,800	\$171,000	\$11,771	\$35,314	\$107,705	\$143,019	\$152,739	\$18,261
5326	UTILITIES	\$1,000	\$0	\$1,000	\$0	\$0	\$0	\$0	\$0	\$1,000
53402-53403	C/P SERVICES (INTERNAL)	\$74,000	\$165,082	\$74,000	\$36,296	\$36,296	\$2,850	\$39,146	\$172,581	-\$98,581
53404-53405	C/P SERVICES (EXTERNAL)	\$222,000	\$78,098	\$241,000	\$8,499	\$8,829	\$53,533	\$62,362	\$83,260	\$157,740
5342	DEPARTMENT PRORATA	\$577,000	\$502,784	\$575,000	\$143,750	\$287,500	\$0	\$287,500	\$575,000	\$0
5342	DEPARTMENTAL SERVICES	\$30,000	\$24,159	\$30,000	\$3	\$3	\$0	\$3	\$93,747	-\$63,747
5344	CONSOLIDATED DATA CENTERS	\$12,000	\$6,640	\$12,000	\$0	\$0	\$0	\$0	\$6,639	\$5,361
5346	INFORMATION TECHNOLOGY	\$3,000	\$822	\$3,000	\$274	\$274	\$1,370	\$1,644	\$1,644	\$1,356
5362-5368	EQUIPMENT	\$0	\$1,229	\$0	\$0	\$0	\$0	\$0	\$1,229	-\$1,229
5390	OTHER ITEMS OF EXPENSE	\$8,000	\$0	\$8,000	\$0	\$0	\$0	\$0	\$0	\$8,000
54	SPECIAL ITEMS OF EXPENSE	\$0	\$149	\$0	\$0	\$0	\$0	\$0	\$149	-\$149
	OPERATING EXPENSES & EQUIPMENT	\$1,213,000	\$994,074	\$1,230,000	\$203,943	\$371,615	\$182,419	\$554,034	\$1,137,715	\$92,285

OVERALL TOTALS		\$2,967,000	\$2,254,724	\$2,991,000	\$326,810	\$713,114	\$182,419	\$895,533	\$2,560,699	\$430,301
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14.39%

Department of Consumer Affairs

Revenue Report

Dental Hygiene Board of California

Reporting Structure(s): 11111100 Support

Fiscal Month: 3

Fiscal Year: 2024 - 2025

Run Date: 10/21/2024

Revenue

Fiscal Code	Line Item	Budget	Current Month	YTD	Balance
Delinquent Fees		\$0	\$4,870	\$12,900	-\$12,900
4121200089	3140 Delinq Ren Rdh	\$0	\$4,870	\$12,820	-\$12,820
4121200092	3140 Delinq Ren Rdhap Fnp	\$0	\$0	\$80	-\$80

Fiscal Code	Line Item	Budget	Current Month	YTD	Balance
Other Regulatory Fees		\$0	\$15,937	\$38,972	-\$38,972
4129200133	3140 Duplicate License	\$0	\$475	\$1,775	-\$1,775
4129200310	3140 Citations & Fines	\$0	\$14,112	\$32,747	-\$32,747
4129200331	3140 License Certification	\$0	\$1,350	\$4,450	-\$4,450

Fiscal Code	Line Item	Budget	Current Month	YTD	Balance
Other Regulatory License and Permits		\$0	\$9,086	\$60,023	-\$60,023
4129400243	3140 License Fee Rdhap	\$0	\$750	\$4,700	-\$4,700
4129400244	3140 Initial Lic Fee Rdhap Fnp	\$0	\$160	\$640	-\$640
4129400245	3140 Initial Lic 1/2 Rdhap Fnp	\$0	\$0	\$240	-\$240
4129400249	3140 App Fee Rdhap	\$0	\$300	\$2,000	-\$2,000
4129400251	3140 App Fee Rdh	\$0	\$2,300	\$20,400	-\$20,400
4129400257	3140 App Fee Rdh Original Lic	\$0	\$2,300	\$20,400	-\$20,400
4129400524	Suspended Revenue	\$0	\$616	\$3,203	-\$3,203
4129400525	Prior Year Revenue Adjustment	\$0	\$0	-\$160	\$160
4129400619	3140 O. S. SLN Course	\$0	\$0	\$500	-\$500
4129400620	3140 O. S. App SLN Review	\$0	\$500	\$500	-\$500
4129400627	3140 Initial Retired Lic App	\$0	\$2,160	\$7,600	-\$7,600

Fiscal Code	Line Item	Budget	Current Month	YTD	Balance
Other Revenue		\$0	\$92	\$2,285	-\$2,285
4143500007	Misc Serv To Public Trans	\$0	\$0	\$2,100	-\$2,100
4171400001	Canceled Warrants Revenue	\$0	\$92	\$185	-\$185

Fiscal Code	Line Item	Budget	Current Month	YTD	Balance
Renewal Fees		\$0	\$417,400	\$1,056,105	-\$1,056,105
4127400151	3140 Renewal Rdhap Fnp	\$0	\$800	\$1,440	-\$1,440
4127400155	3140 Renewal Rdh	\$0	\$408,380	\$1,034,065	-\$1,034,065
4127400156	3140 Renewal Rdhap	\$0	\$8,160	\$19,680	-\$19,680
4127400157	3140 Renewal Rdhef	\$0	\$0	\$600	-\$600
4127400282	Refunds	\$0	-\$100	\$0	\$0
4127400339	3140 Reactivate Retire Lic App	\$0	\$160	\$320	-\$320
Revenue		\$0	\$447,385	\$1,170,284	-\$1,170,284

Reimbursements

Fiscal Code	Line Item	Budget	Current Month	YTD	Balance
Scheduled Reimbursements		\$0	\$0	\$98	-\$98
4840000001	Fingerprint Reports	\$0	\$0	\$98	-\$98

Fiscal Code	Line Item	Budget	Current Month	YTD	Balance
Unscheduled Reimbursements		\$0	\$415	\$7,873	-\$7,873
4850000005	Us Probation Monitor	\$0	\$315	\$1,710	-\$1,710
4850000009	Us Cost Recovery	\$0	\$100	\$6,163	-\$6,163
Reimbursements		\$0	\$415	\$7,971	-\$7,971

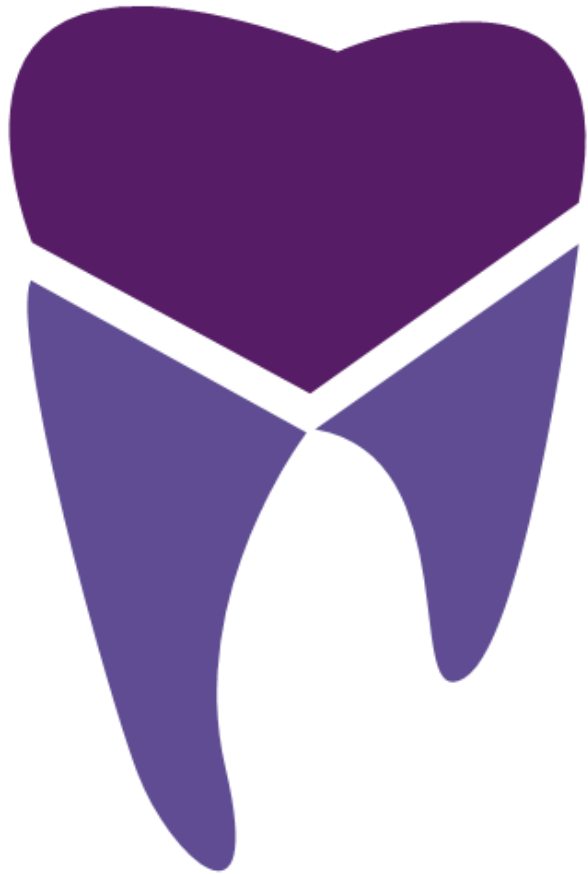
3140 - State Dental Hygiene Fund
Analysis of Fund Condition
(Dollars in Thousands)
2024 Budget Act w/ FM3 Projections

Prepared 10.30.2024

	Actuals	CY	BY	BY +1	BY +2
	2023-24	2024-25	2025-26	2026-27	2027-28
BEGINNING BALANCE					
Prior Year Adjustment	\$ 2,633	\$ 3,835	\$ 4,539	\$ 4,583	\$ 4,534
Adjusted Beginning Balance	\$ 16	\$ -	\$ -	\$ -	\$ -
	<u>\$ 2,649</u>	<u>\$ 3,835</u>	<u>\$ 4,539</u>	<u>\$ 4,583</u>	<u>\$ 4,534</u>
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$ 53	\$ 52	\$ 73	\$ 73	\$ 73
4127400 - Renewal fees	\$ 2,835	\$ 3,062	\$ 2,908	\$ 2,908	\$ 2,908
4129200 - Other regulatory fees	\$ 312	\$ 99	\$ 110	\$ 110	\$ 110
4129400 - Other regulatory licenses and permits	\$ 231	\$ 188	\$ 184	\$ 184	\$ 184
4143500 - Miscellaneous Services to the Public	\$ 1	\$ 2	\$ 2	\$ 2	\$ 2
4163000 - Income from surplus money investments	\$ 145	\$ 46	\$ 68	\$ 67	\$ 65
4172500 - Miscellaneous revenues	\$ 1	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	<u>\$ 3,578</u>	<u>\$ 3,449</u>	<u>\$ 3,345</u>	<u>\$ 3,344</u>	<u>\$ 3,342</u>
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	<u>\$ 3,578</u>	<u>\$ 3,449</u>	<u>\$ 3,345</u>	<u>\$ 3,344</u>	<u>\$ 3,342</u>
TOTAL RESOURCES	<u>\$ 6,227</u>	<u>\$ 7,284</u>	<u>\$ 7,884</u>	<u>\$ 7,927</u>	<u>\$ 7,876</u>
Expenditures:					
1111 Department of Consumer Affairs (State Operations)	\$ 2,214	\$ 2,532	\$ 3,076	\$ 3,168	\$ 3,263
9892 Supplemental Pension Payments (State Operations)	\$ 34	\$ 23	\$ -	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 144	\$ 190	\$ 225	\$ 225	\$ 225
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	<u>\$ 2,392</u>	<u>\$ 2,745</u>	<u>\$ 3,301</u>	<u>\$ 3,393</u>	<u>\$ 3,488</u>
FUND BALANCE					
Reserve for economic uncertainties	<u>\$ 3,835</u>	<u>\$ 4,539</u>	<u>\$ 4,583</u>	<u>\$ 4,534</u>	<u>\$ 4,387</u>
Months in Reserve	16.8	16.5	16.2	15.6	15.1

NOTES:

1. Assumes workload and revenue projections are realized in BY and ongoing.
2. Expenditure growth projected at 3% beginning BY.



