



## **Dental Hygiene Board of California Meeting Minutes**

**Saturday, November 18, 2023**

Department of Consumer Affairs  
1625 North Market Blvd.  
HQ1 Hearing Room, 1st Fl.  
Sacramento, CA 95834

### **DHBC Members Present:**

President – Dr. Carmen Dones, Registered Dental Hygienist (RDH) Educator Member  
Vice President – Sonia “Pat” Hansen, RDH Member  
Secretary – Naleni “Lolly” Tribble-Agarwal, RDH Member  
Public Health Dentist Member – Sridevi Ponnala  
Public Member – Dr. Justin Matthews  
Public Member – Erin Yee  
Public Member – Vacant

### **DHBC Members Absent:**

Registered Dental Hygienist in Alternative Practice (RDHAP) Member – Michael Long  
Public Member – Sherman King

### **DHBC Staff Present:**

Anthony Lum, Executive Officer  
Albert Law, Assistant Executive Officer  
Traci Napper, Licensing Analyst  
Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Education, Legislative, and Regulatory Specialist  
John Kinn, Department of Consumer Affairs (DCA) Legal Counsel for the DHBC  
Yuping Lin, DCA Legal Counsel for the DHBC  
Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel for the DHBC

## **1. Roll Call and Establishment of a Quorum**

Dr. Carmen Dones, President of the Dental Hygiene Board of California (DHBC, Board), reviewed meeting guidelines and called the meeting to order at **9:05 a.m.** Board Secretary Naleni “Lolly” Tribble-Agarwal completed the roll call, and a quorum was established with five members present. Board members Sherman King and Michael Long were absent and excused. Board Member Sonia “Pat” Hansen arrived at 9:20 a.m. finalizing the quorum to six members present.

## **2. Public Comment for Items Not on the Agenda.**

JoAnn Galliano, on behalf of herself, stated that since the Board is no longer restricted by the coronavirus pandemic (COVID-19) restrictions, she requested for the Board to consider returning to a committee structure. She stated as a tremendous amount of information is brought to the Board, reinstating Committees (e.g., Enforcement Committee, Education Committee, etc.) will provide the Board the opportunity to look at the information more closely and fully vet the information, thereby providing the Committee to clearly develop recommendations for consideration by the full Board.

## **3. President's Report (Informational Only).**

President Dr. Carmen Dones welcomed all in attendance. She additionally welcomed new Board members Michael Long and Sridevi Ponnala. Dr. Ponnala thanked Dr. Dones and provided the Board and public as to her background.

Dr. Dones stated she has been very busy and meets with Executive Officer (EO) Anthony Lum a couple of times each month for updates on Board issues that require her attention. She stated the Board does not have any enforcement cases for the Closed Session, but the Board will conduct the annual evaluation of the Board's Executive Officer.

**Board member comment:** None.

**Public comment:** None.

## **4. Update from the Department of Consumer Affairs (DCA) Executive Staff (Informational Only).**

Yvonne Dorantes, Assistant Deputy Director of the Department of Consumer Affairs' (DCA) Board and Bureau Relations Office (BBR), reported the following:

### **1. Business, Consumer Services and Housing Agency Update**

Business, Consumer Services and Housing Agency (BCHS) Secretary Lourdes Castro Ramirez has been appointed as the Chief of Housing and Homelessness in the Office of Los Angeles Mayor Karen Bass, effective November 2, 2023. Secretary Castro Ramirez has been an extraordinary partner to DCA and the boards and bureaus and a relentless consumer protection champion. Until a new Secretary is appointed by Governor Newsom, Tad Egawa, General Counsel at Agency, is serving as the BCHS Acting Secretary.

### **2. Diversity, Equity, and Inclusion (DEI) Update**

Training continues to be a priority for the DEI Steering Committee. In October, 138 DCA leaders and 26 board members completed DEI Human Centered Approach training

provided by University of Massachusetts consultant Dr. Bernard Gibson. On November 7, 2023, University of Massachusetts (UMASS) consultant Christopher Veal provided a virtual training entitled -- DEI Dialogue for Leaders -- to DCA managers, supervisors, and leadership. The training included example language and tools, discussed psychological safety and how it impacts these conversations, and interactive discussions around challenges leaders are facing. DCA encourages all Executive Officers and their management teams to attend.

