



Dental Hygiene Board of California Meeting Minutes

Saturday, July 20, 2024

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
Secretary – Naleni “Lolly” Tribble-Agarwal, RDH Member
Registered Dental Hygienist in Alternative Practice (RDHAP) Member – Michael Long
Public Member – Sherman King
Public Member – Dr. Justin Matthews
Public Member – Vacant
Public Member – Vacant

DHBC Staff Present:

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

DHBC Members Absent:

Vice President – Sonia “Pat” Hansen, RDH Member
Public Health Dentist Member – Sridevi Ponnala

1. FULL Board Agenda Item 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 **9:03 a.m.** Board Secretary Naleni “Lolly” Tribble-Agarwal completed the roll call, and a quorum was established with five (5) members present. Board Members Sonia “Pat” Hansen and Dr. Sridevi Ponnala were absent and excused.

2. FULL BOARD Agenda Item 2: Public Comment for Items Not on the Agenda.

Board Member comment: None.

Public comment: None.

3. FULL BOARD Agenda Item 3: President's Report.

President Dones reported she participated and reported the Board's activities to the Dental Board of California at their May 14, 2024, board meeting in Anaheim and updated them on the following:

- The Board's working to finalize a new Strategic Plan that will include the objectives and goals for our programs through 2028.
- Current regulations that are being promulgated such as RDHAP mobile dental hygiene clinic inspections, to maintain school clinic student to faculty ratios at 1:5, and an RDHAP registration procedure.
- Updates on the dental hygiene educational programs oversight and site visits conducted; and
- Our work that was completed through last year's Sunset Review process to eliminate the clinical examination licensure requirement for all California dental hygiene graduates if they apply for the license within 3 years of graduation effective January 1, 2024.

Additionally, President Dones stated she and Executive Officer (EO) Lum continue to meet at least twice a month or more for updates on Board issues to keep her aware of them or on items that need her attention.

Board Member comment: None.

Public comment: None.

4. FULL BOARD Agenda Item 4: Update from the Department of Consumer Affairs Executive Staff.

Yvonne Dorantes, Assistant Deputy Director, Department of Consumer Affairs (DCA) Member Relations, reported on the following:

a. Governor's Appointments Office Update:

Myriam "Myri" Valdez-Singh, Deputy Appointments Secretary in the Governor's Office, was recently appointed by Governor Newsom as Deputy Commissioner of Legislation at the Department of Financial Protection and Innovation. Myri worked very closely with the Business, Consumer Services and Housing Agency, DCA, boards, and bureaus on appointing and reappointing board and advisory committee members. Her last day with the

Appointments Unit was July 5. During this transition, please continue to work with Board and Bureau Relations on any of your appointment needs.

b. New Board Member Training Required by August 30:

Senate Bill (SB) 553 is a new law that became effective in January 2024. SB 553 amended the California Labor Code to require California employers to develop and implement a workplace violence prevention plan and train all employees by July 1, 2024.

As a result of this new law, DCA updated its current Workplace Violence Prevention Policy to include all requirements of SB 553. DCA also developed an annual Workplace Violence Prevention Training that is located on DCA's Learning Management System (LMS). The training is mandatory for all DCA employees -- including Board Members. This new training must be completed by August 30, 2024. She stated if there are any questions or need assistance accessing LMS, to please contact Board and Bureau Relations.

c. 2024-25 State Budget:

At the end of last month, the California Legislature approved a new State budget that reduces spending to address the State's budget deficit. Effective July 1, the new budget addresses the state's deficit through a mix of broad-based solutions, including an 8% budget cut and permanent reduction of vacant positions for all departments. DCA will share further information and guidance as it is received from the Department of Finance. In the meantime, DCA, boards, and bureaus must continue to scrutinize expenditures and maximize cost savings, only authorizing expenditures that are mission critical and essential to operations and public services.

d. Expedited Licensure Application Processing for Service Members Enrolled in SkillBridge:

