



Saturday, December 3, 2016

Dental Hygiene Committee of California

Enforcement Subcommittee

Agenda

DENTAL HYGIENE COMMITTEE OF CALIFORNIA

2005 Evergreen Street, Suite 2050 Sacramento, CA 95815

P (916) 263-1978 | F (916) 263-2688 | www.dhcc.ca.gov



Notice is hereby given that a public meeting of the Enforcement Subcommittee of the Dental Hygiene Committee of California will be held as follows:

ENFORCEMENT SUBCOMMITTEE MEETING

**Saturday, December 3, 2016
Evergreen Hearing Room
2005 Evergreen Street, 1st Floor
Sacramento, CA 95815
916.263.1978**

Enforcement Subcommittee Members:

Garry Shay, Public Member, Chair
Timothy Martinez, DMD
Edcelyn Pujol, Public Member
Evangeline Ward, RDH

Upon Conclusion of Licensing & Examination Subcommittee

Agenda

ENF 1 – Roll Call

ENF 2 – Public Comment for Items Not on the Agenda

[The DHCC may not discuss or take action 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 §§ 11125 & 11125.7(a))]

ENF 3 – Approval of the May 6, 2016 Enforcement Subcommittee Meeting Minutes

ENF 4 – Enforcement Statistics – Informational Only

ENF 5 – Update on the Department of Consumer Affairs' Enforcement Performance Measures – Informational Only

ENF 6 – Future Agenda Items

ENF 7 – Adjournment

DHCC members who are not members of this subcommittee may attend meetings as observers only, and may not participate or vote. Action may be taken on any item listed on this agenda, including information only items. Items may be taken out of order for convenience, to accommodate speakers, or maintain a quorum. All times are approximate and subject to change. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-1978 or access the Committee's Web Site at www.dhcc.ca.gov.

The meeting facilities are accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Anthony Lum at (916) 576-5004 or e-mail anthony.lum@dca.ca.gov or send a written request to DHCC at 2005 Evergreen Street, Ste. 2050, Sacramento, CA 95815. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.



Saturday, December 3, 2016

Dental Hygiene Committee of California

ENF 1

Roll Call – Establishment of a Quorum



Saturday, December 3, 2016

Dental Hygiene Committee of California

ENF 2

Public Comment for Items Not on the Agenda



Saturday, December 3, 2016

Dental Hygiene Committee of California

ENF 3

**Approval of the May 6, 2016 Enforcement
Subcommittee Meeting Minutes**



DENTAL HYGIENE ENFORCEMENT SUBCOMMITTEE MEETING MINUTES

Friday, May 6, 2016
Marriott Hotel – Los Angeles International Airport
Atlanta/Boston Room
5855 West Century Blvd.
Los Angeles, CA 90004

ENF 1 – Roll Call

Garry Shay, Chair of the Dental Hygiene Enforcement Subcommittee called the meeting to order at 11:42 a.m. Anthony Lum conducted roll call and established a quorum with three subcommittee members present.

DHCC Enforcement Subcommittee Members Present:

Garry Shay, Chair, Public Member
Timothy Martinez, Doctor of Dental Medicine (DMD)
Edcelyn Pujol, Public Member

DHCC Enforcement Subcommittee Member Absent:

Evangeline Ward, RDH

DHCC Staff Present:

Lori Hubble, Executive Officer (EO)
Anthony Lum, Assistant EO
Estelle Champlain, Legislative and Regulatory Analyst
Nancy Gaytan, Enforcement Analyst
Kelsey Pruden, Department of Consumer Affairs (DCA) Legal Counsel

Public Present:

Jonathan Burke, Board and Bureau Relations Manager, Department of Consumer Affairs (DCA)
Karen Fischer, EO, Dental Board of California (DBC)
JoAnn Galliano, Education Consultant, California Dental Hygienists' Association (CDHA)
Lygia Jolley, President, CDHA
Vickie Kimbrough, Southwestern College
Shawn Leetch, Concorde College, San Bernardino Campus
Gayle Mathe, California Dental Association (CDA)
Steven Morrow, Doctor of Dental Surgery (DDS), President, DBC

ENF 2 – Public Comment for Items Not on the Agenda

There were no public comment for items not on the agenda.