DCA continues to support DCA boards and bureaus in expanding culturally competent communications and promote the importance of meeting the needs of all California consumers, licensees, and applicants. DCA's Deputy Director of Communications recently met with the Consulate of Mexico in San Francisco to share information and resources about DCA as well as hear about areas of interest to the Consulate. As a result of the meeting, DCA offered partnership for future in person and online events and to share available consumer resources.

The DEI Steering Committee is pleased to highlight the work of the Board of Vocational Nursing and Psychiatric Technicians. DCA's Tribal Liaison and DCA's DEI Steering Committee Chair, Yeaphana LaMarr, recently introduced the Executive Officer of the Board for Vocational Nursing and Psychiatric Technicians to Britta Guerrero, Executive Officer of the Sacramento Native American Health Clinic. The meeting was to discuss the possibility of tribal health clinics serving as locations for vocational nursing students needing to obtain clinical hours required for licensure. Participants also discussed strategies to encourage members of California's tribal communities to consider becoming a health care provider. Future discussions, to include consortiums of tribal health providers (Consortium for Urban Indian Health and the California Rural Indian Health Board), are in the planning stages. The DEI Steering Committee would like to continue to learn about and showcase the DEI activities of DCA's boards and bureaus. If your Board has DEI efforts to share, please send them to DCA Board and Bureau Relations (BBR).

### 3. In-Person Meetings and the Bagley-Keene Open Meeting Act

DCA boards and bureaus may conduct entirely remote public meetings without noticed locations accessible to the public through December 31, 2023, so long as the public is able to participate in the meeting remotely. Commencing on January 1, 2024, four meeting options will be available pursuant to the Bagley-Keene Open Meeting Act:

- Option #1 -- Traditional single-location option
  - This is a meeting where the majority of members are gathered at one publicly noticed and accessible location;
  - No members are participating remotely; and
  - There is no requirement to allow for remote public participation.

- Option #2 -- Traditional teleconference option
  - Board Members are located at different, publicly noticed and accessible locations, and they are connected via phone or Webex.
  - There is no requirement to allow for remote public participation.
- Option #3 -- New teleconference option
  - A majority of Board Members are gathered at one publicly noticed and accessible location;
  - The extra Board Members above a majority can participate remotely from private, non-public sites; and
  - The meeting must allow for remote public participation.
- Option #4 – The new advisory body teleconference option
  - All members of an advisory body can participate remotely from private, non-public meeting sites.
  - The meeting must have at least one publicly noticed and accessible location where at least one board/bureau staff member is present, and where the public can participate in the meeting.
  - Additionally, the meeting must allow for remote public access.

DCA encourages boards to work closely with their board counsels to ensure compliance with the Open Meeting Act, and if there are any concerns or questions, please let DCA know.

#### 4. Required Board Member Trainings Reminder

As we approach the final months of this year, there are two DCA-wide mandatory trainings that if you haven't already completed, we ask that you do so immediately – this includes sexual harassment prevention training and information security awareness. All DCA employees and appointees, including board and advisory council members, will need to complete the sexual harassment prevention training by December 31, 2023.

Additionally, board members with an assigned DCA email (i.e., dca.ca.gov) are required to complete the Information Security Awareness Fundamentals training. This training addresses your role in protecting DCA data and information. The training is online and required every year. Both the sexual harassment prevention training and information security awareness training are available in the department's Learning Management System. If board members need assistance accessing LMS and these trainings, they are asked to contact Board and Bureau Relations.

#### 5. Out-of-State Travel Update

With the recent signing of Senate Bill (SB) 447 by Governor Newsom, California's travel restrictions to states that have adopted discriminatory anti-LGBTQ+ laws immediately ended. California's restricted states travel list was eliminated and replaced with a new public awareness project that will consult with community leaders to promote

California's values of acceptance and inclusion of the LGBTQ+ community across the country. Over the past years, several out of state trips requested by boards were not authorized because the travel was to a state on the restricted travel list. Now, out of state travel to all states is permitted if the trip is critical to the functions and needs of the Board. Out of state travel requests must still follow the established process for review and approval by DCA, Agency and the Governor's Office. For questions, please reach out to the Board's Executive Officer or Board and Bureau Relations.