Beginning July 1, boards and bureaus under DCA must expedite licensure application processing for service members currently enrolled in the U.S. Department of Defense SkillBridge Program. The SkillBridge Program is an opportunity for active-duty Service Members to gain valuable civilian work experience during their last 180 days of service. The program connects service members with private and public sector organizations that offer internship opportunities for transitioning Service Members to build their resumes, explore employment interests, develop job skills, and gain valuable Federal government work experience that will help them prepare for their adjustment to the workplace. DCA is committed to supporting the military community and this is an additional resource available to service members. For more information on expedited licensure and resources for service members and their families, please visit DCA's military page, which can be easily accessed from DCA's homepage (www.dca.ca.gov/military).

e. Board Leadership and Director's Quarterly Meeting:

On June 11, 2024, DCA met with board presidents, vice presidents, committee chairs, executive officers, and bureau chiefs at the quarterly leadership meeting. Agency

Secretary Tomiquia Moss shared opening remarks and her priorities for the Business, Consumer Services and Housing Agency. Discussion topics included updates from the Department on the State budget, information security initiatives, DEI activities, and a presentation from the Office of Data Innovation on California's plain language standard.

DCA also released its Inclusive Hiring Principles, which were developed by the Department's DEI Steering Committee to provide a DEI perspective and tips for recruiting, screening, and selecting diverse and qualified candidates. DCA, with input from the DEI Steering Committee, will be developing a training to accompany the inclusive hiring principles.

f. DEI Update:

DCA's Diversity, Equity, and Inclusion (DEI) Steering Committee will meet on July 26, 2024. The meeting will include discussion on expanding language access and workforce development. If you have ideas, you'd like the Committee to consider, please share them with your Executive Officer or Bureau Chief.

As a reminder, DCA's Learning Management System has many DEI-related training courses available. Board members are encouraged to participate in trainings and continue to grow in our DEI efforts.

Board Member comment: President Dones inquired about Board appointments from the Governor Newsom's office as we still have two vacancies. Ms. Dorantes stated her department is always working on appointments but have no control over the process. She encouraged President Dones to reach out to the Governor Newsom's office directly.

Public comment: None.

5. FULL BOARD Agenda Item 5: Update from the Dental Board of California.

Dr. Alan Felsenfeld, President of the Dental Board (DBC) thanked Dr. Dones, EO Lum, and members of the Board for the opportunity to provide his update.

Dr. Felsenfeld reported on the following:

- The Dental Board is currently in the sunset review process and will provide an update at its August 15, 2024, Board meeting in Sacramento here at DCA Headquarters. SB1453, the Dental Board's Sunset bill, makes numerous changes to the Dental Practice Act to both clarify and improve the regulation of dentistry. The Board has appreciated the dialogue among the Dental Hygiene Board and all stakeholders as this review has unfolded. Dr. Felsenfeld stated the Dental Board is very comfortable as to the progression of the Bill. The Dental Board's May 2024

Board meeting addressed access to care concerns as voiced by Board members and speaker Dolores Suerta.

- The Dental Board's two working groups, Dental Assisting Regulations and Infection Control, are meeting to review and discuss regulatory language to first bring to the Dental Assisting Council and then to the Dental Board. Here too, the Dental Board appreciates the future participation of the Dental Hygiene Board's subject matter expert, Michael Long.
- The Dental Board continues to be busy process licensing applications within its statutory mandates, address access to care, and be responsive to consumers of dental services.
- The Dental Board has 15 seats, and about four of them are unfilled right now. We have five public member seats but has only had two public members for several years now and are looking forward to more. Dr. Felsenfeld stated the Dental Board has had some quorum problems, too, which he doesn't find acceptable, and stated hopefully there will be more appointees.
- Dr. Shakalpi Pendurkar, of Los Gatos, has been appointed State Dental Director at the California Department of Public Health.

Dr. Felsenfeld stated the Dental Board looks forward to our continued partnership with the Dental Hygiene Board.

Board Member comment: None.

Public comment: None.

6. FULL BOARD Agenda Item 6: Discussion and Possible Action to Approve the March 22, 2024, Full Board Meeting Minutes.

Motion: Michael Long moved to approve the March 22, 2024, Full Board Meeting Minutes.