ENF 3 – Acceptance of the May 2, 2015 Enforcement Subcommittee Meeting Minutes

- **Motion: Edcelyn Pujol moved to accept the May 5, 2015 Enforcement Subcommittee minutes.**

Second: Dr. Timothy Martinez.

Vote: The motion passed 3-0 (Evangeline Ward was absent).

NAME	Minutes VOTE:		OTHER
	Aye	Nay	
Gary Shay	X		
Timothy Martinez	X		
Edcelyn Pujol	X		
Evangeline Ward			X

ENF 4 – Enforcement Statistics - Informational Only

Nancy Gaytan explained her graph which numerically depicts DHCCs various enforcement actions for comparison by fiscal year.

There were no comments from subcommittee members nor the public.

ENF 5 – Update on the Department of Consumer Affairs' Enforcement Performance Measures - Informational Only

Ms. Gaytan clarified that DHCC's quarterly intakes and investigations are in accordance with DCA's standards. The only area in which DHCC does not meet the standard is formal discipline and this discrepancy is due to the Department of Justice's backlog in processing DHCC cases.

There were no comments from subcommittee members nor from the public.

ENF 6 – Future Agenda Items

There were no items proposed and no comments.

ENF 7 – Adjournment

Chair Shay adjourned the Dental Hygiene Enforcement Subcommittee meeting at 11:47 a.m.



Saturday, December 3, 2016

Dental Hygiene Committee of California

ENF 4

Enforcement Statistics – Informational Only

DHCC ENFORCEMENT STATISTICS

FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-2017 YTD
------------	------------	------------	------------	------------	------------	------------------

Investigations

(July - November 2016)

Complaints							
Complaints Received	19	10	23	66	78	51	12
Convictions/Arrests Received	102	210	162	102	132	137	54
Total Intake	121	220	185	168	210	188	65

Citations

Issued	-	-	8	68	85	29	5
Dismissed	-	-	2	1	-		-

*Citations were not issued prior to FY 2012-13

Enforcement Actions

Cases Referred to AG	4	4	13	17	18	17	3
Accusations Filed	3	1	8	6	15	7	4
Statement of Issues Filed	1	0	2	2	2	2	4
Decisions / Stipulations Adopted	1	2	3	16	14	8	4

Allegations

Criminal Charges	102	210	162	102	132	137	54
Drug Related Offenses	1	-	1	2	3	3	-
Fraud	4	-	1	6	2	9	-
Mental Impairment	1	-	-	-	-	-	-
Non-Jurisdictional	-	-	1	-	-	2	2
Failure to notify of address change	-	-	2	32	48	-	-
Unlicensed or Expired License	6	2		5	7	14	4
Unprofessional Conduct	7	8	17	20	18	26	6
Sexual Misconduct	-	-	1	-	-	-	-

Probationers

Active	7	6	6	12	27	31	33
Tolling	5	5	4	4	4	4	4



Saturday, December 3, 2016

Dental Hygiene Committee of California

ENF 5

**Update on the Department of Consumer Affairs'
Enforcement Performance Measures –
Informational Only**

Department of Consumer Affairs

Dental Hygiene

Committee of California

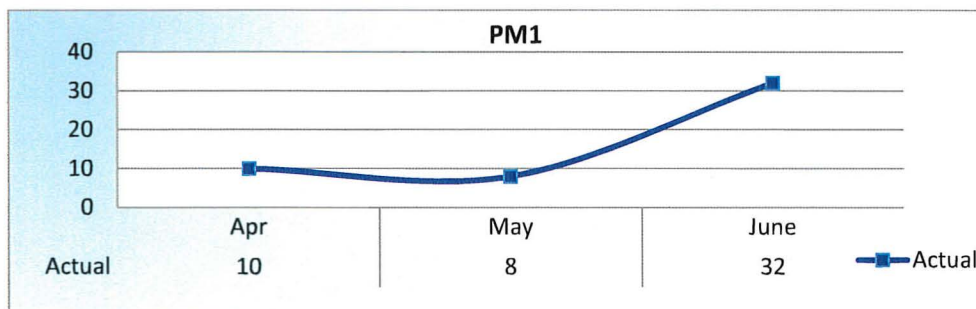
Performance Measures

Q4 Report (April - June 2016)

