

DHCC AUGUST 8, 2018 MEETING MATERIALS ADDENDUM

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Education Subcommittee Meeting Minutes *April 20, 2018*

Department of Consumer Affairs
Dental Hygiene Committee of California
Doubletree by Hilton Hotel – San Diego Mission Valley
7450 Hazard Center Drive
San Diego, CA 92108

Education Subcommittee Members Present:

Michelle Hurlbutt, Chairperson, Registered Dental Hygienist (RDH) Educator
Noel Kelsch, Registered Dental Hygienist in Alternative Practice (RDHAP)
Edcelyn Pujol, Public Member

Education Subcommittee Members Absent:

Nicolette Moultrie, RDH
Evangeline Ward, RDH

DHCC Staff Present:

Anthony Lum, Executive Officer
Brittany Alicia, Receptionist
Nancy Gaytan, Enforcement Analyst
Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Educational Specialist
Jason Hurtado, Department of Consumer Affairs (DCA) Legal Counsel for the DHCC

Public Present:

Beth Wilson, California Dental Hygienist's Association (CDHA)
Maureen Titus, CDHA
Heidi Cossam, CDHA
Karen Fischer, Executive Officer, Dental Board of California (DBC)
Thomas Stewart, DDS, President, DBC
JoAnn Galliano, RDH, MS, DHCC Educational Consultant and Subject Matter Expert (SME)
Debra Daniels, Taft College
Vickie Kimbrough, Taft College, Purple Pen
Leslie Nazaroff, San Joaquin Valley College (SJVC) – Ontario
Brenda Serpa, SJVC – Visalia
Morgan Stacey, Duane Marris, LLP
Kelly Reich, Western Regional Examination Board (WREB)
Sabrina Santucho, Concorde Career College (CCC) – San Bernardino
Jana Pierce, Shasta College

Meg Robison, Southwestern College (SWC), Dental Hygiene Student
Jen Stoehr, SWC Dental Hygiene Student
Amanda Friednchs, SWC Dental Hygiene Student
Kassandra Brown, SWC Dental Hygiene Student
Kerrin Bradford, SWC Dental Hygiene Student
Amelia Mosser, SWC Dental Hygiene Student
Lisa Kamibayashi, West Los Angeles College (WLAC)
Arezou Goshtasbi, Concorde Career College (CCC) – Garden Grove
Laurel Sampson, CCC – San Diego
Veronica Patino, SWC
Victoria Mayfield, SWC
Summery Cheam, SWC
Jeressa Balagot, SWC
Farah Al-jay, SWC
Jean Honny, SWC, RDH
Donna Smith, University of Southern California (USC)
Linda Brookman, USC

Roll Call and Establishment of a Quorum

Acting Chair Dr. Michelle Hurlbutt called the subcommittee to order (appointed by President Susan Good as stand in for the absent Educational Subcommittee Chair Nikki Moultrie) at 10:20 a.m.

Members present: Acting member Noel Kelsch (appointed by President Susan Good), Edcelyn Pujol, and Michelle Hurlbutt. A quorum was established with three members present.

Public Comments for Items Not on the Agenda

None.

Chairperson's Report

None.

Approval of the November 17, 2017, Education Subcommittee Minutes

Dr. Hurlbutt presented the November 17, 2017 Educational Subcommittee Minutes. Educational Subcommittee accepted the November 17, 2017 Educational Subcommittee Minutes.

No public comment received.

Discussion and Possible Action, and Recommendation to the Full Committee to Amend CCR, Title 16, Division 11, § 1107(b)(O)(9)(A) RDH Course in Local Anesthesia, Nitrous Oxide-Oxygen Analgesia, and Periodontal Soft Tissue Curettage (Specifically, Local Anesthesia Injection Sites and Nitrous Oxide Administration Clarification)

DHCC Executive Officer (EO) Anthony Lum presented “letters of concern” submitted by dental hygiene educational programs (DHEPs) regarding 16 CCR § 1107.

Letters address concerns on language and parameters of number and type of injections as well as language and parameters of nitrous oxide-oxygen analgesia covered in 16 CCR § 1107.

Dr. Hurlbutt stated a table was created via a section 100 for clarification of 16 CCR § 1107. Terminology utilized was appropriate at the time the regulations were written, but now need to be amended to reflect current terminology.

Motion: The Educational Subcommittee to recommended to the full committee 16 CCR § 1107 concerns be referred to a task force composed of Committee members and subject matter experts to review and make recommendations to the Full Committee to amend the regulatory language.

Motion: Noel Kelsch

Second: Edcelyn Pujol

Public comment:

Diane Melrose (USC) requested clarification of nasopalatine (P-ASA).

EO Lum clarified chart created paralleled the regulations.

Maureen Titus (CDHA) expressed concern and requested 16 CCR § 1107 to be reviewed.

Dr. Hurlbutt clarified the decision regarding types and number of injections paralleled out-of-state RDH applicant SLN course requirements to ensure continuity.

JoAnn Galliano (DHCC Educational Consultant and SME) requested nitrous oxide-oxygen analgesia timing clarification for application by DHCC staff during site visits.

Dr. Hurlbutt clarified the intent was for the patient to experience twenty minutes of nitrous oxide-oxygen exposure to ensure proper student management of the patient.

The Subcommittee and legal counsel Jason Hurtado defined the twenty minutes to include beginning titration of nitrous oxide-oxygen to final oxygenation, not to include set up of unit or final oxygenation.

Noel Kelsch requested that it be stressed when the task force reviews requested nitrous oxide-oxygen analgesia timing, that the patient's best interest, rather than the amount of time, should be paramount in deciding the timing.

Lisa Kamibayashi (WLA) stated concerns that WLA's budget and a lack of access to nitrous oxide due to a shortage is of concern.