DHBC

Dental Hygiene
Board of California

DENTAL HYGIENE EDUCATIONAL PROGRAM (DHEP) REVIEW PROCESS

**UPDATE OF THE BOARD'S EFFORTS
TO REVIEW DHEP_s**

DHEP PLAN

Scheduled Site Visits - The Board's ongoing plan is to review all DHEPs close to the time when the Commission on Dental Accreditation (CODA) conducts their site visits (about every 7 years) to minimize the work and interruption for faculty and staff in the programs.

We've now completed reviews of all DHEPs (26) and have a baseline of compliance or are aware of current deficiencies to be corrected for each program.

WHAT TO EXPECT on SITE VISITS

Board staff contacts the program director (PD) to arrange the site visit and inform PD of what to prepare for review. The site visit *can be announced or unannounced* pursuant to BPC section 1941 subsection (b) depending on the issue.

Reasons for site visits are:

- Recent CODA site visit (i.e., normally scheduled Board visit).
- Complaint(s) received regarding the dental hygiene program.
- Change in program schedule, director, changes in facilities, infection control issues, or other program impacting issue.

Staff will conduct the site visit to review all aspects of the program including facilities, clinic, staff, and interviews with students, faculty, and administration, if necessary.

WHAT TO EXPECT on SITE VISITS (cont.)

- Once concluded, staff will send a letter of compliance or deficiency(s) that need action with a deadline for compliance.
- If the DHEP is **in compliance**, no further action needs to be addressed, and all is good.
- If the DHEP is found to have **deficiencies**, the Board's Deficiency Letter will identify the deficiency(s) with the Board's laws and/or CODA Standard(s) explained and the program is required to correct or remedy the issues for compliance.
- The program then has a reasonable deadline to fix the issue(s) or possibly face further Board action. Once corrected, staff may conduct an additional site visit to confirm the fix.

PENALTIES for NON-COMPLIANCE

In 2019, the Board obtained statutory authority pursuant to BPC section 1941.5 subsections (c)(d) for intermediary actions so full withdrawal of Board approval is not used immediately. If a DHEP continues to be non-compliant of the Board's laws and CODA Standards after the opportunity to comply, the Board's action options are:

- 1) Issue a citation and fine with orders of abatement.
- 2) Place a program on probation with terms and conditions.*
- 3) Conduct new or follow-up **announced and unannounced** site visits to ensure programs maintain compliance or result from complaint(s) received.
- 4) Board's removal of DHEP approval is the last option.

***Probation allows schools time to work toward compliance of the CA laws and CODA Standards without having to fully withdraw Board approval.**

Appeals Process

- If the Board acts on a DHEP (citation, fine, probation, or withdrawal of Board approval) due to deficiencies of the law or CODA Standards, the program has the right to an Informal Conference with the Board's Executive Officer (EO) to provide additional information for compliance. After the informal conference, the EO may affirm, modify, or dismiss the Board's actions against the program.
- If the DHEP is not satisfied with the EO's decision, they have the right to request a formal hearing before an Administrative Law Judge (ALJ) pursuant to the Government Code.
- If the ALJ modifies the ruling, it will be presented to the Board for acceptance.

QUESTIONS ???

*(The next few slides move into the next agenda item
– **Proposed Amended Appeals Process**)*

Appeals Process (cont.)

Current Appeals Process:

- Staff action. DHEP demonstrates non-compliance.
- Case presented to Board for action.
- Board determines action against DHEP.
- EO Informal Conference to affirm, modify, or dismiss Board's decision/action.
- Possible Administrative Hearing.
- Hearing results returned to Board and staff for consideration.

Proposed Appeals Process:

- Staff action. DHEP demonstrates non-compliance.
- **Executive Officer determines potential penalty/action against DHEP.**
- **EO Informal Conference to affirm, modify, or dismiss prior action.**
- **Appeal of EO action presented to Board.**
- **Board acts to affirm, modify, or dismiss EO decision/action.**
- Possible Administrative Hearing.
- Hearing results returned to Board and staff for consideration.

Proposed: Regulations to Amend DHEP Appeals Process

California Code of Regulations (CCR) to be amended to reorganize the DHEP method of appealing Board actions taken against them:

- 16 CCR section 1104.2.
- 16 CCR section 1104.3.
- 16 CCR section 1105.4.
- 16 CCR section 1107.
- 16 CCR section 1108.
- 16 CCR section 1109.

Outcomes of Amended DHEP Appeal Regulations

- 1) Amendments to the DHEP regulations **will align the DHEP oversight process with how the Board investigates enforcement cases against licensees** (staff work/investigation, executive officer (EO) determines action, full board hears and determines final outcome after appeal or administrative hearing).
- 2) Rearranges authority to the EO first to implement enforceable actions against a DHEP, but then provides the full board authority to affirm, modify, or dismiss the EO's actions, if appealed.

QUESTIONS ????

***THANK
YOU!***



DHBC

Dental Hygiene
Board of California



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 11.

Discussion and Possible Action to Amend California Code of Regulations, Title 16, Sections 1104.2, 1104.3, 1105.4, 1107, 1108, and 1109 Regarding the Dental Hygiene Educational Program's "Appeals Process."



MEMORANDUM

DATE	November 16, 2024
TO	Dental Hygiene Board of California
FROM	Anthony Lum Executive Officer
SUBJECT	FULL 11: Discussion and Possible Action to Amend California Code of Regulations, Title 16, Sections 1104.2, 1104.3, 1105.4, 1107, 1108, and 1109 Regarding the Dental Hygiene Educational Program’s “Appeals Process.”

BACKGROUND:

In 2019, the Board obtained statutory authority pursuant to Business and Professions Code (BPC) section 1941.5(c) and (d) for intermediary actions so full withdrawal of Board approval is not used immediately. If a Dental Hygiene Educational Program (DHEP) continues to be non-compliant of the Board’s laws and CODA Standards after the opportunity to comply, the Board’s options are:

1. Issue a citation and fine with orders of abatement.
2. Place a program on probation with terms and conditions.*
3. Conduct announced and unannounced site visits to ensure programs maintain compliance or result from complaint(s) received.
4. Board’s removal of DHEP approval is last option.

*Probation allows schools time to work toward compliance of the CA laws and CODA Standards without having to fully withdraw Board approval.

The current appeals process included in California Code of Regulations (CCR), Title 16, Sections 1104.2, 1104.3, 1105.4, 1107, 1108, and 1109 is as follows:

1. Staff action. DHEP demonstrates non-compliance.
2. Case presented to Board for action.
3. Board determines action against DHEP.
4. EO Informal Conference to affirm, modify, or dismiss Board’s decision/action.
5. Possible Administrative Hearing.
6. Hearing results returned to Board and staff for consideration.

Proposed amendments to the current process:

1. Staff action. DHEP demonstrates non-compliance.
2. Executive Officer determines potential penalty/EO action pursuant to newly created DHEP penalty rubrick.
3. EO Informal Conference to affirm, modify, or dismiss EO action.
4. Appeal of EO action presented to Board.
5. Board acts to affirm, modify, or dismiss EO decision/action.
6. Possible Administrative Hearing.
7. Hearing results returned to Board and staff for consideration.

Desired Outcomes of Amended DHEP Appeals Process:

1. Amendments to the DHEP regulations will align the DHEP oversight process with the process Board staff investigates enforcement cases against licensees (staff work/investigation, executive officer (EO) determines action, full board hears and determines final outcome after appeal or administrative hearing).
2. Rearranges action authority to the EO to implement enforceable actions against a DHEP, but then provides the full board authority to affirm, modify, or dismiss the EO's actions, if appealed.

ACTION REQUESTED:

Staff recommends the full Board to review the current DHEP appeals process regulatory language to determine if this change is warranted and authorize the Executive Officer to draft amended regulatory language to address the DHEP appeals process for intermediary actions or withdrawal of Board approval.

PROPOSED MOTION LANGUAGE:

I recommend for the full Board to review the current DHEP appeals process regulatory language to determine if this change is warranted and authorize the Executive Officer to draft amended regulatory language in California Code of Regulations (CCR), Title 16, Sections 1104.2, 1104.3, 1105.4, 1107, 1108, and 1109 to address the DHEP appeals process for intermediary actions or withdrawal of Board approval and return to the Board for review and possible action.

Attachments:

1. Current language for 16 CCR sections 1104.2, 1104.3, 1105.4, 1107, 1108, and 1109.

16 CCR Section 1104.2. Appeals Process for New RDH Programs:

- (a) Any new educational program whose approval is denied may request an informal conference before the Executive Officer or his or her designee. The program shall be given at least ten days notice of the time and place of such informal conference.
- (b) The education program may contest the denial of approval by either:
 - (1) Appearing at the informal conference. The Executive Officer shall notify the educational program of the final decision of the Executive Officer within ten days of the informal conference. Based on the outcome of the informal conference, the educational program may then request a hearing to contest the Executive Officer's final decision. An educational program shall request a hearing by written notice to the Dental Hygiene Board within 30 calendar days of the postmark date of the letter of the Executive Officer's final decision after informal conference. Hearings shall be held pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Or;
 - (2) Notifying the Dental Hygiene Board in writing the educational program election to forego the informal conference and to proceed with a hearing pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Such notification shall be made to the Dental Hygiene Board before the date of the informal conference.

16 CCR Section 1104.3. Reviews, Site Visits, Citations and Fines, and Probationary Status for Dental Hygiene Educational Programs:

(a) Program Reviews and Site Visits

A dental hygiene educational program for a registered dental hygienist, a registered dental hygienist in alternative practice, or a registered dental hygienist in extended functions (collectively DHEPs) shall provide access during business hours to the DHEP's records and premises to the Dental Hygiene Board of California (Board) or its authorized representative(s) to review the DHEP for compliance with all laws, regulations, and standards applicable to a DHEP including, but not limited to, the Business and Professions Code, the California Code of Regulations (CCR), the Commission on Dental Accreditation Standards of the American Dental Association, Occupational Safety and Health Administration, Health and Safety Code, Centers for Disease Control and Prevention, and the Health Insurance Portability and Accountability Act (HIPAA). For the purpose of this subdivision, "records" shall

include, but are not limited to, course records, student records, faculty and staff records, and patient records.