To ensure stakeholders can review the Committee's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

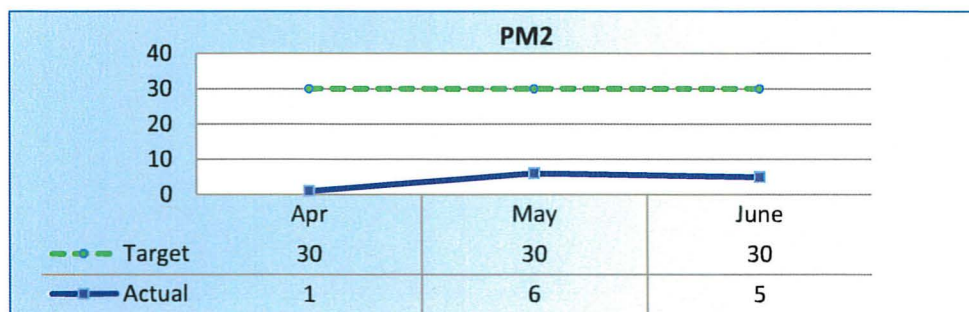


Total Received: 50 Monthly Average: 17

Complaints: 14 | Convictions: 36

PM2 | Intake

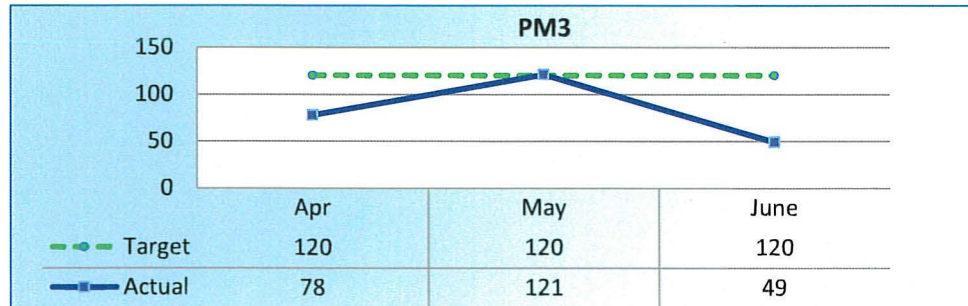
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 30 Days | Actual Average: 4 Days

PM3 | Intake & Investigation

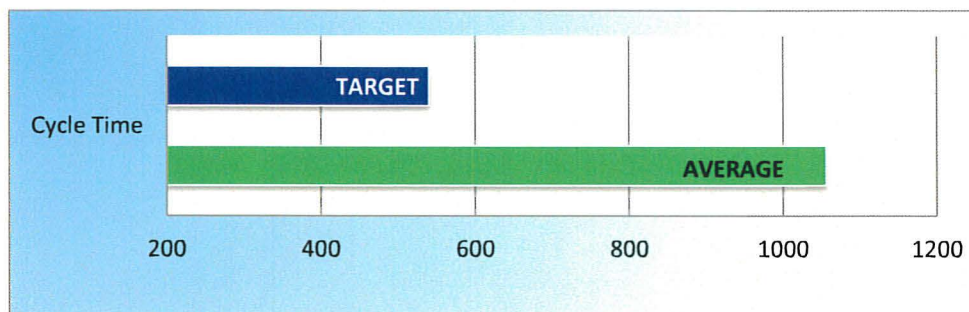
Average number of days to complete the entire enforcement process for cases not transmitted to the AG. (Includes intake and investigation)



Target Average: 120 Days | Actual Average: 69 Days

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases transmitted to the AG for formal discipline.
(Includes intake, investigation, and transmittal outcome)



Target Average: 540 Days | Actual Average: 1,056 Days

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

The Committee did not contact any new probationers this quarter.

Target Average: 10 Days | Actual Average: n/a

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Committee did not have any probation violations this quarter.

Target Average: 15 Days | Actual Average: n/a



Saturday, December 3, 2016

Dental Hygiene Committee of California

ENF 6

Future Agenda Items



Saturday, December 3, 2016

Dental Hygiene Committee of California

ENF 7

Adjournment