



## Dental Hygiene Board of California Legislative & Regulatory Committee Meeting Minutes

**Saturday, November 8, 2025**

DHBC Headquarters Building  
2005 Evergreen Street  
1<sup>st</sup> Floor Hearing Room  
Sacramento, CA 95815

### **Legislative & Regulatory Committee Members Present:**

Chair – Michael Long, Registered Dental Hygienist in Alternative Practice (RDHAP)

Committee Member – Dr. Julie Elginer, Public Member

Committee Member – Joanne Pacheco, Registered Dental Hygienist (RDH) Educator Member

### **DHBC Staff Present:**

Anthony Lum, Executive Officer

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

Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel

### **1. LEG REG Committee Agenda Item 1: Roll Call and Establishment of a Quorum.**

Michael Long, Legislative and Regulatory Committee Chair, called the Legislative and Regulatory Committee to order at **9:14 a.m.**, completed the roll call, and a quorum was established with three (3) members present.

### **2. LEG REG Committee Agenda Item 2: Public Comment for Items Not on the Agenda.**

**Committee Member comment:** None.

**Public comment:** None.

### 3. LEG REG Committee Agenda 3: Update and Regulatory Townhall Meeting Minutes for CCR Sections 1116 & 1116.5. (Informational Only).

Executive Officer (EO) Anthony Lum reported that the Dental Hygiene Board of California (Board) facilitated a Townhall Meeting on Friday, September 12, 2025, via Microsoft Teams. EO Lum stated that a Townhall Meeting was conducted to receive direct input from Registered Dental Hygienists in Alternative Practice (RDHAPs) regarding the Board's revisions on regulatory packages, in a centralized forum.

**Committee Member comment:** Member Elginer commented that she participated at the Townhall meeting and expressed it was a valuable opportunity to listen and collect information from the public. She thanked EO Lum and staff for facilitating the meeting and encouraged additional opportunities to host future townhalls for topics where there is a strong desire for engagement and participation. Chair Long also echoed Member Elginer's comments and appreciated being at the Townhall meeting to hear the public's input.

**Public comment:** Jeannette Diaz-Olivera thanked the Board for hosting the Townhall meeting and shared that she would like to see more meetings in the future.

### 4. LEG REG Committee Agenda 4: Discussion and Possible Action on Amendments to California Code of Regulations (CCR), Title 16, Sections 1116: Mobile Dental Hygiene Clinics; Issuance of Approval and 1116.5: Registered Dental Hygienist in Alternative Practice; Physical Facility Registration.

Dr. Adina Petty reported on January 1, 2025, California Code of Regulations (CCR), Title 16, section 1116.5 went into effect for the registration of physical facilities by Registered Dental Hygienists in Alternative Practice (RDHAPs). Subsequently, the Dental Hygiene Board of California (Board) was informed about some confusion regarding the requirements for registration of physical facilities as a stand-alone practice versus registration of physical facilities to maintain portable equipment for registered dental hygienists in alternative practice (RDHAPs).

In an effort to address those concerns, Board staff prepared proposed amendments to the previously approved language and form for 16 CCR section 1116.5 and presented the amended language and form at the March 21 – 22, 2025, Full Board meeting. The Board approved the amended language and form and directed Board staff to continue the rulemaking process.

Staff continued work on the amendments and identified another issue that was brought back to the Board at the May 27, 2025, Full Board Teleconference. The Board reviewed and approved the amendments.

While preparing the package for submission for Department review and public comment, Board staff became aware of a conflicting definition in the regulatory text and the underlying

statute. Prior to the Board's July 19, 2025, meeting, the Board staff received additional information and public comments. The Legislation and Regulatory Committee tabled the discussion and possible action on 16 CCR sections 1116 and 1116.5 until the November 8, 2025, meeting so staff may revise the proposed language for clarity.

Due to the public comments received, and in the interest of transparency, the Board held a Townhall Meeting on September 12, 2025. The goal of this meeting was to obtain stakeholder input so staff may put forth regulations that are easily understood and implemented as regulations provide specific direction for Board staff to implement the provision of broad-based laws the Legislature approved.