(b) Citations, Fines, and Orders of Abatement

- (1) The Executive Officer of the Board or their designee may issue a citation to a DHEP containing an order to pay a fine not to exceed \$5,000 and an order of abatement against a DHEP for any violation of Division 11 of Title 16 of the California Code of Regulations or any laws governing DHEPs.
 - (A) A citation may be issued without the assessment of a fine when determined by the Executive Officer or their designee in accordance with the factors set forth in subdivision (b)(3).
 - (B) Each citation issued pursuant to subdivision (b)(1) of this section shall be in writing and shall describe with particularity the nature and facts of each violation specified in the citation, including a reference to the law or regulation alleged to have been violated.
- (2) If the Board or its authorized representative determines that a DHEP is in violation of any law, regulation, or standard applicable to a DHEP, the DHEP shall correct the violation(s) within the amount of time specified in the order. The DHEP shall furnish the Board written proof of compliance with the order and shall permit a site visit by the Board's authorized representative to confirm compliance.
- (3) In the issuance of any citation or fine, the following factors shall be considered:
 - (A) Nature and severity of the violation;
 - (B) Length of time that has passed since the date of the violation;
 - (C) Consequences of the violation, including the potential to harm, or actual patient harm;
 - (D) History of previous violations of a similar nature;
 - (E) Evidence that the violation was willful;
 - (F) Gravity of the violation; and
 - (G) The extent to which the cited DHEP has remediated the deficiencies.
- (4) Compliance with Citation/Order of Abatement
 - (A) If a cited DHEP who has been issued an order of abatement is unable to complete the correction within the time set forth in the citation because of conditions beyond the DHEP's control after the exercise of reasonable diligence, the DHEP cited may request an extension of time from the Executive Officer or their designee in which to complete the correction. The request shall be in writing and shall be made within the time set forth for abatement.
 - (B) When a citation or order of abatement is not contested or if the order is appealed and the DHEP cited does not prevail, failure to abate the violation within the time allowed or pay the fine that was imposed, if one was, shall constitute a violation and a failure to comply with the citation or order of abatement.

- (C) Failure to timely comply with an order of abatement or pay a fine that is imposed shall result in disciplinary action being taken by the Board in addition to other remedies.

(5) Contested Citations

- (A) The citation shall inform the cited DHEP if they desire a hearing to contest the finding of a violation, the hearing shall be requested by written notice to the Board within 30 calendar days of the date of issuance of the citation. Hearings shall be held pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.
- (B) In addition to or as an alternative to requesting a hearing as provided in subdivision (b)(5)(A), the cited DHEP may, within 14 calendar days after service of the citation, submit a written request to the Board for an informal conference with the Executive Officer.
- (C) The Executive Officer or their designee shall, within 30 calendar days from receipt of the written request for an informal conference pursuant to subdivision (b)(5)(B), hold an informal conference with the DHEP cited and/or their legal counsel or authorized representative, if any, unless continued for good cause.
- (D) The Executive Officer or their designee may affirm, modify or dismiss the citation at the conclusion of the informal conference. A written decision stating the reasons for the decision shall be mailed to the cited DHEP and their legal counsel, if any, within 14 calendar days from the date of the informal conference. This decision shall be deemed to be a final order with regard to the informal conference procedure.
 - (i) If the citation, including any administrative fine levied or order of abatement pursuant to subdivision (b)(1), is dismissed, the request for a hearing shall be deemed withdrawn.
 - (ii) If the citation, including any administrative fine levied or order of abatement, is affirmed, the cited DHEP may, in its discretion, withdraw the request for a hearing or proceed with the administrative hearing process as set forth in subdivision (b)(5)(A). An additional informal conference shall not be held on affirmed citations.
 - (iii) If the citation, including any administrative fine levied or order of abatement, is modified, the citation originally issued shall be considered withdrawn and a new citation issued. If a cited DHEP wishes to contest a modified citation, the cited DHEP shall, within 30 calendar days after issuance of the modified citation, contest it by submitting a written request for an administrative hearing, as provided for in subdivision (b)(5)(A), to the Board. An informal conference shall not be held on modified citations.

(c) Probationary Status of a DHEP

- (1) If the Board or its authorized representative determines a DHEP is in violation of any law, regulation, or standard applicable to a DHEP, the Board at a noticed Board meeting may, pursuant to Section 1941.5 of the Code, place a DHEP on probation.
- (2) In the issuance of probation, the Board will consider the factors set forth in subdivision (b)(3) of this section.
- (3) If the Board places a DHEP on probation, the DHEP is required to provide notice of their probationary status in writing to its students within fifteen (15) business days of being placed on probation. The formal notice shall include, but not be limited to, a notice that the DHEP was placed on probation by the Board, the date of the beginning of the probation, as well as a copy of the Board's order issuing probation to the DHEP which includes the terms of the probation. In addition, the DHEP shall provide notice to each potential student applicant to the DHEP before offering to enroll the applicant. The DHEP shall provide the Board with written proof of compliance with this subdivision as a condition for removal from probationary status.
- (4) A DHEP on probationary status shall correct the violation(s) within the amount of time specified in the order. The DHEP shall furnish the Board written proof of compliance with the order and shall permit a site visit by the Board's authorized representative to confirm compliance.
 - (A) If the DHEP on probation demonstrates it has corrected the violation(s) and meets all requirements for approval set forth in 16 CCR section 1104, the Board may determine, at a noticed Board meeting, that the DHEP shall be removed from probationary status.
 - (B) If the DHEP on probation fails to demonstrate to the Board by the end of its probationary period the DHEP has corrected all violation(s) and met the requirements for approval set forth in 16 CCR section 1104, the Board shall withdraw approval of the DHEP.

(5) Appeals Process for a DHEP on Probationary Status

(A) Any DHEP who is placed on probation may request, in writing, to appeal their probationary status by either:

(i) Requesting an informal conference.

(a) The probationary DHEP may, within 14 calendar days after service of notice of probation, submit a written request to the Board for an informal conference with the Executive Officer.

(b) The Executive Officer or their designee shall, within 30 calendar days from receipt of the written request for an informal conference pursuant to subdivision (c)(5)(A)(i)(a), hold an informal conference with the DHEP cited and/or their legal counsel or authorized representative, if any, unless continued for good cause.

(c) The Executive Officer shall notify the DHEP of the final decision of the Executive Officer within ten days of the informal conference. Based on the outcome of the informal conference, the DHEP may request a

hearing pursuant to subdivision (c)(5)(A)(ii) to contest the Executive Officer's final decision.

- (d) A DHEP shall request a hearing by written notice to the Board within 30 calendar days of the date of the letter of the Executive Officer's final decision after the informal conference. Hearings shall be held pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.
- (ii) Requesting a hearing pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Such request shall be made to the Board within 30 calendar days after service of a notice of probation, or before the date of the informal conference, if one was requested.

16 CCR Section 1105.4. Appeals Process:

- (a) The Dental Hygiene Board may deny or withdraw its approval of an educational program. If the Dental Hygiene Board denies or withdraws approval of a program, the reasons for withdrawal or denial will be provided in writing within ninety (90) days.
- (b) Any educational program whose approval is denied or withdrawn shall be granted an informal conference before the Executive Officer or his or her designee prior to the effective date of such action. The educational program shall be given at least ten days' notice of the time and place of such informal conference and the specific grounds for the proposed action.
- (c) The educational program may contest the denial or withdrawal of approval by either:
 - (1) Appearing at the informal conference. The Executive Officer shall notify the educational program of the final decision of the Executive Officer within ten days of the informal conference. Based on the outcome of the informal conference, the program may then request a hearing to contest the Executive Officer's final decision. An educational program or program applicant shall request a hearing by written notice to the Dental Hygiene Board within 30 calendar days of the postmark date of the letter of the Executive Officer's final decision after the informal conference. Hearings shall be held pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Or;
 - (2) Notifying the Dental Hygiene Board in writing the program's election to forego the informal conference and to proceed with a hearing pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Such notification shall be made to the Dental Hygiene Board before the date of the informal conference.

16 CCR Section 1107(c). [RDH Course in Periodontal Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen Analgesia (SLN)]:

(c) Appeals.

- (1) The Board may deny or withdraw its approval of a course. If the Board denies or withdraws approval of a course, the reasons for withdrawal or denial will be provided in writing within ninety (90) days.
- (2) Any course provider whose approval is denied or withdrawn shall be granted an informal conference before the Executive Officer or his or her designee prior to the effective date of such action. The course provider shall be given at least ten days' notice of the time and place of such informal conference and the specific grounds for the proposed action.
- (3) The course provider may contest the denial or withdrawal of approval by either:
 - (A) Appearing at the informal conference. The Executive Officer shall notify the course provider of the final decision of the Executive Officer within ten days of the informal conference. Based on the outcome of the informal conference, the course provider may then request a hearing to contest the Executive Officer's final decision. A course provider shall request a hearing by written notice to the Board within 30 calendar days of the postmark date of the letter of the Executive Officer's final decision after informal conference. Hearings shall be held pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Or;
 - (B) Notifying the Board in writing the course provider's election to forego the informal conference and to proceed with a hearing pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Such notification shall be made to the Board before the date of the informal conference.

16 CCR Section 1108(d) (Remedial Education):

(d) Appeals.

- (1) The Dental Hygiene Board may deny or withdraw its approval of a course. If the Dental Hygiene Board denies or withdraws approval of a course, the reasons for withdrawal or denial will be provided in writing within ninety (90) days.
- (2) Any course provider or applicant whose approval is denied or withdrawn shall be granted an informal conference before the Executive Officer or his or her designee prior to the effective date of such action. The applicant or course provider shall be given at least ten days' notice of the time and place of such informal conference and the specific grounds for the proposed action.

- (3) The applicant or course provider may contest the denial or withdrawal of approval by either:
- (A) Appearing at the informal conference. The Executive Officer shall notify the course provider of the final decision of the Executive Officer within ten days of the informal conference. Based on the outcome of the informal conference, the course provider may then request a hearing to contest the Executive Officer's final decision. A course provider shall request a hearing by written notice to the Dental Hygiene Board within 30 calendar days of the postmark date of the letter of the Executive Officer's final decision after informal conference. Hearings shall be held pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Or;
 - (B) Notifying the Dental Hygiene Board in writing the course provider's election to forego the informal conference and to proceed with a hearing pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Such notification shall be made to the Dental Hygiene Board before the date of the informal conference.

16 CCR Section 1109(g). [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).]

(g) Appeals.

- (1) The Board may deny or withdraw its approval of a course for non-compliance with this section. If the Board denies or withdraws approval of a course, the reasons for withdrawal or denial will be provided in writing within sixty (60) business days.
- (2) Any course provider or applicant whose approval is denied or withdrawn shall be granted an informal conference before the Executive Officer or his or her designee prior to the effective date of such action. The applicant or course provider shall be given at least ninety (90) business days' notice of the time and place of such informal conference and the specific grounds for the proposed action.
- (3) The applicant or course provider may contest the denial or withdrawal of approval by either:
 - (A) Appearing at the informal conference. The Executive Officer shall notify the course provider of the final decision of the Executive Officer within thirty (30) business days of the informal conference. Based on the outcome of the informal conference, the course provider may then request a hearing to contest the Executive Officer's final decision. A course provider shall request a hearing by written notice to the Board within thirty (30) business days of the

postmark date of the letter of the Executive Officer's final decision after informal conference. Hearings shall be held pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code; or

- (B) Notifying the Board in writing the course provider's election to forego the informal conference and to proceed with a hearing pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Such notification shall be made to the Board before the date of the informal conference.



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 12.

**Discussion and Possible Action on Education Committee
Report and Recommendation(s).**



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 13.