Dr. Hurlbutt stated the Committee makes regulations based on the best interest of the public and can't take educational program budget concerns into consideration.

Lisa Kamibayashi stated DBC is not as prescriptive with dental education and feels DHCC should mirror Dental Board of California (DBC) regulations.

Dr. Hurlbutt clarified the decision regarding nitrous oxide-oxygen analgesia paralleled out-of-state RDH applicant SLN course requirements to ensure continuity.

Dr. Hurlbutt stated the task force would be made aware of concerns voiced during public comment and be considered during deliberations.

Vickie Kimbrough (Taft, Purple Pen) requested the Committee separate the SLN requirements between California DHEPs and SLN courses for out-of-state applicants. Stated injection count sufficient but nitrous oxide-oxygen exposure time needs revisiting.

Jean Honny (SWC, SLN provider) requested the Committee separate the SLN requirements between California DHEPs and SLN courses for out-of-state applicants. Stated in-state DH students are monitored by the program for twenty-four months and educators are acutely aware of student competence, whereas the SLN providers have limited exposure with out-of-state students.

Dr. Hurlbutt stated that the Committee is aware the California DHEPs are competency based and not requirement based, in-state RDH educators have an awareness of student abilities and will ensure public comments will be taken into consideration.

Diane Melrose requested clarification as to how input will be provided to the task force.

Dr. Hurlbutt covered task force process and reassured that the public/DHEP educators will have input into the process.

Noel Kelsch stated that the Committee acknowledges the comments and concerns of the educators and recommended that a diverse group of subject matter experts make up the task force.

EO Lum will review the parameters of including educators onto the task force.

Dr. Hurlbutt requested that EO Lum send an update to the DHEP educators clarifying nitrous oxide-oxygen analgesia timing would define the twenty minutes to include beginning titration of nitrous oxide-oxygen to final oxygenation, not to include set up of unit or final oxygenation. In addition, the educators will be informed of the clarification of types and numbers of injections.

EO Lum thanked DHEP educators for sending in the letters to open discussion on 16 CCR § 1107.

Name	Aye	Nay	Abstain	Absent
Michelle Hurlbutt	X			
Noel Kelsch	X			
Edcelyn Pujol	X			
Nicolette Moultrie				X
Evangeline Ward				X

Vote: Motion for the Education Subcommittee to recommend to the full committee 16 CCR § 1107 concerns be referred to a task force composed of Committee members and subject matter experts to review and make recommendations to the Full Committee to amend the regulatory language.

Vote: Pass (3:0).

Discussion and Possible Action, and Recommendation to the Full Committee to Clarify Radiography Instruction in Dental Hygiene Educational Programs

EO Lum presented concerns submitted by DHEPs regarding sole use of digital radiology format. DHEP educators stated they were informed in the past that instruction in analog radiology was no longer required and some programs have disposed of analog equipment and/or switched solely to digital equipment. DHEP educators feel analog radiology can be

covered sufficiently didactically and rely on digital for use in preclinic/clinic. Staff requests clarification of Radiology requirements.

Dr. Hurlbutt stated the DHCC utilizes 16 CCR §1014.1 (f-g) “Requirements for Radiation Safety Courses” when reviewing dental hygiene education program and clarified the DHCC statutes allow the DHCC to utilize Dental Board of California (DBC) regulations when the DHCC does not have a regulation that applies to the area under review.

Ms. Kelsch requested clarification from the Dental Board into the interpretation of 16 CCR §1014.1 (f-g).

DBC EO Karen Fischer clarified that the DBC does not give recommendations, interpretations, nor clarifications of regulations and/or statutes and stated if the DHCC wanted to put the question in writing, she would bring it up in a future DBC meeting and work with the DHCC as to any concerns the Committee has.

Dr. Hurlbutt stressed that the goal of the Committee is to ensure that dental hygiene schools prepare students for the workforce. Therefore, analog should still be covered to competency as not all dentists are using digital radiography equipment. The Committee’s concern is standardization of education.

Ms. Kelsch stated that training in analog radiography can occur at the office and that she is concerned for the schools that have disposed of their analog equipment.

Dr. Hurlbutt stated that currently the DHCC must follow CODA Standards 4-2 when reviewing educational programs.

JoAnn Galliano, DHCC Educational Consultant, referred to CODA Standard 2-11 as well as DHCC regulations, stating students must have sufficient radiographic experiences, but neither CODA nor DHCC regulations delineate between analog and digital requirements. Ms. Galliano felt that the DHCC could determine the guidelines independent of 16 CCR §1014.1 (f-g). As 16 CCR §1014.1 (f-g) is not referred to in our regulations, the DHCC is not bound to utilize them.

Motion: The Educational Subcommittee recommends to the full Committee to direct the DHCC to utilize CODA Standards as to radiography educational requirements for dental hygiene educational programs.

Motion: Noel Kelsch

Second: Edcelyn Pujol

Public Comment: None

Name	Aye	Nay	Abstain	Absent
Michelle Hurlbutt	X			
Noel Kelsch	X			
Edcelyn Pujol	X			
Nicolette Moultrie				X
Evangeline Ward				X

Vote: The Educational Subcommittee recommends to the full Committee to direct the DHCC to utilize CODA Standards as to radiography educational requirements for dental hygiene educational programs.

Vote: Pass (3:0).

Motion: The Educational Subcommittee recommends to the full Committee to direct the Educational Task Force to review, discuss, and make recommendations to the Full Committee regarding digital and analog radiography requirements within dental hygiene educational programs.

Motion: Noel Kelsch

Second: Edcelyn Pujol

Public Comments:

Public requested clarification as to what dental hygiene programs should currently follow.

Dr. Hurlbutt clarified the meeting process regarding Subcommittee recommendations to the full Committee, and that any decision will be part of the update EO Lum will send out.