Dr. Petty presented the changes to the language for California Code of Regulations (CCR), Title 16, Sections 1116: Mobile Dental Hygiene Clinics; Issuance of Approval and 1116.5: Registered Dental Hygienist in Alternative Practice; Physical Facility Registration.

**Motion:** President Pacheco moved for the Legislation and Regulatory Committee to recommend to the Full Board to approve the proposed amended language and form for 16 CCR sections 1116 and 1116.5, and direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. 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, 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 after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, the Board authorizes the Executive Officer to take all steps necessary to complete the rulemaking process, and adopt the proposed regulations as described in the text notice for 16 CCR sections 1116 and 1116.5.

**Second:** Member Elginer.

**Committee Member discussion:** President Pacheco thanked Chair Long and Dr. Petty for their combined efforts on this agenda item.

The Legislative and Regulatory Committee, Dr. Petty, EO Lum, and Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel, engaged in a lengthy discussion with suggestions for replacing and amending the proposed language in 16 CCR sections 1116 and 1116.5.

**Public comment:** Susan McLearn inquired why there are not two separate forms for mobile and portable operations for hygienists that only operate in one capacity.

Tooka Zokaie, on behalf of the California Dental Association (CDA), stated that CDA recommends keeping the current regulatory language unchanged for now, to avoid introducing new or inconsistently defined terms. Ms. Zokaie suggested that any revisions be considered in a future sunset bill or when regulatory language can be reviewed as a whole.

Diane Reese, RDHAP, requested clarification on the forms regarding the definitions of “portable” versus “mobile.” Ms. Reese stated “mobile” was described as a van with wheels that houses the equipment and “portable” refers to equipment brought into a facility. She requested that these distinctions be clearly reflected in the forms and inquired about the appropriate contact for information related to establishing mobile operations.

Jeannette Diaz-Olivera commented in support for removing the term “dental hygiene care plan” and replacing it with “dental hygiene process of care,” noting that although a definition does not currently exist one could be established by outlining its required components, similar to other listed requirements. Ms. Diaz-Olivera requested clarification on whether a definition for a portable dental hygiene clinic or practice exists. Dr. Petty responded that portable equipment is defined in 1116.5(a)(9) as any tool instrument or device used by an RDHAP to provide dental hygiene services designed for and capable of being carried or moved from one location to another.

Member Long suggested for the Legislation and Regulatory Committee to consider the following amendments to the proposed language:

For 16 CCR section 1116(a)(9):

“Patient treatment records” shall include the patient’s dental history maintained by the MDHC related to the dental hygiene process of care which includes medical history, dental hygiene ~~evaluation(s)~~assessments, dental hygiene ~~diagnosis(es)~~care plan, dental hygiene procedures and treatment, response to dental hygiene treatment, documented consultations with other dental care and healthcare providers, and referrals for dental care and healthcare follow-up treatment.

For 16 CCR section 1116.5(a)(7):

“Patient treatment records” shall include the patient’s dental history maintained by the facility related to the dental hygiene process of care which includes medical history, dental hygiene ~~evaluation(s)~~assessments, dental hygiene ~~diagnosis(es)~~care plan, dental hygiene procedures and treatment, response to dental hygiene treatment, documented consultations with other dental care and healthcare providers, and referrals for dental care and healthcare follow-up treatment.

**The Legislative and Regulatory Committee agreed on all suggested substantive and non-substantive amendments and Member Elginer amended the motion to the following:**

Motion for the Legislation and Regulatory Committee to recommend to the Full Board to approve the proposed Legislation and Regulatory Committee-amended language and forms for 16 CCR sections 1116 and 1116.5, and direct staff to submit the text to the

Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. 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, 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 after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, the Board authorizes the Executive Officer to take all steps necessary to complete the rulemaking process, and adopt the proposed regulations as described in the text notice for 16 CCR sections 1116 and 1116.5.

Member Elginer seconded.

**Public comment:** Jeannette Diaz-Olivera commented in support of the revised amendment, noting that it more accurately reflects the professional experience of RDHs and RDHAPs.