Second: Sherman King.

Board Member discussion: None.

Public comment: None.

Vote: Motion to approve the March 22, 2024, Full Board Meeting Minutes. Passed 5:0:2.

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

7. FULL BOARD Agenda Item 7: Discussion and Possible Action to Approve the March 23, 2024, Full Board Meeting Minutes.

Motion: Michael Long moved to approve the March 23, 2024, Full Board Meeting Minutes.

Second: Justin Matthews.

Board Member discussion: None.

Public comment: None.

Vote: Motion to approve the March 23, 2024, Full Board Meeting Minutes. Passed 5:0:2.

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

8. FULL BOARD Agenda Item 9: Executive Officer’s Report (Informational Only).

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

a. **Personnel:**

EO Lum reported the Board continues to have an ongoing vacancy rate of 2-3 positions but work to fill them as quickly as possible. He stated that recently the Board lost one of our analysts to promotion at another agency, so we're working to refill it. Additionally, the Board lost a Licensing analyst to promotion, but she became our new Licensing Manager and congratulated Traci Napper as she is the Board's newest manager to assist with staff oversight. Her previous position will be advertised to refill as well.

EO Lum stated the last vacancy the Board has is the Assistant Executive Officer position to assist him in running the Board. He concluded interviews on Thursday and is proceeding through the hiring process. He added that in the new Governor's Budget for Fiscal Year (FY) 2024-25, which includes a 10,000-position vacancy sweep to help with the State's finances. He stated the Board hasn't heard any specifics as to what this entails yet, so the Board is working quickly to get vacancies filled quickly to avoid losing staff positions.

b. **Budget:**

EO Lum provided the latest Revenue and Fund Condition reports to the Board. He stated that these reports show totals from fiscal month 11 which is expenses captured through May 2024. He stated the last report produced for the year is called FM13 which captures all late charges through June which is the end of the fiscal year. He added this report hasn't been released as charges are still being accumulated for the report prior to distribution, so he will include it in his next EO Update to the members.

Additionally, EO Lum reported on the Expenditure Report. He stated that although the latest Expenditure Report is included in the meeting materials, the new fiscal year has already begun as of July 1, 2024, and therefore the projected amounts indicated are moot. He stated that even without the final FM13 report to share, he assured the Board that as he is responsible for the Board's budget, that the Board has spent roughly the amount indicated on this report last year.

EO Lum stated for the new budget year, the Board may be forced to reduce the Board's budget as directed by the Governor for all State programs due to the fiscal crisis. He explained it may affect some programmatic decisions the Board makes, but that it is to be determined as to the extent. He stated currently, he doesn't have any specific information on this issue either but anticipates some shortly and that staff will work through the necessary steps required for compliance.

c. **Administration – EO Activities and Updates:**

EO Lum stated that since his last report, the following are some of his activities:

- Participated in the Dental Board's May Board meeting in Anaheim along with President Dones to provide an update of the Board's activities.

- The Board is working with the Dental Board to update the Infection Control regulations. Board member Michael Long has generously agreed to participate in their IC Taskforce as a Subject Matter Expert when they meet.
- Newsletter Update – the draft newsletter has been approved by DCA Legal and is being assembled by the DCA Publications, Design, & Editing Unit and once it's complete, he will review it for Board approval prior to distribution.
- Status of Future Agenda Items:

At the Board's March 2024 meeting, there were three Future Agenda Items presented for staff to address. They were:

