

**State of California  
Office of Administrative Law**

**In re:**  
Dental Hygiene Board of California

**Regulatory Action:**

**Title 16, California Code of Regulations**

**Adopt sections: 1117**

**Amend sections:**

**Repeal sections:**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2022-0216-03**

**OAL Matter Type: Regular (S)**

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In this rulemaking action, the Board adopts a regulation requiring registered dental hygienists in alternative practice (RDHAP) to submit with their application for a license a signed Form RDHAP-01 (New 07-2021). The form requires the RDHAP to provide to the board information about the licensed dentist with whom they have a relationship pursuant to Business and Professions Code section 1930. The adopted regulation also requires the RDHAP to report to the board any changes in the relationship with their dentist.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/1/2022.

**Date:** April 1, 2022



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Thanh Huynh  
Senior Attorney

**For:** Kenneth J. Pogue  
Director

**Original:** Anthony Lum, Executive Officer  
**Copy:** Adina Pineschi-Petty

**NOTICE PUBLICATION/REGULATION SUBMISSION**

STD. 400 (REV. 10/2019)

# REGULAR

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z- 2021-1018-01</b>	REGULATORY ACTION NUMBER <b>2022-0216-03S</b>	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW  
2022 FEB 16 PM 12:54

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

APR 01 2022  
2:41pm

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY  
**Dental Hygiene Board of California**

AGENCY FILE NUMBER (If any)

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE <b>Reporting Dental Relationships (RDHAPs)</b>		TITLE(S) <b>16</b>	FIRST SECTION AFFECTED <b>1117</b>	2. REQUESTED PUBLICATION DATE <b>October 29, 2021</b>
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON <b>Adina Pineschi-Petty, DDS</b>		FAX NUMBER (Optional) <b>(916) 263-2688</b>
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn			NOTICE REGISTER NUMBER
				PUBLICATION DATE

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) <b>Reporting Dental Relationships (RDHAPs)</b>	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT <b>1117</b>
	AMEND
TITLE(S) <b>16</b>	REPEAL

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input checked="" type="checkbox"/> Other (Specify) <b>Kimberly Kirchmeyer, Director, California Department of Consumer Affairs</b>			

7. CONTACT PERSON <b>Adina Pineschi-Petty, DDS</b>	TELEPHONE NUMBER <b>(916) 576-5002</b>	FAX NUMBER (Optional) <b>(916) 263-2688</b>	E-MAIL ADDRESS (Optional) <b>adina.petty@dca.ca.gov</b>
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Anthony Lum</i>	DATE <b>February 2, 2022</b>
TYPED NAME AND TITLE OF SIGNATORY <b>Anthony Lum, Executive Officer, Dental Hygiene Board of California</b>	

For use by Office of Administrative Law (OAL) only  
**ENDORSED APPROVED**  
  
APR 01 2022  
  
Office of Administrative Law

TITLE 16. DENTAL HYGIENE BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS

ORDER OF ADOPTION

LEGEND

Underlined Indicates proposed regulatory language.

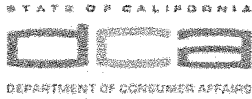
Adopt Section 1117 of Title 16 of the California Code of Regulations (CCR)  
to read as follows:

**§1117 Reporting Dental Relationships Between Registered Dental Hygienists in  
Alternative Practice and Licensed Dentists**

- (a) Upon application for a registered dental hygienist in alternative practice (RDHAP) license, the applicant shall provide documentation specified in subdivision (f) to the Dental Hygiene Board of California (Board) of a relationship with at least one licensed dentist located in California for referral, consultation, and emergency services.
- (b) An RDHAP shall provide the documentation specified in subdivision (f) to the Board of a current relationship with at least one licensed dentist for referral, consultation, and emergency services at every biennial license renewal.
- (c) An RDHAP shall report any termination of the existing dentist relationship to the Board within 30 calendar days of the termination and provide the documentation specified in subdivision (f) to the Board for at least one licensed dentist with whom the new relationship has been established for referral, consultation, and emergency services.
- (d) At all times during the relationship between the RDHAP and the dentist, the dentist's license must be current, active, and not under discipline prohibiting practice by the Dental Board of California (DBC).
- (e) If an RDHAP learns that the dentist with whom they have an existing relationship is being placed under discipline prohibiting practice by the DBC, the RDHAP shall terminate the existing dental relationship and notify the Board within 30 calendar days of the termination, and shall provide the documentation specified in subdivision (f) to the Board with at least one licensed dentist with whom the new relationship has been established for referral, consultation, and emergency services.

Documentation required to be reported to the Board shall include a completed and signed "Documentation of Registered Dental Hygienist in Alternative Practice (RDHAP) Relationship with Dentist" (Form RDHAP-01 (New 07-2021), which is hereby incorporated by reference.

Note: Authority cited: Sections 1905 and 1906, Business and Professions Code.  
Reference cited: Section 1930, Business and Professions Code.



**DOCUMENTATION OF REGISTERED DENTAL HYGIENIST IN ALTERNATIVE PRACTICE (RDHAP) RELATIONSHIP WITH DENTIST**

Business and Professions Code (BPC) Section 1930.  
California Code of Regulations (CCR) Title 16, Division 11, Section 1117

<u>Date</u>		
<u>RDHAP Name</u>	<u>Application Number or RDHAP License Number</u>	<u>RDHAP License Expiration Date</u>
<u>RDHAP Street Address</u>		
<u>City</u>	<u>State</u>	<u>Zip Code</u>
<u>Phone Number</u>	<u>Mobile Phone Number</u>	<u>Email Address</u>
Pursuant to BPC Section 1930 and 16 CCR Section 1117, I have a current relationship with at least one licensed dentist for referral, consultation, and emergency services. YES <input type="checkbox"/> NO <input type="checkbox"/>		

<u>Dentist Name</u>	<u>Dentist License Number</u>	<u>Expiration Date</u>
<u>Dentist Street Address</u>		<u>Phone Number</u>
<u>City</u>	<u>State</u>	<u>Zip Code</u>
Pursuant to 16 CCR Section 1090.1, to the RDHAP's knowledge, the dentist's license is current, active and not under discipline by the Dental Board of California YES <input type="checkbox"/> NO <input type="checkbox"/>		

**Pursuant to BPC Section 1930 and 16 CCR Sections 1090.1 and 1117, an RDHAP must report any changes in the relationship with their dentist in writing to the Board within 30 calendar days of the change.**

**Certification:**

**I certify, under the penalty of perjury under the laws of the State of California, that the statements made herein are true and correct.**

_____	_____
<u>RDHAP Signature</u>	<u>Date</u>
_____	_____
<u>Dentist Signature</u>	<u>Date</u>

**INFORMATION COLLECTION AND ACCESS**

The information requested herein is mandatory and is maintained by the Dental Hygiene Board of California, 2005 Evergreen Street, Suite 1350, Sacramento, CA 95815, 916-263-1978, in accordance with Business & Professions Code, §1900 et seq. The information requested will be used to determine eligibility. Failure to provide all or any part of the requested information will result in the rejection of the application as incomplete. Each individual has the right to review his or her own personal information maintained by the agency as set forth in the Information Practices Act unless the records are exempt from disclosure. Applicants are advised that the names(s) and address(es) submitted may be made public pursuant to Civil Code section 1798.24, subdivisions (e) or (f).