**Vote: Motion for the Legislation and Regulatory Committee to recommend to the Full Board to approve the proposed Legislation and Regulatory Committee-amended language and forms for 16 CCR sections 1116 and 1116.5, and direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. 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, 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 after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, the Board authorizes the Executive Officer to take all steps necessary to complete the rulemaking process, and adopt the proposed regulations as described in the text notice for 16 CCR sections 1116 and 1116.5. Passed 3:0:0.**

Name	Aye	Nay	Abstain/Absent
Michael Long, Chair	X		
Julie Elginer	X		
Joanne Pacheco	X		

**5. LEG REG Committee Agenda 5: Regulatory Update: Status of Dental Hygiene Board of California Regulatory Packages. (Informational Only).**

Dr. Adina Petty provided an update on the status of regulatory packages starting on page 45. She stated that currently the Board is running the following packages: 16 CCR section 1105.2(e) (Periodontal Classifications); 16 CCR section 1116.5 (RDHAP Physical Facility Registration) and 16 CCR section 1116 (Mobile Dental Hygiene Clinics). Dr. Petty stated that other regulatory packages are forthcoming.

**Committee Member comment:** Member Elginer asked Dr. Petty if there is a cutoff date to roll off past regulations promulgated by the Board. Dr. Petty and EO Lum responded that it is a running list and can start rolling off regulations after five (5) years.

Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel, commended Dr. Petty and the Board on clearing the backlog of regulations that accumulated during the pandemic years.

**Public comment:** None.

**6. LEG REG Committee Agenda 6: Discussion and Possible Action on Proposed Amendments to the Business and Professions Code:**

- a) Add Business and Professions Code (BPC) section 1915.1 – Dental Hygiene Students Participating in Sponsored Health Events: Access to Care.
- b) Amend BPC section 1926.3 – RDHAPs to Report Working Locations for Board Statistics.
- c) Amend BPC section 1941 – Accrediting Agencies for Dental Hygiene Educational Programs.
- d) Add BPC section 1961.5 – Post Board Enforcement Actions on Website and Executive Officer Citation Removal.

EO Lum reported Board staff was unsuccessful in obtaining a sponsor or author for the submitted legislation. EO Lum stated Board staff revised the language and presented a summary of the revisions regarding the BPC sections, as listed above, to the committee. He stated that the information regarding these revisions can be found on pages on 49 through 56.

EO Lum reported at the Board's November 15-16, 2024, Full Board meeting, the members engaged in a robust discussion regarding amending BPC sections 1915.1, 1926.3, 1941, and 1961.5. The Full Board approved the final draft of proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, and 1961.5, and directed staff to seek sponsored legislation for 2025.

The reasons for the requested statutory changes are as follows:

- 1) Mirrors previously approved language for dental students to be applied to dental hygiene students to work at sponsored events to improve access to dental care and increase their clinical experiences (BPC section 1915.1).
- 2) Provide direction to Registered Dental Hygienists in Alternative Practice to notify the Board of their working locations at each license renewal which assists in the Board's work statistics and oversight of the license category (BPC section 1926.3) for consumer protection.
- 3) Adds and expands accrediting agencies recognized by the US Dept. of Education which focus on allied health education for entities interested in starting new dental hygiene educational programs (BPC section 1941).
- 4) Allows the Board to post enforcement related information about licensees and their licensure status on the website for consumer protection and transparency (BPC section 1961.5).
- 5) Provides authority to the Executive Officer to rescind a citation after the appeals process and discovered the licensee would not have violated the Dental Practice Act when the initial citation was issued (BPC section 1961.5).

**Motion:** Member Elginer moved for the Legislation and Regulatory Committee to review the amended statutory language and re-affirm the changes are warranted. If the Legislation and Regulatory Committee re-affirms the changes are warranted, the Legislation and Regulatory Committee shall recommend to the Full Board to re-affirm and approve the final draft of the proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, and 1961.5, and direct staff to seek sponsored legislation for 2026.

**Second:** President Pacheco.

**Committee Member discussion:** Regarding BPC section 1961.5, Member Elginer recommended grammatical revisions to the language.

President Pacheco recommended removing language in BPC section 1941(c) that is no longer applicable. She stated that the Dental Board of California (DBC) no longer approves programs and so it should be removed from the language.

Member Elginer and EO Lum discussed the possibility of adding the DHBC to the list of boards that can post enforcement actions to the website. EO Lum stated he can request it be added to statute language when the Board seeks legislation.