Name	Aye	Nay	Abstain	Absent
Michelle Hurlbutt	X			
Noel Kelsch	X			
Edcelyn Pujol	X			
Nicolette Moultrie				X
Evangeline Ward				X

Vote: The Educational Subcommittee recommends to the full Committee to direct the Educational Task Force to review, discuss, and make recommendations to the Full Committee regarding digital and analog radiography requirements within dental hygiene educational programs.

Vote: Pass (3:0).

Discussion and Possible Action, and Recommendation to the Full Committee to Determine the Number of Interim Therapeutic Restorations (ITR) to be Completed in Dental Hygiene Educational Programs for Competency

EO Lum presented concerns from DHEPs as to the number of ITRs to be completed by dental hygiene students to ensure competency. DHEPs feel that the current number of 10 ITRs is unnecessarily high to determine competency in ITRs and requested that each program be able to decide how many ITRs determines competency for their respective students as well as be an optional requirement for DHEP curriculum.

DHCC staff requests the Educational Subcommittee discuss and determine the request of the DHEPs and determine action, if any, to take place.

Dr. Hurlbutt addressed the DHEP ITR requests and stated as it is written in statute, it allows individual DHEPs to teach ITRs as an optional duty. To change the number of ITRs required would be a regulatory language change. DHCC will be looking at regulations concerning ITRs.

EO Lum provided an update stating ITR regulations are not ready as of yet and are in draft form and will be a future agenda item. EO Lum spoke to Dr. Glassman regarding the number of ITRs and as the DHCC is promulgating regulations, there can be a compromise and that the DHCC may require a minimum of 5 and then leave it up to the DHEPs to decide the number to determine competency.

Dr. Hurlbutt stated that DHEPs do educate students over a long period of time and are responsible to deem students as competent. Regulations may be created to apply differently to the graduate hygienist in an optional course versus a student hygienist in a DHEP and stated a task force will be assigned to address this.

Dr. Hurlbutt clarified that if a DHEP wishes to teach ITR, it must be approved by the DHCC and must follow the Health Workforce Pilot Project (HWPP) #172 protocols. Regulations

could take two to three years to be put in place so until then the HWPP #172 protocols must be followed.

Ms. Kelsch requested EO Lum to clarify for the audience as to if ITR qualifications are added to RDH licenses.

EO Lum clarified that ITR qualifications are added when notified by DHEPs or licensees from Dr. Glassman's courses.

JoAnn Galliano requested clarification to the law which states that the regulatory language for curriculum must be created in tandem with the DBC.

EO Lum stated that the DHCC and the DBC jointly decided that each will create their own curriculum packets that will parallel each other's curriculum and then combine them into one set of regulations. DBC will promulgate the regulations and the DHCC will propose amendments during the process and the DBC and DHCC will each be responsible for their own licensing populations.

Legal counsel Hurtado clarified BPC §1910.5(c) states the DHCC shall use the curriculum submitted by the board pursuant to Section 1753.55 to adopt regulatory language for approval of courses of instruction for ITRs and if changes need to be made they would have to be agreed upon by both the DHCC and DBC.

DBC EO Fisher stated language was approved by the DBC and that cooperation can be accomplished by having the DHCC weigh in during the hearing and if any changes need to be addressed, the DHCC can bring these changes to the attention of the DBC. The DBC has approved two programs utilizing curriculum from HWPP #172. The DBC is waiting until the regulations are promulgated before approving any more. In addition, the DBC has not had much interest by RDAEFs as they will need a permit from the DBC in order to perform ITRs and stated that these regulations are more for RDHs than RDAEFs.

Dr. Hurlbutt feels a task force would be necessary to review ITR regulatory language and clarified that ITRs are optional, but that CODA requires DHEPs to teach all duties that are permissible by state laws and regulations except for optional duties.

Noel Kelsch stated that DHEPs are also having difficulty obtaining the number of patients required to have students proficient in ITRs.

Motion: The Educational Subcommittee recommends to the full Committee to refer to a regulatory task force to draft regulatory language concerning ITR course curriculum.

Motion: Edcelyn Pujol

Second: Noel Kelsch

Public comment:

JoAnn Galliano stated that the Educational Subcommittee members along with the Educational Program Specialist could review the language and make the necessary recommendations.

Name	Aye	Nay	Abstain	Absent
Michelle Hurlbutt	X			
Noel Kelsch	X			
Edcelyn Pujol	X			
Nicolette Moultrie				X
Evangeline Ward				X

***Vote: The Educational Subcommittee recommends to the full Committee to refer to a regulatory task force to draft regulatory language concerning ITR course curriculum.
Vote: Pass (3:0).***

Discussion and Possible Action, and Recommendation to the Full Committee on Dental Hygiene Educational Program Review Updates:

Carrington San Jose Dental Hygiene Program (CSJ)
Cerritos College Dental Hygiene Program (Cerritos)
Concorde Career College – Garden Grove Dental Hygiene Program (CCCGG)
Concorde Career College – San Bernardino Dental Hygiene Program (CCCSB)
Concorde Career College – San Diego (CCCSB)
Moreno Valley College Dental Hygiene Program (Moreno)
Shasta College Dental Hygiene Program (Shasta)
Taft College Dental Hygiene Program (Taft)
University of the Pacific Dental Hygiene Program (UOP)
Complaints Received from Students, Faculty, and the Public

DHCC Educational Consultant JoAnn Galliano, RDH, MS, and DHCC Educational Specialist Adina Pineschi-Petty, DDS provided an update as to the nine schools visited by DHCC Educational Staff.

Concorde Career Colleges (CCC) have had several site visits and significant deficiencies have been discovered. CSJ, Cerritos, Moreno, Shasta, and UOP have had minor deficiencies that are in the process of remediation or have been remedied and are in full compliance.