## 6. BBR Fall Newsletter

BBR sent out its 2023 fall newsletter which was distributed to Board presidents and vice presidents and as well as to executive officers and bureau chiefs. The fall newsletter is also available online at the Board member resources page on the DCA webpage.

**Board member comment:** President Dones requested dates for DEI training courses.

**Public comment:** None.

## 5. Update from the Dental Board of California (DBC).

Dr. Tracy Montez, Executive Officer of the Dental Board of California (DBC), reported the following:

### 1. DHBC Sunset Review

Dr. Montez congratulated the Board on the Board's successful sunset review.

### 2. DBC Sunset Review

In early October, the DBC held a meeting to approve the DBC's draft Sunset Report. This report will be submitted to the Legislature by the end of the calendar year in preparation for the DBC's 2024 sunset review hearing.

Items highlighted in DBC's report:

- The DBC has gone from a 30% vacancy rate to an 8% vacancy rate.
- An increase in enforcement staff has allowed the DBC to make significant progress in the backlog of administrative and criminal complaints and cases.
- The DBC is also the subject of the Department of Consumer Affairs Enlighten Enforcement Project. The DBC looks forward to making improvements to complaint intake, case investigation and discipline administration. This project is expected to conclude in early 2024.
- The DBC approved 14 legislative proposals to include in its Sunset legislation.
- The DBC also continues to work on various regulation packages.

- Please note that the DBC works closely with Dental Hygiene Board staff on proposals and regulations that may impact your Board.

### 3. DBC Quarterly Meeting

On November 8-9, 2023, the Board held its final quarterly meeting for the calendar year. Dr. Montez thanked EO Lum for providing an update on DHBC activities.

The meeting consisted of licensing and enforcement updates, and legislative and regulatory discussions. The meeting concluded with officer elections and reported that Dr. Felsenfeld will be attending future Dental Hygiene Board meetings as President. Additionally, returning in their current their officer positions are Ms. Joanne Pacheco, RDH, MAOB, as Vice President and Dr. Lilia Larin as Secretary.

### 4. DBC Newsletter

After a sabbatical, the Board began publishing its newsletter this year. Both our May and November issues are online, and encouraged the Board to review them.

**Board member comment:** None.

**Public comment:** None.

### 6. Discussion and Possible Action to Approve the July 22, 2023, Full Board Meeting Minutes.

**Motion:** Justin Matthews moved to approve the July 22, 2023, Full Board Meeting Minutes.

**Second:** Erin Yee.

**Member discussion:** None.

**Public comment:** None.

**Vote:** Motion to approve the July 22, 2023, Full Board Meeting Minutes. Passed 5:0:3.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia "Pat" Hansen	X		
Sherman King			X (Absent)
Michael Long			X (Absent)
Justin Matthews	X		

Name	Aye	Nay	Abstain/Absent
Sridevi Ponnala			X (Abstain)
Naleni “Lolly” Tribble-Agarwal	X		
Erin Yee	X		

## 7. Executive Officer’s Report (Informational Only).

Executive Officer (EO) Anthony Lum reported on the following:

### 1. Personnel:

Board management has been working to fill vacant staff positions and still have a few to fill.

- Enforcement Analyst – Management chose an internal candidate for the position, Sabra D’Ambrosio, who was the Board’s Continuing Education analyst. She started her new position on September 1, 2023, and is additionally covering the CE desk until her previous position is filled.
- Management hired Paul Corbin to fill the DHBC’s Special Investigator position. He started working on November 1, 2023 and has extensive experience in law enforcement so EO Lum believes the investigator position should be an easy transition for him.
- Management received acceptance of a job offer for the Citation and Fine Analyst position and expects the new hire to begin work on December 1st.
- The Board has a new vacancy as one of the Board’s licensing analysts left for a promotion at a different agency. EO Lum thanked her for her short time working for the Board and staff has already begun the process to refill her position.

EO Lum thanked existing Board staff for stepping up and going above and beyond what’s expected to cover the vacant desks, in addition to their own workload, while management works to fill the vacancies.

