

DENTAL HYGIENE BOARD
FINAL STATEMENT OF REASONS

Subject Matter of Proposed Regulations: Appeals Process and Reinstatement of Withdrawn Dental Hygiene Educational Programs.

Section(s) Affected: Section 1105.4 of Title 16 of the California Code of Regulations (CCR).

Updated Information

The Informative Digest and Initial Statement of Reasons are included in the rulemaking file and incorporated as though set forth herein.

The information contained therein is updated as follows: No changes have been made to warrant a change to the initial statement of reasons as contained in the original notice for section 1105.4.

No public hearing was originally set for this proposal, and none was requested. Board staff noticed the proposed rulemaking on October 17, 2024, with a 45-day comment period ending on December 2, 2024. No comments were received.

The modified text after submission to the Office of Administrative Law, included the following:

A. Addition of “, as specified within the “Letter of Withdrawal” order,” after “deadline” and before “as shall” in subdivision (d)(2).

The Board added “, as specified within the “Letter of Withdrawal” order,” to clarify where the withdrawn dental hygiene educational program may find the Board-provided deadline, and to be consistent with subdivision (d)(2)(B).

B. Nonsubstantive Changes

Changes without regulatory effect were made to the regulation text. These changes included:

- Revising “Authority” and “Reference” citations.
- Minor revision to grammar and punctuation.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Economic Impact Assessment:

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The Board has determined this regulatory action would not create jobs, eliminate jobs, create new businesses, or eliminate or expand businesses within the State of California, as the proposed language in the regulation will simply allow a process by which to reinstate Board approval of DHEPs withdrawn due to noncompliance with Board laws and regulations who have come into compliance, or to maintain a DHEP's withdrawn status if the DHEP fails to correct violations cited by the Board.

Fiscal Impact

The Board does not anticipate any increase in costs to the state as a result of adopting the sections identified in this regulatory proposal.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulations or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Board incorporates by reference the alternatives identified in its Initial Statement of Reasons and did not receive any comments that altered its findings.

Objections or Recommendations/Responses

There were no objections or recommendations regarding the proposed action.