**Public comment:** Susan McLearn asked for clarification on why the proposed stricken language in BPC section 1926.3 is being removed and how the information will be collected if it is removed from the language.

EO Lum suggested the committee add the language allowing the Executive Officer to remove citations in BPC section 1951.1.

Based on the committee member and public discussion the original motion maker, Member Elginer, agreed to the language amendments made during the live discussion. The

language amendments will be added to the proposed language amendments brought to the committee for today's meeting.

**Vote: Motion for the Legislation and Regulatory Committee to review the amended statutory language and re-affirm the changes are warranted. If the Legislation and Regulatory Committee re-affirms the changes are warranted, the Legislation and Regulatory Committee shall recommend to the Full Board to re-affirm and approve the final draft of the proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, and 1961.5, and direct staff to seek sponsored legislation for 2026. Passed 3:0:0.**

Name	Aye	Nay	Abstain/Absent
Michael Long, Chair	X		
Julie Elginer	X		
Joanne Pacheco	X		

**7. LEG REG Committee Agenda 7: Legislative Update: Discussion of 2025 Bills of Interest and Legislative Calendar. (Informational Only).**

Dr. Adina Petty reported as to current legislation of interest to the Board on pages 58 to 67, as well as reporting on the current legislative calendar on pages 68 through 69.

- **Assembly Bill (AB) 224** Bonta: Health care coverage: essential health benefits.
- **AB 341** Arambula: Oral Health for People with Disabilities Technical Assistance Center Program.
- **AB 350** Bonta: Health care coverage: fluoride treatments.
- **AB 371** Haney: Dental coverage.
- **AB 489** Bonta: Health care professions: deceptive terms or letters: artificial intelligence.
- **AB 742** Elhawary: Department of Consumer Affairs: licensing: applicants who are descendants of slaves.
- **AB 873** Alanis: Dentistry: dental assistants: infection control course.
- **AB 966** Carrillo: Dental Practice Act: foreign dental schools.
- **AB 980** Arambula: Health care: medically necessary treatment.
- **AB 1307** Ávila Farías: Licensed Dentists from Mexico Pilot Program.
- **AB 1418** Schiavo: Department of Health Care Access and Information.
- **Senate Bill (SB) 62** Menjivar: Health care coverage: essential health benefits.
- **SB 351** Cabaldon: Health Facilities.
- **SB 386** Limón: Dental providers: fee-based payments.
- **SB 470** Laird: Bagley-Keene Open Meeting Act: teleconferencing.
- **SB 744** Cabaldon: Accrediting agencies.

- **SB 861** Committee on Business, Professions and Economic Development: Committee on Business, Professions and Economic Development. Consumer affairs (Omnibus Bill).

**Committee Member discussion:** Regarding the failed status of AB 350, Member Elginer asked if there were plans to move this bill to the two (2) year bill and requested Board staff to inquire what concerns were for AB 350 to be pulled from the Senate.

Member Elginer requested Board staff to add a column for the bill’s sponsor if available on the fact sheet in the committee consultant analysis or in consultation with the author’s office.

Regarding the legislative calendar, Member Elginer requested the Board implement a May teleconference meeting to primarily discuss and review pieces of legislation.

**Public comment:** None.

**8. LEG REG Committee Agenda 8: Discussion and Possible Action on the July 19, 2025, Legislative and Regulatory Committee Meeting Minutes.**

**Motion:** Member Elginer moved to approve the July 19, 2025, Legislative and Regulatory Committee Meeting Minutes.

**Second:** President Pacheco.

**Committee Member discussion:** None.

**Public comment:** None.

**Vote: Motion for the Legislative and Regulatory Committee to approve the July 19, 2025, Legislation and Regulatory Committee Meeting Minutes. Passed 3:0:0.**

Name	Aye	Nay	Abstain/Absent
Michael Long, Chair	X		
Julie Elginer	X		
Joanne Pacheco	X		

**9. LEG REG Committee Agenda 9: Future Agenda Items.**

**Committee Member comment:** None.

**Public comment:** None.

**10. LEG REG Committee Agenda 10: Legislative and Regulatory Committee Adjournment.**

Chair Long adjourned the Legislative and Regulatory Committee at **10:57 a.m.**