### 2. Budget:

EO Lum provided “Budget Expenditure,” “Expenditure Projection,” and “Revenue” reports. He reported the DHBC’s current year budget and stated these reports reflect from Fiscal Month three (September), so there are many months of expenditures and revenue ahead to experience in the coming year.

Additionally, EO Lum reported on the Board’s Fund Condition which shows a point-in-time of how much the Board has in the Board’s “savings account” by fiscal year (FY).



He stated the Board's fund is healthy, and this is a good safety net in the instance additional funds are needed to cover unexpected expenditures.

### 3. Administration:

EO Lum reported:

- Over the past few months, Board staff worked through a TEAMS setup and transition process where staff may make and receive phone calls through the computer instead of a separate phone. Voicemail messages are translated to text and emailed to staff with the information to provide a more accurate response to callers.
- EO Lum participated in several meetings with DCA on various topics including departmental and Board issues; military licenses; and Board regulations.
- EO Lum attended the Dental Board's October Sunset Review meeting and reported DHBC activities to them at their Nov 8-9, 2023, Board Meetings.
- With the Governor's signing of the Board's Sunset Bill, Assembly Bill (AB) 1257, the Board may officially close the book on the Board's 2023 Sunset Review. The provisions from the bill will be effective January 1, 2024, including the elimination of the clinical examination requirement for California dental hygiene educational program (DHEP) graduates who apply for the license within 3 years of graduation. For those graduates who wait to apply for licensure after 3 years and for out-of-state applicants, a clinical exam is still required for licensure.

### 4. Military Practice Update:

#### a. Temporary Licenses:

In 2021, AB 107 was approved to provide a means for active military persons and their spouses to obtain temporary licensure in CA using active military orders. These temporary licenses, once issued, are valid for 12 months and can be renewed once for a maximum 2-year active period. The Board has promulgated regulations for the temporary license and he stated details about it would be presented later in the meeting.

#### b. Federal Law H.R. 7939, Sec. 19

Effective January 5, 2023, the Federal Law provides the authority for any out-of-state dental hygiene licensee to come to CA and practice using their respective state's dental hygiene license and theirs or their spouse's active military orders. The individuals using this authority are only required to notify the Board of their intent to practice in CA under this provision and provide a copy of the active military orders.



This is not an approval by the Board to allow these out-of-state practitioners to provide dental hygiene services, but an informational notification that they are working here as prescribed by the Federal Law. To date, The Board has received notification from nine out-of-state licensees of their intent to practice in CA using active military orders indicating required relocation to CA. The department is creating a military portal to list out-of-state licensees practicing under this Federal provision for public view and reference and should be active soon.

**Member comment:** None.

**Public comment:** None.

#### **8. Dental Hygiene Board of California Election of Officers.**

EO Lum presented the open Board positions and stated staff recommended maintaining the current slate of officers to complete the Strategic Planning process in 2024.

**Motion:** Carmen Dones moved for the Board to maintain its current slate of officers for 2024: Dr. Carmen Dones as President; Sonia “Pat” Hansen for Vice President; and Naleni “Lolly” Tribble-Agarwal as Secretary to complete the Strategic Planning process in 2024.

**Second:** Justin Matthews.

**Member discussion:** None.

**Public comment:** None.

**Vote: Motion to maintain its current slate of officers for 2024: Dr. Carmen Dones as President; Sonia “Pat” Hansen for Vice President; and Naleni “Lolly” Tribble-Agarwal as Secretary to complete the Strategic Planning process in 2024. Passed 6:0:2.**

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen	X		
Sherman King			X (Absent)
Michael Long			X (Absent)
Justin Matthews	X		
Sridevi Ponnala	X		
Naleni “Lolly” Tribble-Agarwal	X		
Erin Yee	X		

## **9. Discussion and Possible Action to Accept Manikin-based Dental Hygiene Clinical Examinations Permanently from Board Approved Administrators to Apply Toward Licensure.**