- President Dones requested staff to review new legislation that allowed dental students to participate in sponsored health events and see if we can mimic the language for dental hygienists. He stated the draft language was presented yesterday in the Legislative and Regulatory (LEG/REG) Committee meeting to be presented to the Full Board for approval today.
- Secretary Tribble-Agarwal requested staff to agendaize Carrington College's Sacramento program for review. He stated the proper process of placing an item on the agenda is a need for Board information or action whether it's a dental hygiene educational (DHEP) program or other issue. If it's warranted for a DHEP to be agendaized, first it should be filtered through the Education (EDU) Committee to review the issues and bring forth recommendation for action to the Full Board. However, if there is no reason or explanation for the Board to review a program, the need for the EDU Committee and subsequently, the Full Board to take action is moot.
 - EO Lum stated there was an update provided by Dr. Petty to the EDU Committee yesterday, providing details that Carrington College-Sacramento Campus is in compliance of the law. He stated the reason the school was not placed on the agenda for an action item is two-fold. He stated according to documents in the EDU Committee meeting materials and communications with staff, the school has corrected their deficiencies of the law and are now in compliance, which indicates no action is needed by the Committee or Board. As the requestor, Secretary Tribble-Agarwal, informed him she would not be in attendance at the EDU Committee meeting, he did not feel it was appropriate to place it on the meeting agenda to be discussed if she was going to be absent from the meeting and discussion. EO Lum stated there may be a reason for the DHEP to be brought back to the Board at a future meeting, but currently they are in compliance of the law.
- Ms. Susan McClaren of the California Dental Hygienists' Association (CDHA) requested to have additional questions be added to the License Renewal

Survey and that a response be delivered to CDHA on or before the next meeting of the Board.

- To fulfill Ms. McLearn's request of a response to her inquiry on or before the next board meeting, EO Lum responded that staff need additional time to review and research this issue prior to bringing it back to a committee or the Board in the future.

Board Member comment: Michael Long thanked EO Lum for sharing the process for prioritizing future agenda items.

Board Member King requested meeting minutes to be given to the Board Members a few weeks prior to the Board meeting they are to be approved at. EO Lum stated he tries avoiding sending documentation to the Board in a "piecemeal" fashion but will try to have the minutes to the Board earlier.

Public comment: Susan McLearn questioned as to what the process is for making requests of the Board. EO Lum clarified that an item can be brought to the Board's attention of a potential future agenda item and then staff will triage what is needed to address and the Board will work on the issues as they're presented.

9. FULL BOARD Agenda Item 9: Discussion and Possible Action on Education Committee Report and Recommendation(s).

Education Committee Chair Carmen Dones stated that because there were action items that required individual recommendations, she reported each item separately, but on the informational only items, a summary was provided at the end of her report.

Chair Dones reported on Education Committee Agenda Item (3) regarding "Discussion and Possible Action on the Status of the Pasadena City College Dental Hygiene Educational Program."

Motion: Michael Long moved for the Board to accept the Education Committee's recommendation to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm placing the Pasadena City College Dental Hygiene Educational Program on probation for two years with quarterly reporting requirements due to non-compliance of the law, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Failure to comply with the mandates set by the Board could result in further Board actions, including withdrawing the Board's approval of the Pasadena City College Dental Hygiene Educational Program.

Second: Sherman King.

Board Member discussion: None.

Public comment: Dr. Micah Young, PCC Dean of Health Sciences, and Adrine Reganian, PCC DHEP Program Director, stated PCC has been actively working as a college to make sure that the PCC DHEP maintains full compliance with the board regulatory standards. They stated PCC never received any official notification or probationary standing or a timeline as to submissions for compliance. Additionally, they reiterated their dispute as to the citation, if issued by the Board, may affect PCC’s funding opportunities.

Vote: Motion for the Board to accept the Education Committee’s recommendation to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm placing the Pasadena City College Dental Hygiene Educational Program on probation for two years with quarterly reporting requirements due to non-compliance of the law, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Failure to comply with the mandates set by the Board could result in further Board actions, including withdrawing the Board’s approval of the Pasadena City College Dental Hygiene Educational Program. Passed 5:0:2.

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

Education Committee Chair Carmen Dones reported on Education Committee Agenda Item (4) regarding “Discussion and Possible Action on the Status of the Taft College Dental Hygiene Educational Program.”