**Discussion and Possible Action on
Legislative and Regulatory Committee
Report and Recommendation(s).**



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 14.

Enforcement Update: Statistical Report.

Dental Hygiene Board of California Enforcement Statistics

FY 2024/25

Report data as of 10/31/2024

As Of	7/31	8/31	9/30	10/31	11/30	12/31	1/31	2/29	3/31	4/30	5/31	6/30	Total
Complaints Received													
Consumer Complaints	6	11	10	8									35
Board Initiated Complaints	63	26	15	63									167
Arrests/Convictions	3	1	3	5									12
Applicants	4	6	1	1									12
Totals	76	44	29	77	0	0	0	0	0	0	0	0	226

Complaint Case Type Received													
Criminal Charges/Convictions	7	7	4	6									24
Incompetence/ Negligence	0	0	0	0									0
Non-Jurisdictional	0	0	0	0									0
Sexual Misconduct	0	0	0	0									0
Substance Abuse - No criminal charges	0	0	1	0									1
Unprofessional Conduct	59	35	9	66									169
Unlicensed	0	0	8	1									9
Unsafe/Unsanitary Conditions	0	0	0	0									0
Other	10	2	7	4									23

As Of	7/31	8/31	9/30	10/31	11/30	12/31	1/31	2/29	3/31	4/30	5/31	6/30	Total
Complaint Closures w/no additional Disciplinary or Administrative Action													
Application Approved	2	7	1	0									10
Insufficient Evidence	1	6	3	3									13
No Violation	8	9	8	5									30
No Jurisdiction	1	9	8	4									22
Other (includes, but not limited to redundant complaints and those awaiting criminal disposition)	2	7	5	2									16
Totals	14	38	25	5									82

Investigations

Open Investigations

Desk Investigations	108	102	84	102									
Field Investigations	29	24	27	26									
Totals	137	126	111	128	0	0	0	0	0	0	0	0	0

Closed Investigations

Desk Investigations	16	65	36	51									
Field Investigations	3	12	6	2									
Totals	19	77	42	53	0	0	0	0	0	0	0	0	0

Case Aging for Investigations (Open Cases)

Desk Investigations

0-6 months	59	56	45	71									
7-12 months	17	18	14	9									
>1 yr - 1.5 years	14	13	13	13									
>1.5 years - 2 years	12	10	7	8									
>2 years	6	5	5	1									

As Of	7/31	8/31	9/30	10/31	11/30	12/31	1/31	2/29	3/31	4/30	5/31	6/30
Field Investigations												
0-6 months	16	15	22	22								
7-12 months	6	5	3	1								
>1 yr - 1.5 years	3	3	2	3								
>1.5 years - 2 years	1	0	0	0								
>2 years	3	1	0	0	0	0	0	0	0	0	0	0

Total

Attorney General's Office (AG)

Discipline

Cases Transmitted to AG	1	4	2	6								
Statement of Issues Filed	0	0	0	0								
Accusations Filed	3	1	0	0								
Accusations Withdrawn	0	0	0	0								
Revocation	0	0	0	0								
Surrender	0	0	0	0								
Public Repeval	0	1	1	1								
Probation	1	1	0	1								

Probation Subsequent Discipline

Subsequent Case Transmitted to AG	0	0	0	0	0	0	0	0	0	0	0	0
Petition to Revoke Probation Filed	0	0	1	0	0	0	0	0	0	0	0	0
Accusation/Petition to Revoked Probation Filed	0	1	0	0	0	0	0	0	0	0	0	0
Revoked	0	0	0	0	0	0	0	0	0	0	0	0
Surrendered	0	0	0	0	0	0	0	0	0	0	0	0
Probation Extended	0	0	0	0	0	0	0	0	0	0	0	0

As Of	7/31	8/31	9/30	10/31	11/30	12/31	1/31	2/29	3/31	4/30	5/31	6/30
All AG Cases Pending Disciplinary Action												
Totals	21	23	24	27								

Total

Case Aging for Pending AG Cases From Time of Transmittal												
<i>0-6 months</i>	16	17	13	15								
<i>7-12 months</i>	3	5	10	11								
<i>>1 yr - 1.5 years</i>	0	1	1	1								
<i>>1.5 years - 2 years</i>	0	0	0	0								
<i>>2 years</i>	0	0	0	0								

Citation/Fine												
Citations Issued	1	33	24	37								
Citations Modified	0	3	3	1								
Citation Affirmed	0	1	1	1								
Citations Dismissed	0	1	0	0								
Total Amount Ordered FY 23/24	\$64,650.00		Total Amount Collected		FY 23/24 \$26,650							

Probation												
Active Probationers	18	19	21	21								
Tolled Probationers	4	4	4	4								
Biological Testing Probationers	16	17	19	19								
Positive Drug Screen for Banned Substances	0	0	0	0								
Violations of Probation Addressed	1	4	2	3								



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 15.

**Licensing, Examinations, and Continuing Education Update:
Statistical Report.**

Attachment 1 Law and Ethics Examination

License Type	Registered Dental Hygienist (RDH)								
Exam Title	RDH Law & Ethics Exam								
	Total Tested	Passed	%	Failed	%	1st Attempt to Pass Exam	%	Multiple Attempts to Pass Exam	%
FY 2022/23	1,050	843	80%	207	20%	691	82%	152	18%
Out of State	17	15	88%	2	12%	14	93%	1	7%
FY 2023/224	668	544	81%	124	19%	439	81%	105	19%
Out of State	20	11	55%	9	45%	9	81%	2	19%
FY 2024/25	411	312	76%	99	24%	226	72%	86	27%
Out of State	4	3	75%	1	25%	3	100%	0	0%

License Type	Registered Dental Hygienist in Alternative Practice (RDHAP)								
Exam Title	RDHAP Law and Ethics Exam								
	Total Tested	Passed	%	Failed	%	1st Attempt to Pass Exam	%	Multiple Attempts to Pass Exam	%
FY 2022/23	113	87	77%	26	23%	63	72%	24	28%
FY 2023/24	77	57	74%	20	26%	43	75%	14	25%
FY 2024/25	36	35	97%	1	3%	32	91%	3	9%
Out of State (Only recognized in CA)	0	0	0%	0	0%	0	0%	0	0%

Attachment 2: Licensing Population

Registered Dental Hygienist (RDH)	Active	18,203
	Inactive	1,336
	*Delinquent	4,088
	*Cancelled	11,560
	*Revoked	43
	*Surrendered	35
	*Other (Deceased)	220
	Retired	740
Registered Dental Hygienist in Alternative Practice (RDHAP)	Active	780
	Inactive	68
	*Delinquent	129
	*Cancelled	95
	*Revoked	1
	*Surrendered	3
	*Other (Deceased)	3
Retired	36	
Registered Dental Hygienist in Extended Functions (RDHEF)	Active	15
	Inactive	2
	*Delinquent	9
	*Cancelled	6
	*Revoked	0
	*Surrendered	0
	*Other (Deceased, retired, etc.)	0
Fictitious Name Permit (FNP)	Active	150
	Inactive	0
	*Delinquent	70
	*Cancelled	113
	*Revoked	0
	*Surrendered	0
	*Other (Deceased, retired, etc.)	0
Military Temporary Licenses RDH, RDHAP and RDHEF	Active	7
	Inactive	0
	*Delinquent	0
	*Cancelled	0
	*Revoked	0
	*Surrendered	0
	*Other (Deceased)	0
	Retired	0
	Licensed Subtotal (Active, Inactive)	20,561
	*Non-Licensed Subtotal (Delinquent, Cancelled, Revoked, Surrendered, Other)	17,151
	Total Licenses Issued	37,712

License Status Definitions	
Active	Current and updated license and allowed to practice in CA. Continuing Education (CE) hours completed within the preceding 24 months (biennially) is required to renew the license.
Inactive	Current license but cannot practice in CA. CE hours are not required for the biennial license renewal (exempt).
Delinquent	Biennial license renewal not completed after expiration date. May not practice in CA unless proof of renewal is received and in processing (BPC 121).
Cancelled	License not renewed for 60 months after the last expiration and may not be renewed, restored, reissued, or reinstated (BPC 1939). May not practice in CA.
Retired	Cannot practice in CA and not renewable unless licensee re-activates the retired license and pays a one-time fee to re-activate and meet other requirements
Revoked	Disciplinary action taken; may not practice in CA.
Surrendered	Disciplinary action taken; may not practice in CA.
Military Temporary License	New Temporary License for the spouse or domestic partner of an active-duty military member stationed in California if the applicant currently holds an active and unrestricted license in another state.

Delinquent License Status Per Year 2019-2024	
2019	542
2020	675
2021	875
2022	975
2023	820
2024	183
Total Delinquent Licenses	4,070

Note: The licenses that have an expiration date of February 28, 2019, and have not paid their renewal and delinquent fees, will automatically cancel effective March 1, 2024 (delinquent for 60 months), and cannot be restored, reissued, or reinstated by law. The cancelling of licenses continues for any licenses delinquent for 60 months pursuant to the law (Business and Professions Code section 1939).

CA Dental Hygiene Licensee Population					
California Counties	General Population	Current Active Licensee Population	Current Inactive Licensee Population	Total Current Active/Inactive Population	General Population to Licensee Population Ratio
ALAMEDA	1,616,117	656	27	683	2,366:1
ALPINE	1,092	0	0	0	0:1
AMADOR	42,129	32	0	32	1,317:1
BUTTE	206,975	120	9	129	1,604:1
CALAVERAS	46,574	28	2	30	1,552:1
COLUSA	22,165	8	1	9	2,463:1
CONTRA COSTA	1,153,031	596	34	630	1,830:1
DEL NORTE	26,066	6	2	8	3,258:1
EL DORADO	191,643	188	16	204	939:1
FRESNO	1,018,965	371	21	392	2,599:1
GLENN	27,898	6	0	6	4,650:1
HUMBOLDT	133,026	70	5	75	1,774:1
IMPERIAL	179,174	18	2	20	8,959:1
INYO	18,312	8	2	10	1,831:1
KERN	910,889	245	16	261	3,490:1
KINGS	152,377	61	1	62	2,458:1
LAKE	67,584	35	0	35	1,931:1
LASSEN	27,702	13	0	13	2,131:1
LIVINGSTON	15,028	0	0	0	0:1
LOS ANGELES	9,606,925	2,615	112	2,727	3,529:1
MADERA	165,387	53	2	55	3,007:1
MARIN	252,660	118	8	126	2,005:1
MARIPOSA	16,785	5	0	5	3357
MENDOCINO	88,209	43	4	47	1,877:1
MERCED	293,630	85	4	89	3,299:1
MODOC	8,381	3	0	3	2,794:1
MONO	13,130	8	1	9	1,459:1
MONTEREY	428,562	145	9	154	2,783:1
NAPA	132,062	77	3	80	1,651:1
NEVADA	101,673	65	6	71	1,432:1
ORANGE	3,121,138	1,591	83	1,674	1,864:1
PLACER	429,048	415	30	445	964:1
PLUMAS	18,819	7	1	8	2,352:1
RIVERSIDE	2,510,643	937	41	978	2,567:1
SACRAMENTO	1,584,196	853	42	895	1,770:1
SAN BENITO	68,707	54	6	60	1145:1
SAN BERNARDINO	2,196,314	787	36	823	2,669:1
SAN DIEGO	3,262,770	1,494	71	1,565	2,085:1
SAN FRANCISCO	810,202	280	4	284	2,853:1
SAN JOAQUIN	807,637	294	14	308	2,622:1
SAN LUIS OBISPO	281,232	205	9	214	1,314:1
SAN MATEO	723,777	279	17	296	2,445:1
SANTA BARBARA	438,599	176	9	185	2,371:1
SANTA CLARA	1,876,849	771	34	805	2,331:1