EO Lum reported that at the August 29, 2020, Full Board WebEx Teleconference meeting, the Board voted to temporarily accept the manikin-based clinical examinations administered by American Board of Dental Examiners/Western Regional Examining Board (ADEX/WREB) and the Central Regional Dental Testing Service (CRDTS) due to the Coronavirus Pandemic (COVID-19) environment. The temporary acceptance of this exam was extended five times at Board meetings (March 6, 2021, July 17, 2021, March 19, 2022, July 23, 2022, and March 18, 2023) and now is set to expire on January 31, 2024. Information received from dental hygiene programs administering the exams require advanced notice of exam acceptance to enable them to arrange and schedule for future dates. The manikin-based clinical exam is an alternative method to the acceptance of the in-person, patient-based clinical examinations administered by the Commission on Dental Competency Assessments/WREB/Council of Interstate Testing Agencies (CDCA/WREB/CITA) and CRDTS; however, documentation submitted from exam administrators shows this method is widely accepted nationwide for dental hygiene licensure requirements.

He stated that Effective January 1, 2024, the Board's Sunset Bill eliminated the clinical exam requirement for those California DHEP graduates who apply for the license within 3 years of graduation. However, the Board will still need to have Board-approved clinical exams in place for those California DHEP graduates who don't apply within 3 years of graduation, or for any out-of-state applicants applying through the examination pathway to licensure. Additionally, EO Lum reported documentation submitted by exam administrators show the manikin-based dental hygiene clinical examination is accepted in most states on a permanent basis; however, CA is only accepting it temporarily.

**Motion:** Carmen Dones moved for the Board to permanently accept the alternative manikin-based clinical examinations administered by CDCA/WREB/CITA and CRDTS to fulfill the clinical examination requirement for licensure.

**Second:** Erin Yee.

**Member discussion:** Discussion took place regarding permanently accept the alternative manikin-based clinical examinations administered by CDCA/WREB/CITA and CRDTS to fulfill the clinical examination requirement for licensure.

**Public comment:** None.

**Vote: Motion to permanently accept the alternative manikin-based clinical examinations administered by CDCA/WREB/CITA and CRDTS to fulfill the clinical examination requirement for licensure. Passed 6:0:2.**

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen	X		
Sherman King			X (Absent)
Michael Long			X (Absent)
Justin Matthews	X		
Sridevi Ponnala	X		
Naleni “Lolly” Tribble-Agarwal	X		
Erin Yee	X		

#### 10. Discussion and Possible Action to Approve Temporary Student Enrollment Increase at Diablo Valley College.

Ms. Tonette Steeb, Diablo Valley College (DVC) DHEP Director, presented to the Board a request to approve a “Temporary Increase in Enrollment” for the Fall 2023 and Spring 2024 semesters.

**Motion:** Justin Matthews moved for the Board to approve the “Temporary Increase in Enrollment” requested by Diablo Valley College for the Fall 2023 and Spring 2024 semesters.

**Second:** Sonia “Pat” Hansen.

**Member discussion:** Discussion took place regarding approval of DVC’s request to temporarily Increase enrollment for the Fall 2023 and Spring 2024 semesters.

Sonia “Pat” Hansen expressed her appreciation for DVC’s willingness to assist their students.

President Dones commented that she is surprised the Commission on Dental Accreditation (CODA) is requiring the request. Ms. Steeb clarified the requirement is due to faculty to student ratio changes.

**Public comment:** None.

**Vote:** Motion to approve the “Temporary Increase in Enrollment” requested by Diablo Valley College for the Fall 2023 and Spring 2024 semesters. Passed 6:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen	X		
Sherman King			X (Absent)
Michael Long			X (Absent)
Justin Matthews	X		
Sridevi Ponnala	X		
Naleni “Lolly” Tribble-Agarwal	X		
Erin Yee	X		

#### 11. Discussion and Possible Action to Approve Expansion of Clinical Facilities at Concord Career College – San Diego.

Ms. Kimberly Pennington, Concorde Career College – San Diego (CCC-SD) DHEP Director presented to the Board a request to approve a Clinical Facilities increase.