Taft College has a current status of withdrawn with a staid. Future status is to be determined by the Committee. As of a site visit on January 29, 2018, all outstanding deficiencies have been confirmed as remedied and is now in full compliance. It is DHCC staff's recommendation to reinstate the Committee's approval of Taft.
Dr. Hurlbutt questioned the status of CCCGG and Taft as to when the status can be converted back to approved.

Legal counsel Hurtado stated that Taft's status would need to be brought to the full Committee to be determined and direct the EO to issue a new decision.

Motion: The Educational Subcommittee recommends to the full Committee to direct the Executive Officer to issue a new decision regarding approval of the Taft College Dental Hygiene Educational Program.

Motion: Noel Kelsch

Second: Edcelyn Pujol

Discussion: None

Name	Aye	Nay	Abstain	Absent
Michelle Hurlbutt	X			
Noel Kelsch	X			
Edcelyn Pujol	X			
Nicolette Moultrie				X
Evangeline Ward				X

Vote: The Educational Subcommittee recommends to the full Committee to direct the Executive Officer to issue a new decision regarding approval of the Taft College Dental Hygiene Educational Program.

Vote: Pass (3:0).

CCCCG has a status of withdrawn with a stay provided they stay in compliance of all laws and regulations. As of January 18, 2018, CCCC new deficiencies were discovered and no longer in compliance.

Ms. Kelsch requested clarification of infection control compliance issues at CCCC.

Dr. Petty clarified types of compliance issues and informed the Subcommittee that waterline issues have been handled appropriately and have been remedied.

Ms. Kelsch expressed concern and requested clarification of new deficiencies that were not previously discovered.

Dr. Petty clarified that the new deficiencies included a deficiency of lack of requirements and of approximately 200 program hours. The report was intended to bring these deficiencies to the Committee's attention for a decision. Laurel Sampson, CCCSD Program Director, has been working towards remedying the deficiencies for all three CCC programs. The curriculum changes have been drafted and submitted to CCC's Corporate.

Dr. Hurlbutt requested clarification that the previously undiscovered deficiencies are new, and the previous deficiencies discovered that caused the withdrawal have been remedied.

Dr. Petty confirmed all previous deficiencies have been corrected and are now in compliance.

Dr. Hurlbutt stated that the Subcommittee could recommend to the full Committee to either withdraw CCCC with a stay pending further investigation or maintain the withdrawal and direct the EO to send communication to CCCC as to appeal rights.

Ms. Kelsch stated students have not completed required courses and therefore are not qualified to take the required boards to obtain a license.

Dr. Hurlbutt clarified that when programs are reviewed, the CODA Standards of content of (e.g. biochemistry as a part of organic chemistry) have been accepted as satisfying the DHCC regulations. CCCC does not have a course in, nor content of, biochemistry. In addition, CCCC is not up to university standards in anatomy and physiology. Staff's concern is current students will be graduating deficient in ten weeks of education.

Dr. Hurlbutt stated that the options are to do nothing, to withdraw the program, or to withdraw the program and stay the withdrawal pending compliance of an additional ten weeks of education for the current class to complete to meet the regulations. If CCCC does not add the additional ten weeks, they will be withdrawn.

Dr. Petty requested clarification if this option would apply to CCCSD and CCCSB.

Dr. Hurlbutt stated CCCSB and CCCSD will be addressed separately.

Dr. Hurlbutt questioned the Subcommittee as to the recommendation the Subcommittee should present to the full committee.

Ms. Kelsch stated that there are reasons for minimum requirements and as CCCGG has not completed the minimum requirements, the Subcommittee would need to move forward with recommending action to the full committee.

Ms. Pujol concurred action must be taken.

Dr. Hurlbutt stated the Educational Subcommittee is charged with overseeing DHEPs and stated all the programs should be as uniform in standards as possible, barring any innovation or creativity within the individual programs.

Dr. Hurlbutt clarified that there have been reviews of other schools in addition to the nine investigations currently updated and stated her surprise as to the regulation issues that have come to light.

Ms. Kelsch thanked staff for their diligence during the review of programs and the attendance of DHEP directors within the audience for attending and taking an active part in the process.

Dr. Hurlbutt requested clarification from legal counsel Hurtado if CCCGG does not meet the conditions of the Stay, CCCGG will be withdrawn and the graduates will have graduated from a non-approved school.

Legal counsel Hurtado concurred.

Motion: The Educational Subcommittee recommends to the full Committee to withdraw the approval of the CCCGG DHEP with the issuance of a stay of the withdrawal pending compliance of an additional ten weeks of education for the current class to complete to meet the regulations and submit a plan to the DHCC by July 2, 2018.

Motion: Noel Kelsch

Second: Edcelyn Pujol

Public Comment:

Dr. Arezou Goshtasbi (CCCCG DHEP PD) stated that as soon as the CCCs were notified of the deficiencies, they immediately began to construct a plan to correct the deficiencies and clarified that the students did have some biochemistry, and biochemistry is covered somewhat during nutrition.

Dr. Hurlbutt clarified for Dr. Goshtasbi that CCCG needs to have a plan in place for the current graduating class to be in compliance with an additional ten weeks of education to include biochemistry, anatomy, and physiology. If CCCG does not comply, the withdrawal will stand and the students will graduate from a non-approved program and will not be eligible for California licensure.

Dr. Goshtasbi stated CCCG is approved by CODA. The deficiencies were brought to the attention of the CCCs during the review of CCCSB's CODA self study and stated the CCCs are committed to comply.

Dr. Hurlbutt stated, to ensure clarification for CCCG, that the compliance must be in place for the August graduates.

Dr. Goshtasbi stated she was not clear that the intent for compliance was to be for the August graduates, but is now clear that the compliance conditions must be in place for the August graduates.

Ms. Kelsch requested clarification that the additional deficiencies discovered will also be in compliance with the August graduates.

Dr. Goshtasbi stated that all deficiencies will be in compliance for the August graduates.

