

Dental Hygiene Board of California Teleconference Meeting Minutes

Saturday, March 6, 2021

Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-25-20, dated March 12, 2020, neither a public nor teleconference location was provided.

Members of the public observed and participated by using the link that was provided in the agenda.

DHBC Members Present:

Vice President – Nicolette Moultrie, Registered Dental Hygienist (RDH) Member
Secretary – Garry Shay, Public Member
RDH Educator Member – Dr. Carmen Dones
Registered Dental Hygienist in Alternative Practice (RDHAP) Member – Noel Kelsch
RDH Member – Evangeline Ward
Public Member – Denise Davis
Public Member – Susan Good
Public Member – Erin Yee

DHBC Members Absent:

President – Dr. Timothy Martinez, Public Health Dentist Member

DHBC Staff Present:

Anthony Lum, Executive Officer
Elizabeth Elias, Assistant Executive Officer
Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Educational, Legislative, and Regulatory Specialist
William Maguire, Department of Consumer Affairs (DCA) Legal Counsel for the DHBC

1. Roll Call and Establishment of a Quorum

Ms. Nicolette Moultrie, Vice President of the Dental Hygiene Board of California (DHBC, Board), reviewed teleconference meeting guidelines and called the meeting to order at **10:13 a.m.** Secretary Garry Shay completed the roll call and a quorum was established with seven members present. Dr. Timothy Martinez was absent and excused.

2. Public Comment for Items Not on the Agenda.

No Comments.

3. President's Report (Informational Only).

Anthony Lum, Executive Officer (EO) presented Dr. Martinez's report in absentia. EO Lum welcomed new Public Board Member Erin Yee and presented time for Ms. Yee to address the Board and Public.

Additionally, EO Lum corrected an oversight from the November 20, 2020 meeting and presented time for Dr. Carmen Dones and Ms. Denise Davis to address the Board.

Board member comment: None

Public comment: None

4. Discussion and Possible Action to Approve the November 21, 2020 Full Board WebEx Teleconference Meeting Minutes.

Motion: Garry Shay moved to approve the amended November 21, 2020 Full Board WebEx Teleconference Meeting Minutes with the addition of “for the required courses” in between “provider” and “which” under “CE Audits” in the EO Report.

Second: Noel Kelsch.

Member discussion: Ms. Kelsch provided clarification in the EO report under “CE Audits” to add “for the required courses” in between “provider” and “which” on page six of the minutes.

Public comment: None.

Vote: Motion to Approve the Amended November 21, 2020 Full Board WebEx Teleconference Meeting Minutes with the Addition of “for the required courses” in Between “provider” and “which” Under “CE Audits” in the EO Report. Passed 7:0:1.

Name	Aye	Nay	Abstain/Absent
Denise Davis	X		
Carmen Dones	X		
Susan Good	X		
Noel Kelsch	X		
Timothy Martinez			X (Absent)
Nicolette Moultrie	X		
Garry Shay	X		
Evangeline Ward	X		
Erin Yee	X		

5. Discussion and Possible Action of the Temporary Approval for Manikin-Based Clinical Board Examination Requirements for Licensure.

EO Lum reported that due to the COVID-19 pandemic and associated safety precautions implemented by Governor Newsom and multiple Federal, State, and Local public health agencies to deter the spread of the virus, registered dental hygienist clinical examination administrators suspended all current patient-based clinical examinations and rescheduled them to future dates. He stated that as a result, the dental hygiene class of 2020 were left with no options to complete the clinical examination requirement to apply towards obtaining a dental hygiene license.

Additionally, at the May 29, 2020 WebEx Teleconference Board meeting, the Board requested and authorized the Department of Consumer Affairs (DCA) Office of Professional Examination Services (OPES) to review all nonpatient-based clinical examinations presented to the Board as an alternative to the live, patient-based clinical examinations. The Western Regional Examination Board (WREB), the Central Regional Dental Testing Services (CRDTS), and the American Board of Dental Examiners, Inc. (ADEX) submitted clinical examination information and data for OPES's review.

EO Lum reported that at the August 29, 2020 Board meeting, OPES provided their analysis conclusion and recommendation at that time which was that the manikin-based dental hygiene clinical examinations were not a viable substitute to the patient-based clinical exams. He stated that although OPES didn't recommend the manikin-based clinical examinations as a viable alternative to the patient-based clinical exams, the Board voted to temporarily accept the manikin-based alternative examinations as proposed by CRDTS and ADEX, and WREB, when available, in addition to the current patient-based clinical examinations if administered. The current temporary acceptance is in force from August 29, 2020 until March 31, 2021.

Furthermore, EO Lum reported that over the past two months, the Board has been contacted by several students, faculty, and dental hygiene educational programs to inquire whether the manikin-based clinical examinations would continue to be accepted by the Board after the temporary March 31, 2021 deadline. Staff was informed that registration deadlines for exams were either coming up or had passed for examination administrations in April and May 2021. He stated that many students are registering for exams out of state so they can complete this licensure requirement in a timely manner and that many students are concerned that if the Board does not extend the acceptance of the manikin-based exams, they will not only lose their exam registration deposits, but also be required to seek patients which is risky during the pandemic.