**Motion:** Justin Matthews moved for the Board to approve the Clinical Facilities increase request by CCC-SD.

**Second:** Erin Yee.

**Member discussion:** Discussion took place regarding CCC-SD’s request for an increase in clinical facilities.

**Public comment:** Tooka Zokaie, California Dental Association (CDA), stated CDA is trying to address the workforce shortage and are conducting a survey to all of the California DHEPs, as well as working with the Dental Hygiene Educator’s Association to try to quantify the numbers around enrollment and practice after graduation.

**Vote: Motion to approve the Clinical Facilities increase request by CCC-SD. Passed 6:0:2.**

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen	X		
Sherman King			X (Absent)
Michael Long			X (Absent)

Name	Aye	Nay	Abstain/Absent
Justin Matthews	X		
Sridevi Ponnala	X		
Naleni “Lolly” Tribble-Agarwal	X		
Erin Yee	X		

## 12. Regulatory Update: Status of Dental Hygiene Board of California Regulatory Packages (Informational Only).

Dr. Adina Petty reported as to the current status of DHBC proposed regulatory packages completed and in process for the Board. Additionally, she provided an overview of the regulatory process.

**Member discussion:** None.

**Public comment:** None.

## 13. Discussion and Action to Initiate a Rulemaking and Amend Title 16, California Code of Regulations (CCR) Section 1105.4. Appeals Process and Reinstatement of Withdrawn Dental Hygiene Educational Programs.

Dr. Adina Petty reported that during staff’s review of regulations applicable to DHEPs, staff determined there was no clear process within California Code of Regulations (CCR), Title 16, section 1105.4 to reinstate Board approval of DHEPs withdrawn due to noncompliance with Board laws and regulations. Additionally, staff determined there was no clear guidance as to requirements to maintain the withdrawn status of DHEPs should the DHEP not comply with the Board directives. She stated staff prepared language for the Board to review and address the lack of process regarding reinstatement of withdrawn DHEPs, as well as for the Board to maintain a DHEP’s withdrawn status.

**Motion:** Justin Matthews moved for the Board to approve the proposed language for CCR section 1105.4, and direct staff to submit the language to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1105.4 as noticed.

**Second:** Erin Yee.

**Member discussion:** Discussion took place regarding approval of the proposed language for CCR section 1105.4.

EO Lum expressed his appreciation for the Board's consideration of this action item.

**Public comment:** None.

**Vote:** Motion to approve the proposed language for CCR section 1105.4, and direct staff to submit the language to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1105.4 as noticed. Passed 6:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia "Pat" Hansen	X		
Sherman King			X (Absent)
Michael Long			X (Absent)
Justin Matthews	X		
Sridevi Ponnala	X		
Naleni "Lolly" Tribble-Agarwal	X		
Erin Yee	X		

**14. Discussion and Possible Action to Approve Modified Text and Associated Modified Form and Continue Rulemaking to Adopt 16 CCR Section 1114: Temporary Licensure (Military Spouses or Partners).**

Dr. Adina Petty reported that AB 107 (Salas, Chapter 693, Statutes of 2021) enacted Business and Professions Code (BPC) section 115.6 which requires the Board, on and after January 1, 2023, and after appropriate investigation, to issue temporary licenses to military spouse applicants if the applicant meets specified requirements. At the November 19, 2022, Full Board meeting, the Board approved the proposed regulatory language and associated form for California Code of Regulations (CCR), Title 16, section 1114 Temporary Licensure (Military Spouses or Partners) and authorized the Executive Officer to

take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1114.

The Office of Administrative Law (OAL) reviewed the language and determined that substantive changes were recommended to be brought back to the Board. Board staff developed the modified text and associated modified form for 16 CCR section 1114 for the Board to review to implement the provisions of BPC section 1941.5.

**Motion:** Justin Matthews moved for the Board to approve the proposed modified text, including adding “be” in subdivision (a) after “To” and before “eligible”, and associated modified form for section 1114 and direct staff to submit the proposed modified text and associated modified form to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to continue the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 15-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulation at Section 1114 as noticed.

**Second:** Sridevi Ponnala.

**Member discussion:** Discussion took place regarding the rulemaking language and process to adopt 16 CCR Section 1114: Temporary Licensure (Military Spouses or Partners).