Name	Aye	Nay	Abstain	Absent
Michelle Hurlbutt	X			
Noel Kelsch	X			
Edcelyn Pujol	X			
Nicolette Moultrie				X
Evangeline Ward				X

Vote: The Educational Subcommittee recommends to the full Committee to withdraw the approval of the CCCG DHEP with the issuance of a stay of the withdrawal pending compliance of an additional ten weeks of education for the current class to complete to meet the regulations and submit a plan to the DHCC by July 2, 2018

Vote: Pass (3:0).

Dr. Hurlbutt requested recommendations from staff as to the status of the CCCSB and CCCSD DHEPs

Dr. Petty stated as the way the law is written, staff recommends withdrawal of CCCSB and CCCSD pending resolution of the deficiencies by July 1, 2018.

EO Lum requested clarification if CCCSB and CCCSD will be allowed to comply with the deficiencies by July 1, 2018.

Dr. Hurlbutt requested clarification from legal counsel Hurtado if the withdrawal will be automatic if the deficiencies are not met by July 1, 2018.

Legal counsel Hurtado confirmed withdrawal will be automatic and EO Lum would notify CCCSD and CCCSB of their right to appeal.

Motion: The Educational Subcommittee recommends to the full Committee to withdraw the approval of the CCCSD and CCCSB DHEP in the event deficiencies are not resolved by July 2, 2018.

Motion: Noel Kelsch
Second: Edcelyn Pujol

Public Comment:

Dr. Petty requested clarification if the same conditions moved in CCCGG's case would apply to current upcoming graduating cohorts of CCCSB and CCCSD.

Ms. Kelsch clarified in previous cases the same conditions had applied and would apply to these cohorts as well.

Dr. Hurlbutt concurred.

Legal counsel Hurtado stated the stay can be applied by the EO if CCCSD and CCCSB appealed the decision.

Ms. Galliano stated in the past, if deficiencies were significant enough, the DHCC did not allow a cohort to graduate and obtain a California license. Ms. Galliano stated a precedence in this area has been set and have to hold all DHEPs to the same standard and requested clarification of the motion if it includes adding the additional ten weeks to the current graduating cohort.

Dr. Hurlbutt confirmed the conditions includes an additional ten weeks of education for the current graduating cohort.

Name	Aye	Nay	Abstain	Absent
Michelle Hurlbutt	X			
Noel Kelsch	X			
Edcelyn Pujol	X			
Nicolette Moultrie				X
Evangeline Ward				X

Vote: The Educational Subcommittee recommends to the full Committee to withdraw the approval of the CCCSD and CCCSB DHEP in the event deficiencies are not resolved by July 2, 2018.

Vote: Pass (3:0).

Ms. Kelsch thanked the Subcommittee for applying the laws and regulations consistently as it is important to keep all DHEPs equal.

EO Lum informed the Subcommittee and audience that the laws and regulations are under review to give the Committee other options than approved and withdrawal, such as Cite and Fine and probation.

Future Agenda Items

Future Agenda Items: None

Public Comment: None

Adjournment

Chair Hurlbutt adjourned the Education Subcommittee meeting at 12:37 p.m.



Dental Hygiene Committee Meeting Minutes *Saturday, April 21, 2018*

Location:

Doubletree by Hilton Hotel – San Diego Mission Valley
7450 Hazard Center Drive
San Diego, CA 92108

DHCC Members Present:

Susan Good, President, Public Member
Edcelyn Pujol, Secretary, Public Member
Michelle Hurlbutt, Registered Dental Hygienist (RDH) Educator
Noel Kelsch, Registered Dental Hygienist in Alternative Practice (RDHAP)
Sandra Klein, Public Member
Garry Shay, Public Member

DHCC Members Absent and Excused:

Timothy Martinez, Public Health Dentist
Nicolette Moultrie, RDH
Evangeline Ward, RDH

DHCC Staff Present:

Anthony Lum, Executive Officer
Brittany Alicia, Receptionist
Nancy Gaytan, Enforcement Analyst
Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Education Specialist
Jason Hurtado, Department of Consumer Affairs (DCA) Legal Counsel for the DHCC

Public Present:

Maureen Titus, CDHA
Karen Fischer, Executive Officer, Dental Board of California (DBC)
Thomas Stewart, DDS, President, DBC
JoAnn Galliano, RDH, MS, DHCC Educational Consultant and Subject Matter Expert (SME)
Debra Daniels, Taft College
Vickie Kimbrough, Taft College, Purple Pen
Brenda Serpa, SJVC – Visalia
Kelly Reich, Western Regional Examination Board (WREB)
Jana Pierce, Shasta College
Melissa Nieves, SWC Dental Hygiene Student
Kaila Everett, SWC Dental Hygiene Student
MJ Centeno, SWC Dental Hygiene Student
Sherielaine Edquilang, SWC Dental Hygiene Student

Taylor Nevlue, SWC Dental Hygiene Student
Howie Huynt, SWC Dental Hygiene Student
Natalie Monty, SWC Dental Hygiene Student
Ashley LaFavor, SWC Dental Hygiene Student
Victoria Peterson, SWC Dental Hygiene Student
Chelsea Tuano, SWC Dental Hygiene Student
Hilda Cumberos, SWC Dental Hygiene Student
Kim Dinh, SWC Dental Hygiene Student
Leliha Dukes, SWC Dental Hygiene Student
Amanda Gordo, SWC Dental Hygiene Student
Casey Reinhardt, SWC Dental Hygiene Student
Marlene Loja, SWC Dental Hygiene Student
Roya Lugtu, SWC Dental Hygiene Student
Vero Carrille, SWC Dental Hygiene Student
Trang Huynh, SWC Dental Hygiene Student
Lisa Kamibayashi, West Los Angeles College (WLAC)
Arezou Goshtasbi, Concorde Career College (CCC) – Garden Grove
Jean Honny, SWC
Linda Brookman, University of Southern California (USC)
Donna Smith, USC
Diane Melrose, USC
Mary McCune, California Dental Association (CDA)
Mark Ito, Department of Consumer Affairs (DCA) Budget Analyst

1. Roll Call and Establishment of a Quorum

Susan Good, President of the Dental Hygiene Committee of California (DHCC), called the meeting to order at 9:00 a.m. She announced Timothy Martinez, Nicolette Moultrie, and Evangeline Ward had been excused. DHCC Secretary, Edcelyn Pujol, took roll call and a quorum was established with six members present.

