



Dental Hygiene Committee Meeting Minutes Licensing and Examination Subcommittee

Friday, November 16, 2018

Radisson Hotel Fresno - Conference Center
1055 Van Ness Avenue
Fresno CA 93721

DHCC Members Present:

Noel Kelsch, Chairperson, Registered Dental Hygienist in Alternative Practice (RDHAP)
Nicolette Moultrie, Registered Dental Hygienist (RDH)
Evangeline Ward, RDH

DHCC Members Absent:

Sandra Klein, Public Member

DHCC Staff Present:

Anthony Lum, Executive Officer
Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Educational, Legislative, and Regulatory Specialist
Daniel Rangel, DHCC Special Investigator
Jason Hurtado, Department of Consumer Affairs (DCA) Legal Counsel for the DHCC

Public Present:

Vickie Kimbrough, Taft College, Purple Pen
Jean Kulbeth, Fresno City College
Karen Fischer, Executive Officer, Dental Board of California (DBC)
Joanne Pacheco, Fresno City College
JoAnn Galliano, MEd, RDH, DHCC Educational Consultant and Subject Matter Expert (SME)
Brenda Serpa, SJVC – Visalia
Leslie Nazaroff, San Joaquin Valley College (SJVC) – Ontario
Kelly Reich, Western Regional Examining Board (WREB)
Maureen Titus, California Dental Hygienist's Association (CDHA)
Sabrina Santucho, Concorde Career College (CCC) – San Bernardino
Arezou Goshtasbi, CCC – Garden Grove
Laurel Sampson, CCC – San Diego
Brianna Pittman-Spencer, California Dental Association (CDA)
Kim Laudenslager – Central Regional Dental Testing Service (CRDTS)
Sandra Henriquez, CDHA
Tracy Goldman, CDHA
Lisa Okamoto, CDHA
Rhoda Gonzales, CDHA
Thomas Stewart, DDS, President, DBC
Edward Cramp, Duane Morris, LLP

1. Roll Call and Establishment of a Quorum

Noel Kelsch, Chairperson of the Licensing and Examination Subcommittee, called the meeting to order at **4:11 p.m.** Roll call taken and a quorum was established with three members present.

2. Public Comments for Items Not on the Agenda

No comments from the public received.

3. Chairperson's Report

Chair Kelsch thanked the community, schools, and professional organizations for letters submitted and for their valuable input.

4. Approval of the April 20, 2018 Licensing and Examination Subcommittee Minutes

Chair Kelsch presented the minutes and requested a motion.

Ms. Moultrie stated she and Ms. Ward were not present at the April 20, 2018 meeting and questioned if they could vote. LC Hurtado stated minutes could only be "Accepted".

Chair Kelsch stated she is accepting the meeting minutes and requested comments from the Subcommittee or public.

No comments received.

The April 20, 2018 Licensing and Examination Subcommittee Minutes were accepted.

5. Licensure Statistics (Informational Only)

EO Lum presented a series of handouts regarding licensure statistics and requested questions or comments.

Discussion took place regarding licenses in delinquent status. EO Lum clarified the only way the DHCC would know if someone with a delinquent license is practicing is if the DHCC receives a complaint. In addition, the DHCC is sending out license status letters along with the automatic BreEZe letter to try and capture the delinquent renewals. Additionally, EO Lum stated as it is a liability issue, an employer should ensure a current license status for their employees.

Discussion took place regarding licenses that have been "denied". EO Lum clarified the only time a license is denied is through initial licensure. In addition, there is a process for appeals by which a denied applicant may appeal the denial.

No further questions received.

6. Written Examination Statistics

EO Lum presented the Law and Ethics Examination statistics for March through October 2018. He stated the pass rates increased substantially to eighty-two percent of RDH examinees and eighty-seven percent of RDHAP examinees earned passing scores. In addition, he informed the Subcommittee there was a new examination implemented since the last meeting.

Discussion took place regarding statistics on out-of-state candidates and pass rates.

Chair Kelsch requested statistics on out-of-state candidates and the types of questions missed for the next meeting.

No further questions received.

7. Discussion and Possible Action to Address the following Issues Presented by the California Dental Hygienists' Association (CDHA) Pertaining to RDH and RDHAP Scope of Practice and Legislative Changes:

- a. Removal of Restrictive Supervision Requirements:
 1. Removal of Direct Supervision Restrictions for RDH SLN (Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen Administration) duties.
 2. Amend the Act for RDH to practice under the general supervision of a dentist or a physician to expand access to care.
- b. Remove Practice Restrictions for RDH Working without Supervision in Public Health Settings:
 1. Amend 1911(a) to allow RDH to provide fluoride varnish without supervision.
 2. Amend 1911(c) to change "employed" to "practicing."
- c. RDHAP Scope of Practice Limitations: expand RDHAP unsupervised dental hygiene services to any settings authorized to employ an RDHAP.
- d. Reduction of Administrative Barriers:
 1. Allow RDHAP established practices within shortage areas to continue to operate even after the "shortage" designation no longer exists.
 2. Amend Act to allow RDHAPs to receive payment for services provided.
 3. Amend Act to include "Dental Hygiene Diagnosis" as defined by Commission on Dental Accreditation (CODA) Standards.