CA Dental Hygiene Licensee Population					
California Counties	General Population	Current Active Licensee Population	Current Inactive Licensee Population	Total Current Active/Inactive Population	General Population to Licensee Population Ratio
SANTA CRUZ	258,854	168	13	181	1,430:1
SHASTA	179,795	154	9	163	1,103:1
SIERRA	3,178	1	0	1	3,178:1
SISKIYOU	42,024	19	1	20	2,101:1
SOLANO	449,551	212	11	223	2,016:1
SONOMA	480,955	356	14	370	1,300:1
STANISLAUS	551,634	240	10	250	2,207:1
SUTTER	97,327	47	3	50	1,947:1
TEHAMA	64,493	39	0	39	1,654:1
TRINITY	15,562	3	0	3	5,187:1
TULARE	481,052	167	8	175	2,749:1
TUOLUMNE	53,821	34	1	35	1,538:1
VENTURA	826,309	497	23	520	1,589:1
YOLO	219,070	70	6	76	2,883:1
YUBA	87,091	28	1	29	3,003:1
Total Active/Inactive Licensees that reside in California (according to address of record).					16,635
DHBC LICENSE POPULATION LOCATED IN OTHER STATES OR COUNTRY					
OUTSIDE OF CALIFORNIA					2,012
OUT OF THE COUNTRY					28
*Note: No county provided					*694
CA Total Licensee Count					19,369

*Source for General Populations data -Worldpopulationreview.com.

*Source for Licensing Populations data – DCA’s BreZE System - The information collected is for the Current/Active and Current/Inactive licenses



MEMORANDUM

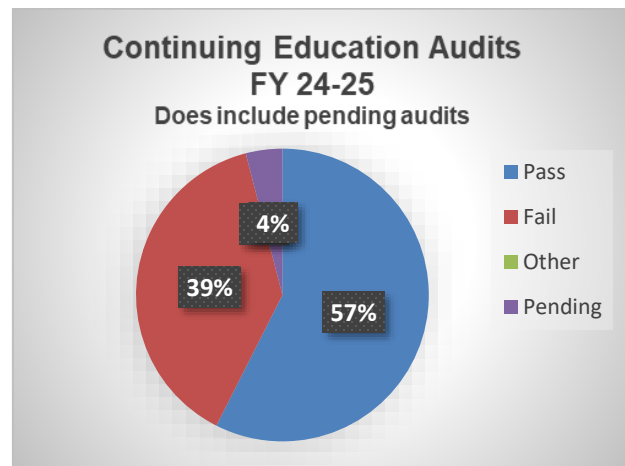
DATE	November 16, 2024
TO	Dental Hygiene Board of California
FROM	Kiana Vang Continuing Education Audit Analyst
SUBJECT	FULL 15: Continuing Education Update

Continuing Education Update

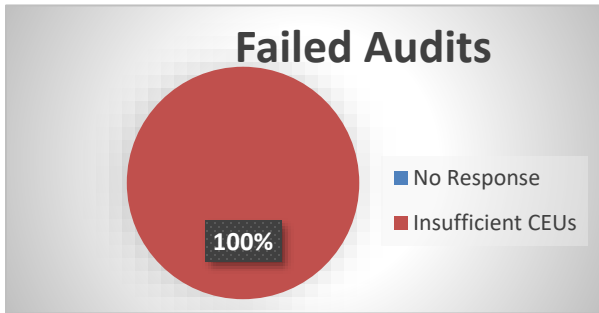
When initiating a CE audit, licensees are selected at random by the computer for staff to conduct the audit. The selected licensees have already completed their prior license renewals where they've attested under the penalty of perjury on the License Renewal Application that the number of required continuing education (CE) hours required by law to renew the license have been completed for the renewal.

In FY 2024/25, the Board initiated 322 Continuing Education (CE) audits through 10/31/2024. From the audits, there continues to be similar trends in the pass and fail rate of audited licensees.

Continuing Education Audits			
	FY 22/23	FY 23/24	FY 24/25
Pass	412	164	185
Fail	250	102	126
Other (Waived per 16 CCR 1017(m) - disability)	10	3	0
Pending	24	37	11
Total	696	306	322



The Board has received many reasons from licensees for failure to comply with the CE Audit. Frequently, licensees have expressed they have misplaced, destroyed, or lost their records. Pursuant to [Title 16 CCR 1017\(n\)](#), licensees shall retain for a period of three renewal cycles (6 years) the certificates of CE course completion issued to licensees and shall forward to the Board only upon request for an audit. A licensee who fails to retain the certification shall contact the CE provider to obtain a duplicate certification for submission to the Board and the licensee's record.



Failed audits are broken into two categories, No Response and Insufficient CEUs. Of those with insufficient CEUs, 23% failed to complete at least one mandatory CE course and 11% submitted a certificate with an invalid provider. The invalid provider may have had an expired permit, may not have been approved to teach a mandatory course, or may have had an invalid provider number.

Once a licensee has failed a CE audit, the file is forwarded to the Board's Enforcement Unit to work through them in issuing citation and fines with or without orders of abatement to address the CE deficiency. Pursuant to [Title 16 CCR 1139](#), the Board's Executive Officer or designee has the authority to issue a citation containing an order to pay a fine not to exceed \$5,000, and an order of abatement against a licensee for violation of the laws that govern the practice of dental hygiene. For failed CE audits, the Board has issued citation and fines in varying amounts ranging from \$50 - \$1,750 depending on the egregiousness of the failed audit. When issuing a citation, the Board considers many factors including but not limited to 1) The number of CE hours and type the licensee is deficient; 2) The licensee's reason for failing the audit; and 3) Whether the licensee completed mandatory CE hours in the required coursework of Infection Control, the Dental Practice Act, and Basic Life Support. Additionally, as with any citation that is issued, the Board references [Title 16 CCR 1140 Criteria to be Considered](#) when issuing a citation.

To communicate to licensees and the public, the Board has posted a link on the homepage of the website (www.dhbc.ca.gov) that opens directly to important continuing education information. Also, under the Licensee tab on the website, the open selection has a CE link to the same information. In addition, Board staff sent an email blast to all licensees and email subscribers about the CE Audit program and where to find CE information on our website.



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 16.

**Discussion and Possible Action Regarding
Oromyofunctional Therapy and its Use in the
Dental Hygiene Profession.**

A verbal update for discussion will be provided.



MEMORANDUM

DATE	November 16, 2024
TO	Dental Hygiene Board of California
FROM	Anthony Lum, Executive Officer
SUBJECT	FULL 16: Discussion and Possible Action Regarding Myofunctional Therapy and its Use in the Dental Hygiene Profession.

BACKGROUND:

Definition - Myofunctional therapy is an exercise training program for the muscles around your face, mouth, and tongue. These exercises are designed to improve issues with talking, eating, or breathing. Research has found that myofunctional therapy may also be an effective treatment for sleep-disordered breathing.

The issue has been briefly discussed by the Board in the past with no clear determination as to whether it is a part of a dental hygienists' scope of practice. The pandemic interrupted the Board's efforts to obtain additional information on the issue. Other projects since then such as Sunset Review, creating a new Strategic Plan, and expanding mandated program functions took priority from the continuing dialog on the issue.

A current Board member requested to bring the issue back to the Board for discussion to assist in determining whether it's part of a dental hygienist's scope of practice as used under the guise of a preventative and therapeutic intervention technique pursuant to Business and Professions Code section 1910(a).

Update for November 16, 2024, Board meeting:

At the July 20, 2024, Board meeting, the Board heard a presentation from an individual currently using OMT for treatment and an orthodontist who supports but does not use OMT techniques in practice. The Board also had a lengthy discussion on the issue where they directed staff to continue researching the issue and bring back further information at the next Board meeting.

Staff has been contacted by several sources both in support and opposed to RDHs using OMT techniques in providing dental hygiene services. Staff also contacted the California Speech-Language Pathology and Audiology and Hearing Aids Dispensing Board to apprise them of dental hygienists using OMT techniques in practice and whether they've received information on the issue. Currently, they have not, other than my contact.

ACTION REQUESTED:

Staff request for the Board to review the information provided, but to avoid any action on this item since scope expansion issues are not within the Board's mandates pursuant to Business and Professions Code section 1905. Staff realizes it's a complex issue and if pursuit of scope expansion is the goal, it should be pursued by the CDHA (California Dental Hygienists' Association) or other interested party other than the Board through the legislative process where the issue can be properly vetted.

STAFF RECOMMENDATION:

No Board action.

ARTICLE 9. Dental Hygienists [1900 - 1966.6]
(Article 9 added by Stats. 2008, Ch. 31, Sec. 47.)

1905.

(a) The dental hygiene board shall perform the following functions:

- (1) Evaluate all registered dental hygienist, registered dental hygienist in alternative practice, and registered dental hygienist in extended functions educational programs that apply for approval and grant or deny approval of those applications in accordance with regulations adopted by the dental hygiene board. Any such educational programs approved by the dental board on or before June 30, 2009, shall be deemed approved by the dental hygiene board. Any dental hygiene program accredited by the Commission on Dental Accreditation may be approved.
- (2) Withdraw or revoke its prior approval of a registered dental hygienist, registered dental hygienist in alternative practice, or registered dental hygienist in extended functions educational program in accordance with regulations adopted by the dental hygiene board. The dental hygiene board may withdraw or revoke a dental hygiene program approval if the Commission on Dental Accreditation has indicated an intent to withdraw approval or has withdrawn approval.
- (3) Review and evaluate all registered dental hygienist, registered dental hygienist in alternative practice, and registered dental hygienist in extended functions applications for licensure to ascertain whether the applicant meets the appropriate licensing requirements specified by statute and regulations, maintain application records, cashier application fees, issue and renew licenses, and perform any other tasks that are incidental to the application and licensure processes.
- (4) Determine the appropriate type of license examination consistent with the provisions of this article, and develop or cause to be developed and administer

examinations in accordance with regulations adopted by the dental hygiene board.

(5) Determine the amount of fees assessed under this article, not to exceed the actual cost.