2. Public Comments for Items Not on the Agenda

Maureen Titus, CDHA, requested that two bills, SB 1464 and AB 3087, be reviewed by the DHCC.

No further comments received.

3. Update on Pending Regulatory Packages

DHCC Executive Officer (EO) Anthony Lum, stated that the following regulation packages have been returned for edits caused by the fiscal impact that was not completed beforehand:

1. CCR Title 16, Division 11, § 1104 Approval of New RDH Educational Programs and Continuation of Approval for Approved RDH Educational Programs.
2. Proposed CCR, Title 16, Division 11, § 1109.4 Retired License.

3. CCR Title 16, Division 11, § 1150,1151, 1153 Name Badge/Sponsored Free Healthcare Events.

Staff will be working on these three regulation packages to proceed through the regulatory process.

4. Consideration of the Legislative and Regulatory Subcommittee Report

President Good requested Legislative and Regulatory Subcommittee Chairman, Garry Shay, to present.

Chair Shay stated that all subcommittee members were present.

1. The November 17, 2017 meeting minutes were approved.
2. Several bills and regulations were considered and discussed among subcommittee members which are recorded in the Legislative and Regulatory Subcommittee meeting minutes.

President Good requested comments from members of the DHCC or public.

No comments received.

Motion: Noel Kelsch moved to adopt the Legislative and Regulatory Subcommittee Report.

Second: Sandra Klein

Vote: Motion to adopt the Legislative and Regulatory Subcommittee Report. Passed 6:0:3.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

5. Consideration of the Licensing and Examination Subcommittee Report

President Good requested Licensing and Examination Subcommittee Chairman, Noel Kelsch, to present.

Chair Kelsch stated that all subcommittee members were present.

1. The November 17, 2017 meeting minutes were approved.
2. The licensing and written examination statistics were reviewed.
 - a. The Subcommittee requested research be conducted by staff to ensure exam questions parallel the law and the curriculum that is being taught in dental hygiene schools.
 - b. The Subcommittee requested research be done to find out what questions examinees are missing the most, especially registered dental hygienist in alternative practice (RDHAP) because of the high fail rate.
 - c. A post exam survey should be created to find out what examinees are struggling with regarding the written examination.
3. An Occupational Analysis (OA) and exam development contract with the Office of Professional and Examination Services (OPES) requested to be completed.
4. The Subcommittee requested Business and Professions Code (BPC) §1917(b) be amended to place a two (2) year time limit to accept a pass clinical examination score to apply for licensure.
5. The Subcommittee reviewed the RDH, RDHAP, and registered dental hygienist extended functions (RDHEF) duty chart in public health setting.
6. Future agenda items included alternative licensing examination options such as portfolios and other pathways to licensure.

President Good requested comments from members of the DHCC or public.

Dr. Michelle Hurlbutt stated that she is opposed to conducting an OA as the DHCC does not administer a California Dental Hygiene Clinical Exam. She stated the purpose of an OA is to get an understanding of what is happening in the dental hygiene workplace which will not affect the California Law and Ethics Exam.

EO Lum stated that the recommendation was made to conduct an OA to review the current professional duties as compared to the last OA conducted in 2010.

Michelle Hurlbutt stated that if the DHCC is going to spend a large portion of the budget for a survey service, she would prefer an RDHAP survey as recommended by the Sunset Review Committee.

Susan Good stated that more research should be conducted as to types of questions an OA would be able to include.

EO Lum reviewed the purpose of an OA as defined by OPES:

1. An OA defines a profession in terms of the actual tasks that new licensees must be able to perform safely and competently at the time of licensure.
2. In order to develop a licensing examination that is fair, job-related, and legally defensible, it must be based upon what licensees actually do on the job.
3. The OA should be changed and reviewed every five to seven years to verify that it actually describes current practice.

Chair Kelsch stated that, in her interpretation, OPES defines the purpose of an OA as tasks of the job, not clinical reasoning or areas that can be directly related to law and ethics.

Kelly Reich, Western Regional Examination Board (WREB), stated that WREB recently conducted an OA, which will soon be shared with member states and educators. Ms. Reich stated OAs are conducted to determine the content of clinical examinations for licensure. She suggested that the DHCC refer to the WREB OA, rather than conducting a separate OA as it is likely that the DHCC will not get desired results as it relates to the Law and Ethics Examination.

Karen Fischer, Executive Officer of the Dental Board of California (DBC), stated that the DBC accepts WREB as a pathway for licensure. She stated that the DBC conducts an OA to comply with BPC § 139. Ms. Fischer suggested EO Lum contact OPES regarding the OA requirement, as the DBC is required to conduct their OA every five to seven years.

Motion: Garry Shay moved to amend the Licensing and Examination Subcommittee Report such that the DHCC uses OPES unless the DHCC is capable of using a different vendor, in which case, this issue would be reconsidered by the Subcommittee.

Second: Noel Kelsch

Chair Kelsch requested comments from members of the DHCC or public.

JoAnn Galliano, RDH, MS, DHCC Educational Consultant and Subject Matter Expert (SME) seconded the recommendation to see if the DHCC, by law, can use the OA conducted by WREB and Central Regional Dental Testing Services (CRDTS) instead of conducting a separate OA.