**Public comment:** JoAnn Galliano requested if there is any way that the Board can distinguish these temporary licenses from a California license as her concern is that California has different standards with regard to soft tissue curettage, local anesthesia, and nitrous oxide-oxygen analgesia (SLN), which potentially places the California consumers at risk. Additionally, there is at least one state that licenses graduates from non-CODA approved DHEPs. Traci Napper, Board Licensing Analyst, and EO Lum clarified the Board places a code at the top of the temporary military licenses to indicate they are temporary and will not include the SLN code if they are not eligible.

**Vote:** Motion to approve the proposed modified text, including adding “be” in subdivision (a) after “To” and before “eligible”, and associated modified form for section 1114 and direct staff to submit the proposed modified text and associated modified form to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to continue the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 15-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulation at Section 1114 as noticed. Passed 6:0:2.



Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen	X		
Sherman King			X (Absent)
Michael Long			X (Absent)
Justin Matthews	X		
Sridevi Ponnala	X		
Naleni “Lolly” Tribble-Agarwal	X		
Erin Yee	X		

#### 15. Discussion and Possible Action for Non-Substantive Changes to the Board’s Statutes through the 2024 Omnibus Bill.

EO Lum reported that each year, the Senate Committee on Business, Professions, and Economic Development (Committee) sponsors an Omnibus Bill to address any non-substantive changes in existing statute to help clarify, define, or correct the information that’s in the language. Committee staff contacted the Board for any Omnibus Bill recommendations to be submitted to the Committee by the mid-January deadline for inclusion in the bill.

He stated that Board staff identified several non-substantive statutory changes to assist the public with clarity and consistency. The main changes are to delineate the language between the Dental Hygiene Board of California and the Dental Board of California for clarity and consistency.

**Motion:** Pat Hansen moved for the Board to approve staff’s recommendation of non-substantive changes in statute as presented for the 2024 Legislative Omnibus Bill.

**Second:** Justin Matthews.

**Member discussion:** None.

**Public comment:** None.

**Vote:** Motion to approve staff’s recommendation of non-substantive changes in statute as presented for the 2024 Legislative Omnibus Bill. Passed 6:0:2.

Name	Aye	Nay	Abstain/Absent
Carmen Dones	X		
Sonia “Pat” Hansen	X		
Sherman King			X (Absent)
Michael Long			X (Absent)
Justin Matthews	X		
Sridevi Ponnala	X		
Naleni “Lolly” Tribble-Agarwal	X		
Erin Yee	X		

#### 16. Update on Current Legislation (Informational).

Dr. Adina Petty provided updates on previously reviewed proposed legislative packages of concern for the Board.

**Member discussion:** None.

**Public comment:** None.

#### 17. Education Update (Informational Only).

Dr. Adina Petty reported the current status of DHEP compliance at Diablo Valley College, Pasadena City College (PCC), Loma Linda University, Carrington College-Sacramento, Carrington College-San Jose, Chabot College, Moreno Valley College, and Cypress College. Additionally, she provided the Board the current Site Visit schedule for upcoming program reviews.

**Member discussion:** Discussion took place regarding Board staff’s DHEP update.

Sonia “Pat” Hansen thanked Board staff for keeping the Board informed on the current status of DHEPs.

**Public comment:** JoAnn Galliano, Subject Matter Expert and Educational Consultant for the DHBC, expressed her concern regarding PCC. She stated her main concern was the lack of appropriate clinic space, and that patient, student, and faculty safety is compromised. She stated in the latest letter from PCC states they are going to move forward with a new clinic, however, that will not take place until 2029, six years until patients, students, and faculty are in a facility that adequately meets the needs of an educational institution and functional dental hygiene clinic. She stated the Board should not

wait six years, and urged the Board to think about placing PCC on probation, thereby providing Board staff the ability to enforce Board laws to ensure protection of the public.

#### **18. Enforcement Update: Statistical Report (Informational Only).**

AEO Law reported Enforcement statistics and reported on the current status for consumer complaints, Board initiated complaints, arrest/conviction complaints, desk investigations, field investigations, citations and fines, as well as probation violations for FY 2023/2024 through October 31, 2023. Additionally, AEO Law updated the Board on the status of Enforcement staffing.