(6) Determine and enforce the continuing education requirements specified in Section 1936.1.

(7) Deny, suspend, or revoke a license under this article, or otherwise enforce the provisions of this article. Any such proceedings shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the dental hygiene board shall have all of the powers granted therein.

(8) Make recommendations to the dental board regarding dental hygiene scope of practice issues.

(9) Adopt, amend, and revoke rules and regulations to implement the provisions of this article, including the amount of required supervision by a registered dental hygienist, a registered dental hygienist in alternative practice, or a registered dental hygienist in extended functions of a registered dental assistant.

(b) The dental hygiene board may employ employees and examiners that it deems necessary to carry out its functions and responsibilities under this article.

(Amended by Stats. 2019, Ch. 456, Sec. 8. (SB 786) Effective January 1, 2020.)

October 2, 2024

Dear Colleagues and Members of the Healthcare Community,

At the American Dental Hygienists' Association (ADHA®), we are committed to advancing the profession of dental hygiene through **education, advocacy** and **professional autonomy** while supporting expanded roles that increase access to care. As the science of oral health and systemic health continues to evolve, so do the opportunities for dental hygienists to contribute meaningfully to comprehensive care. One such area of growth is Orofacial Myofunctional Therapy (OMT).

We recognize the increasing interest in OMT as a modality that dental hygienists can offer after completing advanced education. With foundational knowledge and additional specialized training, dental hygienists are uniquely positioned and qualified to perform this therapy, bridging oral health with overall health and well-being, and offering a valuable service to patients.

Since 2020, the ADHA has maintained a clear and supportive policy on OMT:

The American Dental Hygienists' Association acknowledges and supports registered dental hygienists who are educated in Orofacial Myofunctional Therapy (OMT). The dental hygienist educated in OMT may provide orofacial myofunctional assessments and treatment independently in a variety of practice settings and for patients of all ages.

We are aware, that unfortunately misinformation is being circulated by some organizations regarding the education, practice and qualifications of dental hygienists performing myofunctional therapy. These inaccuracies not only undermine the critical role of dental hygienists but risk causing confusion within the healthcare community and among the public. We offer the following clarifications:

1. Comprehensive Education and Training:

Dental hygienists in the United States are classified as Healthcare Diagnosing or Treating Practitioners placing them in the same category alongside dentists under the Standard Occupational Classification system used by key federal agencies, including, but not limited to, the Department of Commerce, U.S. Census Bureau, Department of Defense, Department of Education, Department of Health and Human Services and the Department of Labor. Dental hygienists are healthcare professionals that undergo rigorous foundational training in anatomy and physiology, pharmacology, pathology, medical emergencies, public health, craniofacial development, histology and embryology, direct patient care and much more. Through accredited dental hygiene programs, hygienists develop an in-depth understanding of the orofacial region. With additional advanced education in orofacial myofunctional therapy, dental hygienists can provide OMT therapy safely and effectively in a wide variety of settings.

2. Unique Qualifications:

The preventive care expertise and specialized education of dental hygienists make them particularly qualified to assess and address orofacial dysfunctions. Dental hygienists already assess critical factors like craniofacial growth and development, nutrition, airway issues, oral habits, dental arch morphology, oral pathology, behavioral change and many related conditions that OMT seeks to correct.

3. Collaborative Patient Care:

Dental hygienists are essential members of the healthcare team. As OMT providers, they work in collaboration with dentists, physicians, speech therapists, orthodontists, specialists and other healthcare professionals to ensure comprehensive patient care. This collaborative model enhances patient outcomes and contributes to the highest quality of care for individuals experiencing orofacial dysfunctions.

4. Advancing the Role of Dental Hygienists:

The ADHA advocates for expanded roles for dental hygienists, particularly in areas that align with the profession's core focus on prevention, early intervention, patient education and improved access to care. OMT is one such emerging area, and dental hygienists are well positioned to lead and excel in this field.

As the healthcare landscape embraces emerging therapies like OMT, it is crucial to recognize the unique and essential role dental hygienists play in providing this therapy. Their contributions have the potential to transform patient health by addressing orofacial dysfunctions that impact overall well-being.

We urge all healthcare organizations, professionals, and regulatory bodies to acknowledge the vital role of dental hygienists in performing OMT across a wide range of settings. The ADHA does support standardization of education and training for OMT and looks forward to actively participating in these important discussions.

Sincerely,



Erin Haley-Hitz
RDH, BSDH, MS, FADHA, MAADH
ADHA President 2024-2025



Lancelte VanGuilder
BS, RDH, PHEDH, CEAS, FADHA
ADHA President-Elect 2024-2025



Excerpts from emails and links regarding OMT:

From: Admin NYC Speech-Lang. Pathologist <admin@speechtherapynyc.net>

Sent: Thursday, August 22, 2024 1:53 PM

To: DCA, dhbcinfo@DCA <dhbcinfo@dca.ca.gov>

Subject: Re: FW: Myofunctional therapy

Thank you for your response. It is not in the scope of an RDH in any other state (except Nebraska); and it should not be as it involves feeding and swallowing (which is definitely not in the scope of a RDH). The practitioners that use myofunctional therapy as a therapy modality have a master's degree; this is not a profession and RDHs are acting as though it is. They are out there teaching it and they know that it is not in their scope; which is the most frustrating part.

The NY State Dental board put this out and I would like to see every other state do the same because the public is at risk and this is unethical.

Please see link:

<https://www.nysdental.org/news---publications/news/2024/04/08/nysed-prohibits-dental-hygienists-from-performing-oral-myofunctional-therapy>

Thank you again for your time and consideration and understanding my frustration.

Please keep me abreast of the situation.

Enjoy the rest of your summer,

Deirdre

NYSED posts practice alert regarding Dental Hygienists Performing Oral Myofunctional Therapy

Apr 8, 2024

Per the notice below, the New York State Education Department (NYSED) posts practice alert regarding Dental Hygienists Performing Oral Myofunctional Therapy



Practice Alert Regarding Dental Hygienists Performing Oral Myofunctional Therapy

The dental hygienists' scope of practice is defined in Education Law, [§6606 Definition of practice of dental hygiene](#) and the Commissioner's Regulations [§61.19 Practice of Dental Hygiene](#). Dental hygienists must practice within their defined scope of practice, or they may be subject to a charge of unprofessional conduct pursuant to Board of Regents Rule [§29.1 \(b\)\(9\)](#). This Regents Rule specifically provides that it shall be unprofessional conduct to practice or offer to practice beyond the scope permitted by law.

Oral Myofunctional Therapy (OMT) is not within the dental hygiene scope of practice in New York State. Therefore, dental hygienists licensed in New York are prohibited from performing OMT while holding themselves out as dental hygienists. OMT is loosely defined as an exercise training program for the muscles around the face, mouth, and tongue. Many OMT courses and certifying bodies exist. However, dental hygienists may only receive continuing education credit for courses when the subject matter of the course is within their defined scope of practice.

Citations of Pertinent Laws, Rules, or Regulations:

- [Education Law §6606](#) – Defines the Dental Hygienists' scope of practice.
- [Commissioner's Regulation §61.9](#) – Practice of Dental Hygiene.
- [Board of Regents Rule §29.1](#) General Provisions – Unprofessional Conduct.

**CALIFORNIA CODE OF REGULATIONS SECTION 1088: LIST OF RDH DUTIES
AND SETTINGS**

16 CCR § 1088

§ 1088. RDH Duties and Settings.

Currentness

(a) Unless specifically so provided by regulation, the prohibition contained in Section 1085(a), subsections (1) through (8) of these regulations shall apply to duties performed by a registered dental hygienist.

(b) A registered dental hygienist may perform all duties assigned to dental assistants and registered dental assistants, under the supervision of a licensed dentist as specified in these regulations.

(c) Under general supervision, a registered dental hygienist may perform the following duties in addition to those provided by Section 1760(b) of the Code:

- (1) Root planing;
- (2) Polish and contour restorations;
- (3) Oral exfoliative cytology;
- (4) Apply pit and fissure sealants;
- (5) Preliminary examination, including but not limited to:
 - (A) Periodontal charting;
 - (B) Intra and extra-oral examination of soft tissue;
 - (C) Charting of lesions, existing restorations and missing teeth;
 - (D) Classifying occlusion;
 - (E) **Myofunctional evaluation;**
- (6) Irrigate sub-gingivally with an antimicrobial and/or antibiotic liquid solution(s).

~~(7) The following direct supervision duties of dental assistants and registered dental assistants:~~

~~(A) Dental Assistant.~~

- ~~(1) Taking impressions for diagnostic and opposing models;~~
- ~~(2) Applying non-aerosol and non-caustic topical agents;~~
- ~~(3) Removing post-extraction and periodontal dressings;~~
- ~~(4) Removing sutures;~~
- ~~(5) Taking intra-oral measurements for orthodontic procedures;~~
- ~~(6) Checking for loose bands;~~
- ~~(7) Removing ligature ties;~~
- ~~(8) Applying topical fluoride;~~
- ~~(9) Placing elastic separators.~~

~~(B) Registered Dental Assistant~~

- ~~(1) Test pulp vitality;~~
- ~~(2) Removing excess cement from supragingival surfaces of teeth;~~
- ~~(3) Sizing stainless steel crowns, temporary crowns and bands;~~
- ~~(4) Temporary cementation and removal of temporary crowns and removal of orthodontic bands.~~
- ~~(5) Placing post-extraction and periodontal dressings.~~

(d) A registered dental hygienist may perform the procedures set forth below under the direct supervision of a licensed dentist when done so pursuant to the order, control and full professional responsibility of the supervising dentist. Such procedures shall be checked and approved by the supervising dentist prior to dismissal of the patient from the office of said dentist.

(1) Placement of Antimicrobial or Antibiotic Medicaments which do not later have to be removed.

(2) All duties so assigned to a dental assistant or a registered dental assistant, unless otherwise indicated; **<<Only IF licensed as an RDH prior to December 31, 2005>>**

(3) Periodontal soft tissue curettage (Evidence of satisfactory completion of a board-approved course of instruction in this function must be submitted to the board prior to any performance thereof);

(4) Administration of local anesthetic agents, infiltration and conductive, limited to the oral cavity (Evidence of satisfactory completion of a board-approved course of instruction in this function must be submitted to the board prior to any performance thereof);

(5) Administration of nitrous oxide and oxygen when used as an analgesic, utilizing fail-safe type machines containing no other general anesthetic agents. (Evidence of satisfactory completion of a board-approved course of instruction in this function must be submitted to the board prior to any performance thereof.)

(e) A registered dental hygienist may undertake the duties authorized by this section in the following settings, provided the appropriate supervision requirements are met:

(1) The treatment facility of a licensed dentist;

(2) Licensed health facilities as defined in Section 1250 of the Health and Safety Code,

(3) Licensed clinics as defined in Section 1203 of the Health and Safety Code,

(4) Licensed community care facilities as defined in Section 1502 of the Health and Safety Code,

(5) Schools of any grade level whether public or private,

(6) Public institutions, including but not limited to federal, state and local penal and correctional facilities.