Vote: Motion to amend the Licensing and Examination Subcommittee Report such that the DHCC uses OPES unless the DHCC is capable of using a different vendor, in which case this issue would be reconsidered. Passed 5:1:3.

Name	Aye	Nay	Abstain
Susan Good		X	
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

Dr. Hurlbutt questioned if there was a final decision by the Subcommittee on the RDH, RDHAP, and RDHEF duty chart. She stated that she is not in favor of the duty chart as it is not accurate.

Chair Kelsch stated that there have been a substantial amount of inquiries on the scope of practice by licensed dental hygienists and a chart would be an excellent referral tool.

Ms. Galliano stated that she agrees with Dr. Hurlbutt as a chart does not always clearly delineate what a licensed hygienist can do. She recommended that if hygienists have questions regarding duties, an e-mail may be sent to the DHCC Members to make the determination. In addition, Ms. Galliano stated that in 2005, the duty chart was no longer used as it caused problems and confusion.

EO Lum stated that the majority of dental hygiene duties are set, with minimal adjustments. He stated that if a chart were adopted, a footnote may be added to disclose that duties are 'including but not limited to'.

President Good stated that as a consumer, it would be beneficial to have a duty chart so that any consumer can be aware of what the licensee can and cannot do.

Motion: Garry Shay moved to adopt the report as amended.

Second: Noel Kelsch

Chair Kelsch requested comments from members of the DHCC or public.

Ms. Titus stated that the concern is heavily weighted in the public health field, as it is unclear where the line is drawn if a dentist is not present nor available to a patient.

No further comments received.

Vote: The motion to adopt the report as amended. Passed 6:0:3.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

6. Consideration of the Enforcement Subcommittee Report

President Good requested Enforcement Subcommittee Chairman, Michelle Hurlbutt, to present.

Chair Hurlbutt stated that all subcommittee members were present. The November 17, 2017 Subcommittee meeting minutes were accepted. Enforcement statistics and performance measures were reviewed. The Subcommittee discussed and took action on diversion programs.

The Enforcement Subcommittee recommended to the full committee that the DHCC Staff would investigate Diversion Programs and provide the DHCC Members with more information such as, success rates, costs, how other Boards conduct their programs, the distinction between a Participant who volunteers and one who is assigned, if there is a cost associated with the contract, and anything else the DHCC Staff feels is necessary to report.

Chair Hurlbutt requested comments from members of the DHCC or public.

No comments received.

Vote: Motion to recommend DHCC staff investigate Diversion Programs and provide the DHCC Members with more information such as: success rates, costs, how other Boards conduct their programs, the distinction between a Participant who volunteers and one

who is assigned, if there is a cost associated with creating a contract, and anything else the DHCC Staff feels is necessary to report. 6:0:3.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

The subcommittee took no action on the amendments on the uniform standards related to substance abuse and disciplinary guidelines as the Subcommittee was waiting on the outcome of a meeting regarding this matter. Depending on the outcome, it will return as an agenda item at a future meeting.

Motion: Michelle Hurlbutt moved to adopt the Subcommittee's report.

Chair Hurlbutt requested comments from members of the DHCC or public.

No comments received.

Vote: Motion to adopt the Enforcement Subcommittee Report. Passed 6:0:3.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

7. Consideration of the Education Subcommittee Report

President Good called on Education Subcommittee Chairman, Michelle Hurlbutt, to present.

Chair Hurlbutt stated that she was the stand-in Chair for Nicolette Moultrie, RDH, DHCC Education Subcommittee Chairman, and Evangeline Ward, RDH, who were both absent. Chair Hurlbutt, Noel Kelsch, and Edcelyn Pujol attended to form a Subcommittee. The November 17, 2017 meeting minutes were accepted.

The Subcommittee first discussed to amend 16 CCR §1107 RDH Course in Local Anesthesia, Nitrous Oxide-Oxygen Analgesia, and Periodontal Soft Tissue Curettage. The Subcommittee recommended to the Full Committee the issue concerning 16 CCR §1107(b)(9)(A) and 16 CCR §1107(b)(9)(B) be referred to a task force to clarify language.

The Subcommittee discussed clarification on radiography instruction in dental hygiene educational programs (DHEP). The Subcommittee recommended to the Full Committee that the DHCC follow the Commission on Dental Accreditation (CODA) standards regarding radiography education and recommended referral to a task force to discuss requirements for analog and digital radiography education in DHEP.

The Subcommittee discussed and took action on the number of Interim Therapeutic Restorations (ITR) to be completed in DHEPs for competency. The Subcommittee recommended to the Full Committee that this topic be referred to a task force to assist in drafting regulatory language concerning ITR course curriculum.

The Subcommittee discussed DHEP review updates.

1. The Subcommittee recommended to the Full Committee that the Executive Officer be directed to issue new approval for Taft College.
2. The Subcommittee recommended to the Full Committee withdraw of approval from Concorde Career College – Garden Grove with stay pending resolution of noted deficiencies by July 2, 2018.
3. The Subcommittee recommends to the Full Committee withdraw of approval from Concorde Career College – San Bernardino and Concorde Career College – San Diego if noted deficiencies are not resolved by July 2, 2018.

Chair Hurlbutt requested comments from members of the DHCC or public.

Noel Kelsch clarified that the dental hygiene educational programs should be following CODA standards.

Ms. Galliano stated that her understanding of the CODA Standard requiring analog processing was that students would have the ability to process analog radiographs, however, the DHEP could choose how the radiograph is taken.

Vickie Kimbrough (Taft College, Purple Pen) thanked the DHCC for their help in getting Taft through its deficiencies. She publicly acknowledged Dr. Daniels for being supportive of Taft's

efforts and Taft's faculty and students for being flexible. She stated that in the Education Subcommittee report on DHEPs, the deficiencies are not equal among the schools. Dr. Kimbrough stated that for some schools, each deficiency is listed in detail, but for other schools, it simply says that a number of deficiencies were found without listing them. She stated that if the DHCC aims for consumer protection, then all schools and their deficiencies should be listed equally.