Motion: Justin Matthews moved for the Board to accept the Education Committee’s recommendation to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm the fine of \$2,000 (\$1,000 for each year of graduating unqualified students pursuant to the law), and placing Taft on a three-year probation period with quarterly reporting requirements identifying corrective measures where the program will be reassessed, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Additionally, during the probation period, Taft may experience announced and unannounced site visits from Board staff to check on their progress toward compliance. Failure to comply with the mandates set by the Board could result in further Board actions, including withdrawing the Board’s approval of the Taft College Dental Hygiene Educational Program.

Second: Sherman King.

Board Member discussion: None.

Public comment: None.

Vote: Motion for the Board to accept the Education Committee’s recommendation to reinstate the citation issued and stayed at the March 23, 2024 Board meeting, and re-confirm the fine of \$2,000 (\$1,000 for each year of graduating unqualified students pursuant to the law), and placing Taft on a three-year probation period with quarterly reporting requirements identifying corrective measures where the program will be reassessed, as no evidence affecting DHEP funding from a Board citation was submitted to substantiate their request at the March meeting. Additionally, during the probation period, Taft may experience announced and unannounced site visits from Board staff to check on their progress toward compliance. Failure to comply with the mandates set by the Board could result in further Board actions, including withdrawing the Board’s approval of the Taft College Dental Hygiene Educational Program. Passed 5:0:2.

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

Education Committee Chair Carmen Dones reported on Education Committee Agenda Item (6) regarding “Discussion and Possible Action on Proposed Statutory Language Amendments to Business and Professions Code Section 1941.”

Motion: Michael Long moved for the Board to accept the Education Committee’s recommendation to investigate the ramifications regarding changing regional versus national accreditation in BPC section 1941.

Second: Justin Matthews

Board Member discussion: None.

Public comment: Aaron Benitez, RDH, West Los Angeles College faculty and Articulation Officer, stated when the Board further researches this topic, the differences between regional and national accreditation are very important to distinguish between the two before any changes to the law.

Vote: Motion for the Board to accept the Education Committee’s recommendation to investigate the ramifications regarding changing regional versus national accreditation in BPC section 1941. Passed 5:0:2.

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

Education Committee Chair Carmen Dones reported on the Education Committee informational items [EDU Agenda items (5) Dental Hygiene Educational Program Site Visit Update and (7) Future Agenda Items].

Motion: Michael Long moved for the Board to accept the Education Committee report.

Second: Justin Matthews.

Board Member discussion: Discussion took place regarding the Carrington College – Sacramento DHEP, as well as discussion regarding DHEP “Action Plans” after the Board places a DHEP on probation.

Public comment: JoAnn Galliano stated to clarify Board Member Tribble-Agarwal’s request regarding the Carrington College – Sacramento DHEP, the concern is that they continue to have repeated violations, and they don’t correct those violations unless the Board intervenes. She stated the Board may want to consider punitive action with DHEPs that demonstrate repeated violations.

Vote: Motion for the Board to accept the Education Committee report. Passed 5:0:2.

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

10. FULL BOARD Agenda Item 11: Discussion and Possible Action on Legislative and Regulatory Committee Report and Recommendation(s).

Acting Legislative and Regulatory Committee Chair, Dr. Carmen Dones stated that because there were action items that required individual recommendations, each item would be reported separately, but on the informational only items, a summary was provided at the end of the Legislative and Regulatory Committee report.

Dr. Adina Petty reported on Legislative and Regulatory Committee Agenda Item (3) regarding “Discussion and Possible Action to Approve Responses to Comments and Continue Rulemaking to Amend California Code of Regulations (CCR), Title 16, Section 1116. Mobile Dental Hygiene Clinics; Issuance of Approval, and Section 1116.5. Registered Dental Hygienist in Alternative Practice, Physical Facility Registration.”

Motion: Justin Matthews moved for the Board to accept the Legislative and Regulatory Committee’s recommendation to approve the responses drafted to address public comments received during the 45-day and 15-day comment periods on the Board’s proposed regulations regarding Mobile Dental Hygiene Clinics; Issuance of Approval; and Registered Dental Hygienist in Alternative Practice, Physical Facility Registration, and authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1116 and 1116.5 as noticed.