EO Lum reported that staff recommends for the Board to extend the deadline by five (5) months to accept manikin-based alternative clinical examinations until August 31, 2021 to allow students the ability to register for and complete upcoming exams in the current environment with COVID. He stated that this will also allow more time to accumulate exam data for OPES to review and analyze and report to the Board with updated information.

Motion: Carmen Dones moved for the Board to accept staff’s recommendation to extend the temporary approval of the manikin-based dental hygiene clinical examinations as administered through CRDTS, WREB, and ADEX until August 31, 2021 due to the current environment and allow additional time to accumulate data for these alternative clinical examinations for analysis.

Second: Noel Kelsch.

Member discussion: Discussion took place regarding extending the temporary acceptance of the manikin-based clinical board examination for licensure in California.

Public comment: Many public comments were received from dental hygiene students and faculty in support of the Board maintaining the approval of the alternative testing options to continue to move the RDH licensing process forward.

There was one comment from public member Cheryl Akagi that stated that the manikin-based exam should be allowable only during the pandemic and stated that the manikin exam is not the same as a patient-based exam.

Vote: Motion for the Board to Accept Staff’s Recommendation to Extend the Temporary Approval of the Manikin-Based Dental Hygiene Clinical Examinations as Administered Through CRDTS, WREB, and ADEX Until August 31, 2021 Due to the Current COVID Environment and Allow Additional Time to Accumulate Data for These Alternative Clinical Examinations for Analysis. Passed 6:1:1.

Name	Aye	Nay	Abstain
Denise Davis	X		
Carmen Dones	X		
Susan Good		X	
Noel Kelsch	X		
Timothy Martinez			X (Absent)
Nicolette Moultrie	X		
Garry Shay	X		
Evangeline Ward	X		

6. Discussion and Possible Action on Proposed Statutory Language Amendments to Business and Professions Code (BPC) Section 1903: Board; Membership; Terms; Officers; Vacancies; Per Diem and Expenses.

EO Lum reported that the Board's current status of appointed terms for board members is separated into two groups. One group of four member's terms expired at the end of 2019 unless reappointed, serve a grace year and then possible reappointment, or leave at the end of the term. Additionally, a second group of five member's terms expires at the end of 2022 unless they are reappointed, serve a final grace year, or leave prior to or at the end of the term. He stated that these situations are not assured and may not happen, and future planning based on the members serving their full maximum two, four-year terms is needed to ensure of maintaining a quorum to conduct business, especially the group of five members should they term out at the same time.

Furthermore, at the Board's August 29, 2020 meeting, EO Lum stated that Board staff presented draft language to further stagger the board terms; however, the Board requested staff to revise the proposed language and bring forth new language to be considered at a future Board meeting. He stated that the newly drafted statutory language presented today mimics what the Board completed in 2012 when it initially staggered the original nine board members into two existing groups consisting of five and four Board members respectively.

EO Lum reported that staff recommends for the Board to consider and approve the proposed draft statutory language as presented in the meeting materials to further stagger the member terms and group them into three groups of three members each so that no more than three of them term out at one time and once approved, direct staff to complete the proposed statutory language and seek sponsored legislation for 2021.

Motion: Noel Kelsch moved for the Board to approve the proposed amended statutory language, including removing the comma after "member" and before "other" in subdivision (b)(2), for BPC section 1903 and direct staff to seek sponsored legislation for 2021.

Second: Carmen Dones.

Member discussion: Discussion took place regarding proposed statutory language amendments to BPC Section 1903.

Public comment: None.

Vote: Motion for the Board to Approve the Proposed Amended Statutory Language, Including Removing the Comma After "member" and Before "other" in Subdivision (b)(2), for BPC Section 1903 and Direct Staff to Seek Sponsored Legislation for 2021. Passed 7:0:1.

Name	Aye	Nay	Abstain
Denise Davis	X		
Carmen Dones	X		
Susan Good	X		
Noel Kelsch	X		
Timothy Martinez			X (Absent)
Nicolette Moultrie	X		
Garry Shay	X		
Evangeline Ward	X		

7. Future Agenda Items.

1. Add a discussion/action item for a task force to explore alternative testing methods for RDH licensure to the March 20, 2021 meeting agenda (Noel Kelsch.)
2. Research ability to enact statute prohibiting incentivizing patients during live clinical RDH board exams (Susan Good.)
3. Future testing options research if pandemic continues (Evangeline Ward.)
4. ITR requirements for students (Public comment: Cindy Fleckner.)

8. Closed Session

No closed session held for this meeting.

9. Adjournment

Meeting was adjourned at **12:31 p.m.**