(7) Mobile units operated by a public or governmental agency or a nonprofit and charitable organization approved by the board; provided, however, that the mobile unit meets the statutory and regulatory requirements for mobile units,

(8) Home of a non-ambulatory patient, provided there is a written note from a physician or registered nurse stating that the patient is unable to visit a dental office.

(9) Health fairs or similar non-profit community activities. Each such fair or activity shall be approved by the board.

Any other facility must be approved by the board.

Credits

NOTE: Authority cited: Section 1614, Business and Professions Code. Reference: Section 1614 and 1759, Business and Professions Code.

HISTORY

1. New subsection (c)(6) and subsection renumbering filed 4-25-2000; operative 5-25-2000 (Register 2000, No. 17).

2. New subsection (d)(1) and subsection renumbering filed 12-17-2001; operative 1-16-2002 (Register 2001, No. 51).

This database is current through 10/11/24 Register 2024, No. 41.

Cal. Admin. Code tit. 16, § 1088, 16 CA ADC § 1088

END OF DOCUMENT

LINKS to additional OMT information:

American Speech-Language Hearing Association's OMT article:

<https://www.asha.org/public/speech/disorders/orofacial-myofunctional-disorders/>

California's Speech-Language Pathologist Laws:

[Codes Display Text \(ca.gov\)](#)

ORAL MOTOR INSTITUTE

FOR THE SCIENCE OF ORAL MOTOR TREATMENT

CONFIDENTIAL

Anthony Lum
Dental Hygiene Board of California
2005 Evergreen Street, Suite 1350
Sacramento, CA 95815

8/7/24

RE: Action Request for RDH's Scope of Practice 7/20/24

Dear Mr. Lum,

I hope this correspondence finds you well. We are writing to you as the Board of the Oral Motor Institute (OMI). The Oral Motor Institute's Mission is to support the specialty of oral -motor based therapy approaches that enhance the development of the orofacial complex and the functions of respiration, sleep, feeding, swallowing and speech. The OMI 1) educates the multi-disciplinary team that assesses and treats oral motor dysfunction throughout the lifespan; 2) advocates for an increased scientific understanding of oral motor assessment and treatment; 3) supports the integrity of oral motor sciences by providing access to research and 4) endorses public safety through assessment and treatment of oral motor disorders within licensure guidelines and professional scope of practice. Over the years we have evolved to include occupational therapists (OT), dental hygienists (RDH), physical therapists (PT) and board certified lactation consultants (IBCLC) to include all professionals who assist in the assessment and treatment of oral dysfunction.

Orofacial Myofunctional Therapy (OMT) falls under the umbrella of oral motor disorders. While orofacial myofunctional disorders can occur across the lifespan, the way in which we treat these disorders varies by age, cognitive status and the Scope of Practice of the professional treating the patient. The OMI recognizes and appreciates the contributions of dental hygienists (RDHs) to the area of orofacial myofunctional assessment and treatment. We do have concerns however about the ambiguous scope of the RDH role, and recent policies added to the American Dental Hygienists' Association (ADHA) without the collegiate or graduate level

education to implement pre-feeding/oral motor, articulation and feeding /swallowing therapies.

We are aware that the ADHA acknowledges that the scope of dental hygiene practice includes the assessment and evaluation of orofacial myofunctional dysfunction; and further advocates that dental hygienist complete advanced clinical and didactic continuing education prior to providing treatment (Dental Hygiene Services 9-92). The ADHA also acknowledges and supports registered dental hygienists who are trained in Orofacial Myofunctional Therapy (OMT) and who have also taken coursework can provide OMT treatment without the supervision of another licensed healthcare professional to patients of all ages (Orofacial Myofunctional Therapy 11-20). In addition, the ADHA acknowledges and supports registered dental hygienists who are educated in Orofacial Myofunctional Therapy (OMT) may provide orofacial myofunctional assessments and treatment independently in a variety of practice settings and for patients of all ages (Orofacial Myofunctional Therapy 10-21/11-20). These policies are not, however, always in alignment with licensure verbiage or state bylaws. We respect that California is trying to rectify this discrepancy.

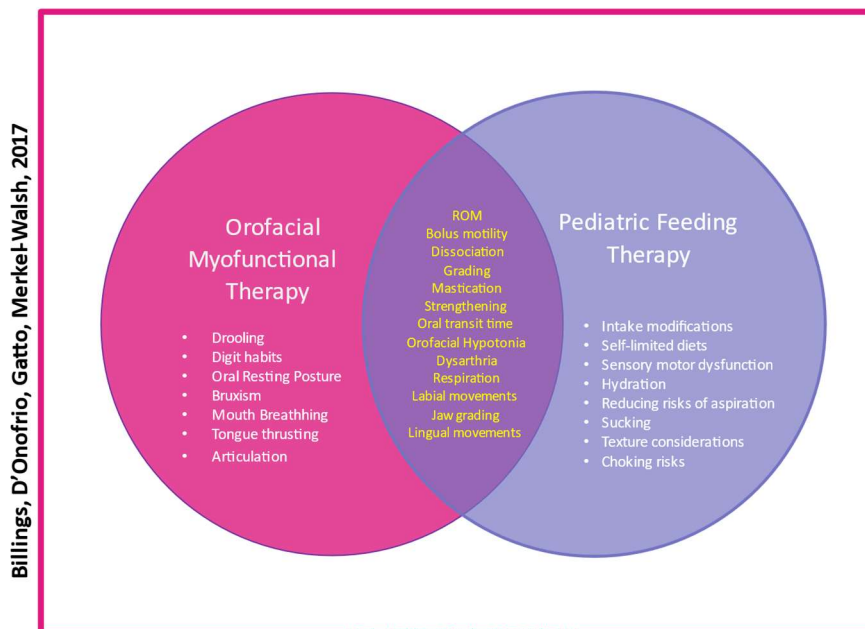
It is the language in the ADHA's second and third policies regarding assessment and treatment of "all ages" that has the OMI board and members concerned. We respect that clinical RDHs follow the ADHA guidelines of having the first oral health screening within six months of the first tooth or by the first birthday and we could not agree more; however orofacial myofunctional therapy is historically a modality that is delivered for children, teens and adults starting at 4-8 years of age and above. Neurotypical children 4+ can understand the "why" of OMT, execute volitional exercises with the jaw, tongue, lips and cheeks and are active participants in the therapeutic process, such as working on a thumb sucking habit.

Working with children in the first three years of life requires a specific skill set taught to speech pathologists in their collegiate training involving prenatal and 0-3 craniofacial development, oral motor skills for feeding and speech, assessment and treatment of all four stages of swallowing, behavior modification, clinical relationships, psychosocial/physiological and cognitive underpinnings of language development, motor speech development and craniofacial anomalies. We also learn to differentiate oral motor, motor planning, muscle based and developmental speech sound disorders and dysphagia across the lifespan. In addition to 6+ years of collegiate and graduate level education to matriculate as a speech-language pathologist, we must pass boards, complete 400 supervised clinical hours, and complete a 9-month clinical fellowship year before working independently. We must receive post graduate continuing education hours specifically in pediatric dysphagia which is separate from post

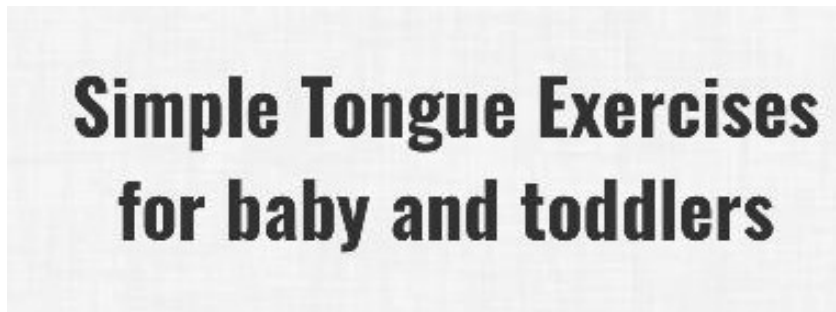
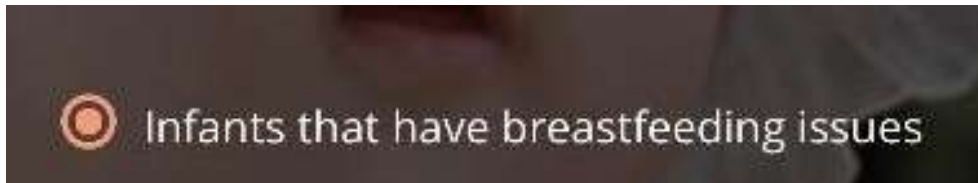
graduate training in orofacial myofunctional disorders to work with the 0-3 age range to include breastfeeding, feeding, swallowing, speech and language.

National accrediting organizations such as the ADHA and The American Speech-Language and Hearing Association (ASHA) define the roles, responsibilities, and ethics, which their membership should follow. Since ADHA policies include “all ages”, the OMI has been receiving reports of the increased practice of RDHs treating babies as a “myofunctional therapist”, working outside their state licensure bylaws as a dental hygienist. ASHA provides guidelines on what the assessment and treatment of OMDs entails, but the ADHA policies are broad and do not clearly define the roles of the RDH with these complex disorders nor do they delineate feeding/ swallowing/speech therapies vs. OMT. We are concerned with the verbiage in the proposed bill from the California Dental Hygiene Board, that the same will hold true.

OMI members are noticing a stream of posts in social media, ads, and promotions of RDHs who are now treating infants and babies for “OMD prevention,” “therapeutic exercises for oral health”, “picky eating”, and “baby myo”. Other treatment modalities are available for younger populations such as Beckman Oral Motor, Oral Placement Therapy, PROMPT, and an oral sensory-motor approach to feeding (Merkel-Walsh, 2020) which are covered by medical insurance. The following is an infographic delineating the similarities and variations of pediatric dysphagia and OMT:



Furthermore, OMT is a focus on oral resting posture, airway, the oral phase of swallowing, structure, and speech (SLPs only). OMT does not include all four phases of swallowing. Therefore, advertisements that imply RDHs can treat picky eating, feeding and swallowing disorders are not in alignment with OMT protocols or the ADHA Policy Manual. Here are examples of RDH's websites offering services to infants, babies, and toddlers (These images were provided by members of the OMI and identifying data has been removed.)





Incorrect Swallowing

See how we help “picky eaters” become better at getting the nutrition they need.

Orofacial Myology Services, LLC works with babies, children, teenagers - even adults - to retrain and correct dysfunctional swallowing habits, tongue rest positioning and posture habits, promote nasal breathing, and eliminate sucking and other orofacial habits. In many cases, orthodontic treatment often accompanies orofacial myofunctional therapy. If incorrect muscle patterning or swallowing has caused a malocclusion, myofunctional therapy may help prevent further damage.