The Full Committee discussed and agreed with Dr. Kimbrough that all dental hygiene educational program deficiencies should be listed equally among all programs.

Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Education Specialist stated specific deficiencies were not listed equally among the schools, as their deadlines fall after this meeting and the schools did not have the opportunity to correct the deficiencies prior to the report. The schools that had specific and detailed deficiencies listed had not corrected their deficiencies before the deadline and/or the deficiencies were of critical concern.

The Full Committee discussed and agreed that the only schools that have surpassed their deadline to correct their deficiencies should be reported to the Full Committee. In addition, staff to provide the Committee with critical concerns, elevated deficiencies, and full site visit reports.

Ms. Reich requested that if DHCC withdrawals approval from a DHEP, that the information can be reported to WREB as well.

Chair Hurlbutt stated that even if the DHCC withdraws approval from a DHEP, the DHEP is still CODA accredited. The student can sit for the WREB clinical exam; however, the student cannot be licensed in California, but can be licensed in any other state that accepts WREB.

EO Lum stated that even when approval of a program is withdrawn, the school still has the right to an appeal which can be a lengthy process.

Laurel Sampson, Program Director of the Concorde Career College-San Diego Dental Hygiene Program (CCCSD), stated that she was asked to speak on behalf of the Concorde Career College-Garden Grove Dental Hygiene Program (CCCGG), the Concorde Career College-San Bernardino Dental Hygiene Program (CCCSB), and CCCSD. The Concorde Career College (CCC) programs were notified in January 2018 that CCC program length was not equivalent to two years academic years or 1600 hours. A couple of years ago, it was evaluated that units needed to be added to the core curriculum. She stated that CCC has been accredited by CODA and approved by DHCC since inception of the programs. CCC has been working diligently to get into compliance regarding the curriculum. She continued that it is CCC's intent to meet the deadline; however, CODA responded they would not review the curriculum change until July 2018, and discussed in an August 2018 meeting. Despite all efforts, there may be timeline issues, and as a result, CCC may not be able to meet the DHCC deadline. In addition to CODA, the Accrediting Commission of Career Schools and Colleges (ACCSC) poses a concern as well.

Chair Hurlbutt stated that she believes CODA has an emergency measure that allows DHEPs to put emergency changes in place as requested by the program. She recommended Ms. Sampson to look at CODA emergency measures. Dr. Hurlbutt stated CCC has a set of graduates that are not meeting the law; therefore, CCC must devise a plan to place the students in compliance.

Ms. Galliano stated that there should not be an issue with the accrediting body. If you are required by state law to make a change, the accrediting body must allow you to make that change. State law supersedes the accrediting body and they are required to acknowledge the changes.

Ms. Sampson stated that CCC will do everything they able to become compliant; however, CCC may not be able to meet the deadline for reasons that are out of CCC's control.

DHCC Legal Counsel Jason Hurtado stated that the DHCC may hold a Summer teleconference to discuss CCC concerns.

No further comments received.

Motion: Michelle Hurlbutt moved to adopt the Education Subcommittee Report.

Vote: Motion to adopt the Education Subcommittee Report. Passed 6:0:3.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

8. Discussion and Possible Action to Determine November 2018 and April & November 2019 Meeting Locations

President Good stated that at the November 2017 committee meetings, the dates for 2018 and 2019 committee meetings were determined as follows:

1. November 16-17, 2018.

2. April 12-13, 2019.
3. November 22-23, 2019.

Although meeting dates were determined, the locations were not. President Good recommended that the next meeting be held in the Central Valley. Additionally, she stated that it would meet the convenience of licensees who practice in the Central Valley and give them an opportunity to attend a DHCC Committee Meeting.

Motion: Susan Good moved to conduct the November 2018 meetings in Fresno and that the DHCC set a Committee goal to alternate between locations in Northern, Central, and Southern California.

Second: Noel Kelsch

President Good requested comments from members of the DHCC or public.

Brenda Serpa, SJVC – Visalia, voiced support for having a DHCC Committee Meeting in the Central Valley.

Ms. Kelsch stated that she would support holding future meetings at state facilities and schools.

Dr. Petty stated that holding the DHCC Committee Meetings at schools that have DHEPs may pose a conflict of interest if they are offering free usage of facilities.

EO Lum stated that he was in agreement with Dr. Petty.

Sandra Klein suggested to hold the meeting at a hotel as the hotel would be the focal point for many attendees.

No further comments received.

Vote: Motion to meet in Fresno for the DHCC's November 2018 meetings and to alternate between locations in Northern, Central, and Southern California. Passed 6:0:3.

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

9. Future Agenda Items

1. Breeze update patch schedule.
2. Mobile and portable dental unit legislation.
3. Remediation class to be considered for initial California licensure for RDH applicants whom have graduated over two (2) years prior to their application.
4. Request to clarify requirements of sealing, polishing, and contouring permanent restorations.
5. Soft tissue curettage, local anesthesia, and nitrous oxide-oxygen regulation clarification.
6. Radiography regulation clarification including future language requiring analog and digital training.
7. Review of amount of ITRs required for certification of licensure.

President Good requested comments from members of the DHCC or public.

Dr. Kimbrough recommended that the task force assigned to review ITRs consider creating language to enable continuing education providers the ability to provide ITR courses to licensed RDHs not associated with DHEPs, as well as separating anesthesia requirements between DHEPs and SLN providers for out-of-state dental hygienists applying for California licensure.

No further comments received.

10. Adjournment

President Good adjourned the Full Committee meeting of the DHCC at 10:51 a.m.