**Member discussion:** Discussion took place with regard to the time involved in bringing a case from investigation to remedy/prosecution.

**Public comment:** None.

#### **19. Licensing and Examination Statistics and Continuing Education Audits Update (Informational Only).**

##### **a. Licensing and Examination Statistics:**

Licensing Analyst Traci Napper reported Licensing and Examination statistics for FY 2023/2024 through October 31, 2023, reporting on the results of the Board's Law and Ethics examination, applications and types of licenses issued, licensee population statistics, and licensees by county statistics.

##### **b. Continuing Education Update**

Traci Napper stated that when initiating Continuing Education (CE) audits, licensees are selected at random by the computer for staff to conduct the audit. The selected licensees have already completed their prior license renewals where they've attested under the penalty of perjury on the License Renewal Application that the number of required CE hours required by law to renew the license have been completed for the renewal.

Ms. Napper reported that in FY 2023/2024, there continues to be similar trends in the pass and fail rate of audited licensees, and that fail rates have increased by 8% over the past three audits. She stated that the Board has received many reasons from licensees for failure to comply with the CE Audit (misplaced, destroyed, or lost records.)

Ms. Napper added that to communicate to licensees and the public, the Board has posted a link on the homepage of the website ([www.dhbc.ca.gov](http://www.dhbc.ca.gov)) that opens directly to important continuing education information, as well as can be found under the "Licensee" tab on the website. Additionally, she stated Board staff sent an email blast to all licensees and email subscribers about the CE Audit program and where to find CE information on the Board's website.

**Member discussion:** Discussion took place regarding application statistics, licensee populations, retired licensure, delinquent licensure status, as well as regarding CE pass rates.

**Public comment:** Tooka Zokaie, CDA, questioned why general population values were missing on “Attachment 4” of the Board meeting materials. Tracy Napper clarified the chart for Ms. Zokaie.

JoAnn Galliano questioned if the Board could provide a historical chart recording previous years to see trends that are occurring for delinquent/cancelled license statistics. EO Lum stated this can be provided in the future. Additionally, she questioned why the fail rates are increasing by 8% over the past three reviews. EO Lum stated the Board has done everything they can to educate the licensees on the CE requirements (post detailed information on the website, inform stakeholders through email blasts, and educating licensees when inquiring through phone or email about the issue), but individual licensees may not have chosen to educate themselves on the requirements or complete the CE hours necessary to renew the license.

## 20. Future Agenda Items.

1. Naleni “Lolly” Tribble-Agarwal requested PCC to be placed as a future agenda item to address compliance issues.
2. Dr. Justin Matthews requested Board staff to review the Board’s webpage with regard to the type of licenses and their statuses, better including information regarding temporary military licenses.
3. Dr. Carmen Dones requested revisit creating the Board’s newsletter and provide education regarding some of the concerns the Board has regarding licensees (e.g., delinquent licenses, CE, etc.).
4. Dr. Sridevi Ponnala requested to see statistics regarding licensees because of the reported RDH shortages.
5. JoAnn Galliano requested the newsletter be reinstated.
6. Kim Laudenslager, previous Director of Dental Hygiene Exams for CRDTS, requested for the Board to consider: 1) As another pathway for local anesthesia, the CRDTS local anesthesia exam; and 2) CRDTS developed a program called “CARE” (Calibrate, Assess, Remediate, and Educate) to work with state boards, addressing Board-disciplined licensees or individuals who have lapsed licenses needing remediation to return to practice safely.

7. Carmen Dones requested for the Board to look at the new law regarding Mandated Reporter training for child abuse where the individual is required to counsel those patients.
8. Lisa Kamibayashi, Director of the DHEP at West Los Angeles College, requested the Board to consider amending the Board's regulations to allow "Part Time" DHEPs.
9. Diane Loera, Director of the DHEP at Cerritos College, seconded Lisa Kamibayashi's request for the Board to consider amending the Board's regulations to allow "Part Time" DHEPs.

## **21. Closed Session**

The Board met in Closed Session to conduct an evaluation of performance of the Executive Officer pursuant to Government Code Section 11126(a)(1).

## **22. Adjournment**

Meeting was adjourned at **1:40 p.m.**