Second: Michael Long.

Board Member discussion: None.

Public comment: Tooka Zokaie, Sr. Health Policy Analyst, on Behalf of the California Dental Association (CDA), reiterated that CDA appreciates the opportunity to review and comment on the proposed mobile dental hygiene clinic (MDHC) and physical facility registration regulations. She again thanked the Board for accepting CDA’s suggestion clarifying a “dental hygiene care plan” in proposed 16 CCR sections 1116(a)(8) and

1116.5(a)(9). Ms. Zokaie emphasized CDA's concern about radiographs and suggested additional language about comprehensive treatment planning or follow-up care.

Vote: Motion to accept the Legislative and Regulatory Committee's recommendation to approve the responses drafted to address public comments received during the 45-day and 15-day comment periods on the Board's proposed regulations regarding Mobile Dental Hygiene Clinics; Issuance of Approval; and Registered Dental Hygienist in Alternative Practice, Physical Facility Registration, and authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1116 and 1116.5 as noticed. Passed 5:0:2.

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

Dr. Adina Petty reported on Legislative and Regulatory Committee Agenda Item (4) regarding "Discussion and Possible Action to Approve Amended Language and Continue Rulemaking for 16 CCR Section 1105.4 Appeals Process and Reinstatement of Withdrawn Dental Hygiene Educational Programs."

Motion: Justin Matthews moved for the Board to accept the Legislative and Regulatory Committee's recommendation to approve the proposed amended language for CCR section 1105.4 and 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 the board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the board in proposing or adopting the action, then the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for 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: Sherman King.

Board Member discussion: None.

Public comment: None.

Vote: I move for the Board to accept the Legislative and Regulatory Committee's recommendation to approve the proposed amended language for CCR section 1105.4 and 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 the Board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the Board in proposing or adopting the action, then the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for 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 5:0:2.

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

Dr. Adina Petty reported on Legislative and Regulatory Committee Agenda Item (6) regarding "Discussion and Possible Action on Proposed Statutory Language Amendments to Business and Professions Code Section 1915.1."

Motion: Justin Matthews moved for the Board to accept the Legislative and Regulatory Committee's recommendation to consider, complete, and approve the final draft of proposed statutory language for BPC section 1915.1, and direct staff to seek sponsored legislation for 2025.

Second: Carmen Dones.

Board Member discussion: None.

Public comment: None.

Vote: Motion for the Board to accept the Legislative and Regulatory Committee's recommendation to consider, complete, and approve the final draft of proposed statutory language for BPC section 1915.1, and direct staff to seek sponsored legislation for 2025. Passed 5:0:2.

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

Dr. Adina Petty reported on Legislative and Regulatory Committee Agenda Item (7) regarding "Legislative Update: Bills of Interest and Legislative Calendar."

Motion: Michael Long moved for the Full Board to accept the Legislative and Regulatory Committee's recommendation to approve the proposed positions as stated:

Legislation	DHBC Position
AB (Assembly Bill) 1891 (Weber): Community colleges: allied health programs.	Maintain support.
AB 1991 (Bonta): Licensee and registrant records.	Maintain watch.
AB 2242 (Carrillo, Wendy): Dentistry: dental assistants.	Maintain watch.
AB 2269 (Flora): Board membership qualifications: public members.	Bill Dead. No longer watch.
AB 2510 (Arambula): Dental care for people with developmental disabilities.	Watch for 2025.
AB 2701 (Villapudua): Medi-Cal: dental cleanings and examinations.	Maintain support.
AB 2862 (Gipson): Licenses: African American applicants.	Bill Dead. No longer watch.
AB 2920 (Reyes): Dentistry: dental schools.	Maintain watch.
AB 3127 (McKinnor): Reporting of crimes: mandated reporters.	Maintain watch.