Orofacial myofunctional treatment sessions to help individuals treat tongue and other oral disorders, as well as manage the discomfort these conditions cause. We see patients across all age groups, from infants to adults.

OMI members have also noted parents posting on social media who are looking for “myofunctional therapists” for their newborn babies who are experiencing breastfeeding/feeding challenges due to ankyloglossia. The OMI recognizes the important role of the RDH in pre- and post-frenectomy wound care at any age including infants, babies, and toddlers, but this is neither feeding nor myofunctional therapy, but rather wound care. OMT would apply to older patients as a functional treatment modality when the patient can follow

volitional exercises, self-monitor and participate in pre- and post-operative sessions. The functional implications of Tethered Oral Tissue in infants, babies and toddlers are treated by various licensed professionals based on age, cognitive ability, functional implications, and Scope of Practice of the treating professional, mainly International Board-Certified Lactation Consultants (IBCLCs), SLPs and occupational therapists (OTs) who have suck training, feeding therapy and/or pediatric dysphagia in their designated bylaws.

For example, ASHA delineates the roles and responsibilities of the speech-language pathologist with OMT service delivery as:

1) Establish Patent Nasal Airway

When structural or physiological impediments to nasal breathing, including allergies, have been ruled out or corrected via evaluations by an allergist and otolaryngologist (ENT), achieving lip closure at rest can serve to stabilize a nasal pattern of breathing. Closed mouth posture cannot be consistently established until any airway interferences have been successfully resolved (Hanson & Mason, 2003). In addition to adenotonsillectomy by an otolaryngologist and rapid maxillary expansion by an orthodontist, orofacial myofunctional services have been utilized to promote nasal breathing.

2) Improve Speech Sound Articulatory Placement

An incorrect oral rest posture of the tongue and lips can result in the tongue initiating speech productions from an abnormal rest position. In such situations, correcting the OMD can positively impact the correction of speech production errors.

When an OMD is related to an abnormal lingual or labial or mouth open behavior pattern that coexists with speech production errors, the articulation errors can be expected to be corrected more easily once the behavior pattern has been corrected in therapy.

3) Eliminate Nonnutritive Sucking

Prolonged nonnutritive sucking (e.g., pacifier, finger, and object sucking) is a risk factor for increased malocclusion (Farsi & Salama, 1997; Poyak, 2006; Sousa, et al., 2014; Zardetto, Rodrigues, & Stefani, 2002). The American Academy of Pediatric Dentistry (2014) suggested dentists offer parents and caregivers guidance to help their children stop sucking habits by the age of 3 years or younger. In contrast, orthodontists do not usually make referrals to eliminate a sucking habit until close to the time that the adult incisors begin to erupt (Proffit, 2000). According to orthodontists, sucking habits that persist during the primary dentition years have little, if any, long-term negative effects on the dentition, and generally result in malocclusion only if sucking habits persist beyond the time that the permanent teeth begin to erupt.

Parents and caregivers can be taught to ignore problematic behaviors and offer praise, positive attention, and rewards as their child engages in appropriate mouth behavior to help the child break the habit.

Dental professionals have observed a limited success rate with punitive dental habit elimination appliances (e.g., a rake, crib, or thumb guard). Moreover, these punitive appliances have been associated with excessive weight loss, pain, poor sensory perception, and development of atypical lingual movement secondary to the placement of these devices (Mason & Franklin, 2009; Moore, 2008).

4) Modify Handling and Swallowing of Saliva, Liquids, and Solids

Individuals with known OMDs may also demonstrate oral phase dysphagia which may require intervention. See ASHA's Practice Portal pages on Pediatric Feeding and Swallowing and Adult Dysphagia.

Therapeutic intervention can involve the selection of appropriate oral tools such as straws, lip or bite blocks, appropriate food items, etc. for jaw-lip-tongue dissociation needed for eating and drinking.

5) Oral Rest Posture

A primary goal of orofacial myofunctional therapy is to create, recapture or stabilize a normal resting relationship between the tongue, lips, teeth, and jaws. Individuals who demonstrate difficulties with the patency of their nasal airway often remain mouth breathers, and this further affects normal resting postures of the tongue, jaw, and lips (Harari, Redlich, Miri, Hamud, & Gross, 2010). When the resting dimension (freeway space) has been achieved and stabilized in therapy, dental stability should follow (Mason, 2011).

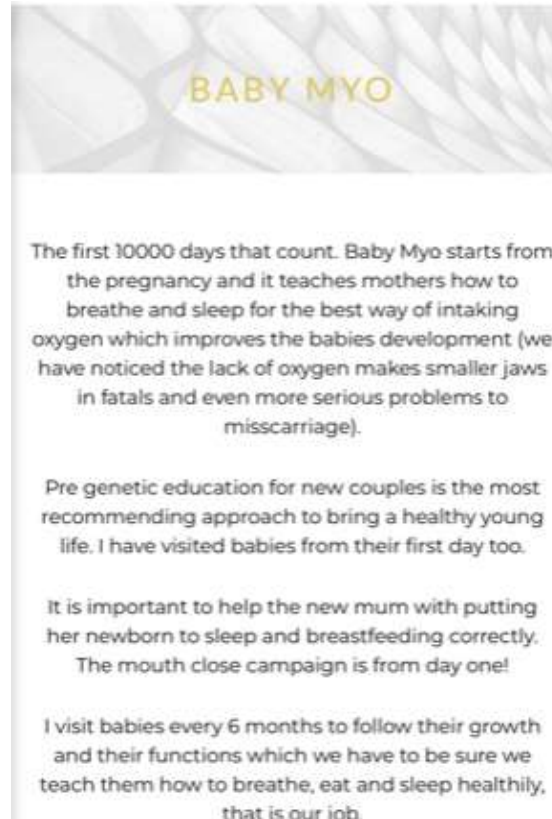
Achieving a lips-together rest posture is another goal of orofacial myofunctional therapy. Therapy to achieve lip competence helps to stabilize the vertical rest position of the teeth and jaws and may also positively influence tongue rest posture (Mason, 2011). Exercises to improve lip closure may include holding a tongue depressor between the lips (Ray, 2003), use of a lip gauge (Paskay, 2006), smiling widely and then rounding lips alternately (Meyer, 2000), and lip resistance activities (Satomi, 2001).

6) Labial-Lingual-Pharyngeal Muscle Resistance Exercises

Exercises to improve tongue, lip, and jaw differentiation include oral tactile stimulation and tongue movements without assistance from the jaw, such as tongue tip to alveolar ridge or tongue clicks against the palate (Meyer, 2000). Isotonic and isometric exercises target the lips and tongue, to teach closed mouth resting posture and nasal breathing.

Some RDHs themselves seem confused on their roles. One RDH wrote in the Oromyofunctional Study Group, “RDH/OMT here- infant feeding is not in our scope as a hygienist. That being said, when we are practicing as an OMT, we are not practicing under our hygiene license, it is separate. As an OMT then yes- I can treat infant feeding because there is no legal scope for OMT.” The RDH went on to state “from a hygienist’s point of view, I do not ever want to be regulated in the RDH scope of practice, here’s why, once it (OMT) gets included as something under regulation (not just recognition) then as hygienists practicing OMT, we lose all independence to practice, have our own practice, maintain a clientele etc.” Clearly this does represent all RDHs, but the suggestion that OMT is not regulated by licensure and that infant feeding is a part of OMT is concerning. OMT is a modality of treatment performed by a licensed professional. All other forms of medical intervention are regulated, why would infant feeding be unregulated?

Another example was brought forth by a member. A private practice (dental/RDH team) is offering a well visit program starting with the pregnant mothers and then after birth, the 0-3 population. This program is charging patients to coach on baby led weaning, feeding utensils, body movement, sensory play in addition to promoting healthy dental care. This program is being franchised. If a 0–3-year-old child has deficits in these areas, medical insurance will cover licensed SLPs, occupational and physical therapists for assessments and therapy. The OMI is concerned as to how RDHs are modeling and coaching feeding. Again, the OMI recognizes the promotion of healthy diet, pacifier cessation, and using the right cups and straws under the ADHA prevention and wellness (#2S-05/30-75), public health (#7S-09/27-74) and nutrition (1-12/14-01) policies, but the OMI does not believe the intent of these policies was to derive businesses that guide oral motor and feeding “coaching” at an extra fee beyond routine oral hygiene and dental care. One example:



To bring clarity to confusion, The OMI asks that the CDHA:

- 1) Considers easing the confusion amongst patients and professionals as to when orofacial myofunctional therapy is started based on the evidence of OMT and the delineation between pediatric feeding therapy versus orofacial myofunctional therapy which are not synonymous. This will help clarify the role of clinical RDH with infant-toddler oral health screenings versus performing independent orofacial myofunctional therapy with babies.
- 2) We also respectfully suggest that like ASHA and the IAOM, guidelines outlining scope of practice for OMT as well as a statement on licensure guidelines are added to serve as a reminder that state regulations would apply. The role of the RDH in the clinical setting versus the role of an RDH who is acting as an “orofacial myofunctional therapist” need clarity to the public. Screening for OMDs in the 0-3 population is supported under the licensure of the RDH, but if an oral motor or feeding issue is suspected, these patients should be referred out to the professionals who treat oral motor dysfunction in newborns, babies, and toddlers under their state licensure and national scope of practice. Since the ADHA policies do not define OMT, members are perceiving the policies to include pediatric feeding and swallowing disorders from 0-3.
- 3) Ultimately, we would hope the CDHA would advocate for the RDHs scope of practice with orofacial myology, the same way in which ASHA has done for SLPs so there is better

clarity and delineation of scope at the state level. If RDHs treat orofacial myofunctional disorders, this should be listed in the state licensure so that RDHs can safely practice OMT, be guided and regulated by scope of practice and adhere to by laws to protect the public, the same way in which the speech pathology licensure regulates OMT as a treatment modality. This would place regulatory control in the licensing boards as it is for every other therapeutic professional.

Thank you for your consideration on this sensitive matter. While it is a challenging topic the dialogue must occur as we all want to best help patients who need our care. The OMI's goals include continued support of the RDHs' expertise in both oral health as well as orofacial myology and collaborate to best service patients with oral motor challenges across the lifespan. We are hoping to collaborate to improve interprofessional relationships and protect the patients we all serve.

Respectfully Submitted,

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Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 17.

Future Agenda Items.



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 18.

Closed Session – Full Board.

- a) Pursuant to Government Code section 11126(a)(1), the Board will Conduct an Evaluation of Performance of the Executive Officer.***

- b) Pursuant to Government Code Section 11126(c)(3), the Board will Deliberate on Disciplinary Actions and Decisions to be Reached in Administrative Procedure Act Proceedings.***



Saturday, November 16, 2024

Dental Hygiene Board of California

Agenda Item 19.

Adjournment.