EO Lum presented the request received from CDHA regarding scope of practice and legislative changes and requested questions or comments.

Chair Kelsch stated that access to care is one of the DHCC's main goals and to be able to practice where needed is key. In addition, there have been times where a previous manpower-designated

area was removed and access to care was lost. She is of the opinion that by removing those restrictions, access to care would improve and be a logical thing to do. In addition, there are patient abandonment issues if the RDHAP must move their place of practice after the “shortage” designation is lost.

Discussion took place regarding the Subcommittee’s preferences of scope of practice and legislative changes. EO Lum stated the request for the Subcommittee from the CDHA was to prioritize areas of importance to the DHCC. Additionally, EO Lum will research if the DHCC has statutory authority over the requested proposals, as some may be under federal authority.

Legislative change list presented by CDHA:

- 1) Remove the restrictions of where an RDHAP may practice so they can be employed in any setting;
- 2) Allow RDHAP established practices in underserved areas to remain in practice even if the shortage area no longer exists;
- 3) Add additional duties to the RDHAP scope of practice (no additional duties identified);
- 4) Amend the Act to ensure that necessary clarification is in place so that RDHAPs can receive payment for services rendered;
- 5) Remove the prescription requirement for RDHAPs to see patients;
- 6) Amend BPC 1911(a) to allow for RDHs to apply fluoride varnish without supervision;
- 7) Remove the direct supervision requirement for the current SLN procedures (i.e., soft tissue curettage, local anesthesia, and nitrous oxide and oxygen analgesia) that require this level of supervision for RDHs;
- 8) Amend the Act to allow an RDH to practice under the general supervision of a dentist and physician to expand access to oral healthcare in more practice settings where underserved populations seek care;
- 9) Amend BPC 1911(c) to change “employed” to “practicing,” and
- 10) Amend the Act to include “Dental Hygiene Diagnosis” as defined by the Commission on Dental Accreditation’s (CODA) updated standards and clarify that it does not include “dental diagnosis” and “comprehensive dental treatment planning” to facilitate recognition by insurers of dental hygienists as primary dental care providers.

Ms. Moultrie: Stated her priority list is 2, 4, 6, 7, 8,10

Ms. Kelsch: Stated her priority list is 1, 2, 4, 7, 10

Ms. Ward: Stated her priority list 2, 4, 7, 8, 10.

Additional Discussion:

It was brought forth by the Subcommittee that the DHCC wants to work as a team with the DBC and other agencies and do what is best for the consumer, however, the DHCC does have the right to bring concepts forward and bring laws forward that doesn’t require restrictions. The DHCC with RDHAPs have increased access to care for California consumers that may not have access to

traditional care. The DHCC is dedicated to increasing access to care as prevention is less expensive than treatment.

Ms. Okamoto stated the CDHA wanted the Committee to look at areas to increased access of care and full utilization of the RDH/RDHAP. In addition, with reference to item three “Add additional duties to the RDHAP scope of practice”, Ms. Okamoto clarified the subject was brought up during the Joint Legislative Sunset Review Committee. To her recollection the paragraph was titled “Workforce” where there is reference to “Dental Therapists”. The CDHA is requesting the board to look at scope of practice changes to improve access to care and increase the full utilization of the RDH/RDHAP and expanded duties that may be found in other states.

Motion for the Subcommittee to recommend to the Full Committee to review issues presented by the California Dental Hygienists’ Association (CDHA) pertaining to RDH and RDHAP scope of practice and legislative changes.

Moved: Nicolette Moultrie
Second: Evangeline Ward

Discussion: None

***Vote: Motion for the Subcommittee to Recommend to the Full Committee to Review Issues Presented by the California Dental Hygienists’ Association (CDHA) Pertaining to RDH and RDHAP Scope of Practice and Legislative Changes
Passed 3:0.***

Name	Aye	Nay	Abstain
Noel Kelsch	X		
Sandra Klein			X (absent)
Nicolette Moultrie	X		
Evangeline Ward	X		

8. Future Agenda Items

Chair Kelsch: Out-of-state statistics for the Law and Ethics Exam as well as for statistics on the types of questions missed overall.

9. Adjournment

Chair Kelsch adjourned the Education Subcommittee meeting at **4:55 p.m.**