Legislation	DHBC Position
AB 3175 (Villapudua): Health care coverage: dental services.	Maintain watch.
SB (Senate Bill) 1067 (Smallwood-Cuevas): Healing arts: expedited licensure process: medically underserved area or population.	Maintain watch.
SB 1369 (Limón): Dental providers: fee-based payments.	Maintain watch.
SB 1385 (Roth): Professions and vocations.	Bill no longer applies to DHBC. No longer watch.
SB 1451 (Ashby): Professions and vocations.	Maintain support.
SB 1453 (Ashby): Dentistry: board meetings.	Change from watch to “Oppose unless Amended.”

Second: Justin Matthews.

Board Member discussion: None.

Public comment: None.

Vote: Motion for the Full Board to accept the Legislative and Regulatory Committee’s recommendation to approve the proposed positions as stated. Passed 5:0:2.

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

Dr. Adina Petty reported on informational items [EDU Agenda items (5) Status of Dental Hygiene Board of California Regulatory Packages and (8) Future Agenda Items.]

Motion: Sherman King moved for the Board to accept the Legislative and Regulatory Committee report.

Second: Michael Long.

Board Member discussion: Naleni “Lolly” Tribble-Agarwal thanked Dr. Dones for filling in as Acting Legislative and Regulatory Committee Chair during her absence.

Public comment:

Vote: Motion for the Board to accept the Legislative and Regulatory Committee report. Passed 5:0:2.

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

11. FULL BOARD Agenda Item 11: Enforcement Update: Statistical Report (Informational Only).

Enforcement Manager Albert 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 Fiscal Year 2023-2024 through June 30, 2024.

Board Member comment: President Dones inquired about the comparison of enforcement statistics from FY 2022-2023 and FY 2023-2024. Enforcement Manager Law stated that the numbers can be retrieved from DCA’s Annual Report website and can be collected for the Board to review the comparisons. Enforcement Manager Law also shared that the FY 2022-2023 and FY 2023-2024 numbers should reflect similarities except for an increase in Citation and Fines issued due to placing more efforts to reduce backlog of citations.

Public comment: None

12. FULL BOARD Agenda Item 12: Licensing and Examination Statistics and Continuing Education Audits Update (Informational Only).

Licensing Manager Traci Napper reported on the applications and renewals for RDH, RDHAP, and fictitious Name Permits, as well as the total licensee population for Fiscal

Year 2023-2024. Additionally, Ms. Napper reported on the passage rates for the DHBC Law and Ethics exams for RDHs and RDHAPs through Fiscal Year 2023-2024.

Ms. Napper provided the background on the process for conducting Continuing Education audits, as well as the monthly data for Fiscal Year 2023-2024. She also provided the current data regarding failure rate data of those audits.

Board Member comment: Secretary Tribble-Agarwal inquired if licensure applications should be provided in other languages to assist prospective licentiates who are not native English speakers. Executive Officer (EO) recognized that while there are many different languages spoken in California one of the requirements for students to enter a dental hygiene program is that they must be proficient in English. EO Lum stated that staff can research the process of adding applications in other languages and if any prospective licentiates need assistance, they can reach out to staff by phone or email.

Board member Matthews inquired why there was a significant difference in total Continuing Education (CE) Audits conducted from FY 2022-2023 and FY 2023-2024. Enforcement Manager Albert Law stated that internal administrative changes with the promotion of the sole CE Auditor staff resulted in a lower amount of CE audits to be conducted. Enforcement Manager Law anticipates the number of CE Audits to increase as the CE Auditor position has been filled.

Public comment: Susan McLearn requested for licensee data (including inactive and active licensees) to be organized by county to showcase areas experiencing a shortage of hygienists. Licensing Manager Traci and EO Lum stated that it is possible to show the data organized by county. EO Lum acknowledged that the data may be skewed as there may be licensees that are concurrently working and living in different counties.

DBC Executive Officer (EO) Tracy Montez thanked Licensing Manager Napper for initiating a line of communication between the DBC and the DHBC to collaborate and share Continuing Education (CE) resources, such as CE Letters, pertinent sections of law for each board, and identifying contact person(s) to transfer relevant CE or complaint information to.

EO Lum expressed gratitude to the DBC for allowing the DHBC to use their approved CE providers and coursework. He recognized and acknowledged the efforts of the DBC staff who maintain the approved CE providers directory as the DHBC relies on the directory to verify providers for DHBC's licensees' CE requirements. EO Lum stated that he hopes the collaboration between the two boards continues.

13. FULL BOARD Agenda Item 13: Discussion and Possible Action Regarding Myofunctional Therapy and its Use in the Dental Hygiene Profession.

Executive Office Anthony Lum stated that the myofunctional therapy presentation was added to the July 2024 Board Meeting agenda at the request of a Board Member to discuss the role of myofunctional therapy within the dental hygiene profession. EO Lum reminded

the Board that decision-making of scope of practice issues is not the primary objective or mandate of the DHBC.

Board Member Long introduced the agenda item and stated that “orofacial” pertains around the face and “myofunctional” is muscle. He introduced the two presenters: Dr. Kevin Adair and Nerissa Boggan to speak on the topic of orofacial and myofunctional therapy.

The presenters referenced their experiences and involvement in practicing orofacial myofunctional therapy and expressed the importance of the therapy intervention and why it is essential that it should be a part of a dental hygienist’s scope of practice.

Motion: TABLED to November Board Meeting.

Board Member discussion: A robust discussion took place among the Board Members regarding orofacial myofunctional therapy and its place in the practice of dental hygiene.

Public comment: Joanne Galliano asserted that myofunctional therapy is part of the scope of practice. She stated that the Board should first decide if myofunctional therapy is part of the scope of practice or not. If the Board agrees then they can work out what certification looks like for consumer safety and how the board will regulate this addition to the profession.

Joanne Galliano stated that it is the duty of the Board to decide what is within the scope. She disagreed with having to go to legislature to gain approval for myofunctional therapy as part of the scope. Galliano also mentioned the parallels of the proposed myofunctional therapy and of the use of lasers within dental hygiene.

Discussion took place regarding the specifics of how to categorize or list the specialty of RDH with Myofunctional Therapy function. Ms. Boggan suggested that a new acronym for dental hygienists that have the required myofunctional therapy training to be called the Registered Dental Hygienist in Orofacial Myology (RDHOM). Licensing manager Napper stated that a new dental hygienist acronym would require new exams and transactions. Board Members and the presenters drew comparisons to dental hygienists who received additional training to be laser certified and are still RDH in title. EO Lum added that new acronyms would need to be addressed by legislature and included into the statutes. Ms. Boggan agreed to settle with the current RDH title and not proceed with seeking the addition of RDHOM acronym.

Dr. Adair stated that myofunctional therapy is not currently regulated. Patients cannot file complaints and no disciplinary action or citations can be issued. He stated that if myofunctional therapy is agreed as part of scope of practice, then the Dental Hygiene Board of California can regulate and enforce its practices. Dr. Adair stated a taskforce be assembled to assist the Board and staff.

President Dones stated that more time is needed for staff to gather information to disseminate language to board, including what the law currently states and how the board can develop processes, so that the Board Members can better understand the facets of the

topic to make an informed decision. Board Member Matthews requested that staff include comparisons/parallels to laser function and what it would look like to do that to myofunctional therapy. He also stated that public members may need more information compared to the Board Members part of the profession to make an informed decision.

Susan McLearn, California Dental Hygienists' Association suggested adding the following motion language: "Staff to create clarifying language if necessary and next steps to clarify educational requirements and regulations".

EO Lum stated his concern for staff workload. He also questioned if the process for adding scope items should be decided by the Board and not through legislation.

14. FULL BOARD Agenda Item 14: Future Agenda Items.

1. Michael Long: Orofacial Myofunctional Therapy.
2. Carmen Dones: Exam passage rates by College.

15. FULL BOARD Agenda Item 15: Closed Session.

The Board met in Closed Session to deliberate on enforcement disciplinary actions and decisions to be reached in Administrative Procedure Act Proceedings.

16. FULL BOARD Agenda Item 16: Adjournment.

Meeting was adjourned at **1:52 p.m.**