



Dental Hygiene Board of California Meeting Minutes

Friday, November 15, 2024

Dental Hygiene Board of California Headquarters
2005 Evergreen Street
Lake Tahoe Room (1st Fl. Rm. 1290 A & B)
Sacramento, CA 95815

Please note that the Board conducted Friday's meetings online through Webex.

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
Registered Dental Hygienist in Alternative Practice (RDHAP) Member – Michael Long
Public Health Dentist Member – Dr. Sridevi Ponnala
Public Member – Dr. Justin Matthews
Public Member – Vacant
Public Member – Vacant

DHBC Members Absent:

Public Member – Sherman King

DHBC Staff Present:

Anthony Lum, Executive Officer
Albert Law, Assistant Executive Officer
Traci Napper, Licensing Manager
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

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), 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 six (6) members present. Board Member Sherman King was absent and excused.

Additionally, the Executive Officer (EO), Anthony Lum made an announcement regarding a revision to the Board Meeting agenda items to move the Strategic Planning item to the Full Board Meeting on Saturday, November 16, 2024. The Board will meet to discuss advisory committee meeting agenda items only on Friday, November 15, 2024. The EO also mentioned new rules for the teleconference and board meetings required an update to post an in-person public meeting location for Friday's meeting in addition to online location via Webex.

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

Board Member comment: None.

Public comment: None.

3. FULL Agenda Item 3: Adjournment to Committee Meetings.

President Dones adjourned the Full Board meeting at **9:12 a.m.**

4. FULL Agenda Item 4: Education Committee Meeting.

5. EDUCATION COMMITTEE Agenda Item 1: Roll Call & Establishment of Quorum.

Dr. Carmen Dones, Education Committee Chair, called the Education Committee to order at **9:14 a.m.**, completed the roll call, and a quorum was established with four (4) members present.

6. EDUCATION COMMITTEE Agenda Item 2: Public Comment for Items Not on the Agenda.

Board Member comment: None.

Public comment: None.

7. EDUCATION COMMITTEE Agenda Item 3: Discussion and Possible Action on Proposed Statutory Language Amendments to Business and Professions Code Section 1941.

Dr. Adina Petty stated that the Dental Hygiene Board of California (Board) licenses and regulates California dental hygienists pursuant to sections 1900 through 1967.4 of the Business and Professions Code (BPC). Since inception of the statutes, the Board continually analyzes and reviews them for any possible revisions that would help clarify the language for staff, licensees and interested stakeholders; improve procedures; and enhance program efficiencies for the betterment of the Board. This ongoing task is to improve the Board's oversight requirements of Registered Dental Hygienists, Registered Dental Hygienists in Alternative Practice, Registered Dental Hygienists in Extended Functions, and dental hygiene educational programs to uphold the law.

On February 20, 2020, the United States Department of Education (USDE) sent a letter to State Leaders notifying that as the USDE holds all accrediting agencies to the same standards, the distinctions between regional and national accrediting agencies are unfounded, that the USDE will no longer use the terms "regional" or "national" to refer to an accrediting agency, and that the USDE will distinguish only between institutional and programmatic accrediting agencies.

At the Board's July 19, 2024, Education Committee meeting, the members engaged in a robust discussion regarding amending BPC section 1941 to align with USDE accreditation agency terminology. The Committee tabled the discussion and requested staff to research the feasibility and implications in changing BPC section 1941, and to bring the research back to the Board at a future scheduled meeting for consideration.

Motion: Michael Long moved for the Education Committee to review the current language to determine if an amendment to BPC section 1941 is warranted. If the Education Committee determines this change is warranted, I move for the Education Committee to complete the draft of proposed statutory language and recommend to the Full Board to consider, complete, and approve the final draft of proposed statutory language amendment for BPC section 1941, and direct staff to seek sponsored legislation for 2025.

Second: Naleni "Lolly" Tribble-Agarwal.

Committee Member discussion: The Education Committee engaged in a robust discussion regarding the accreditation and proposed statutory language.

Public comment: JoAnn Galliano, Educational Consultant to the DHBC, stated that even if this statutory change goes into effect, the regulations in Section 1105(b)(2) dictate that the hygiene programs are required to teach at the level of a university discipline and the courses would have to be offered or accepted by a California dental school. She stated that the schools with national accreditation would not qualify based on the regulations in place. Ms. Galliano stated that until California agrees to accept the units from institutions the current regulations will prohibit programs from being approved by the board.

Rebecca Busacca of The National Accreditation Commission stated that the board should acknowledge that transfer credit acceptance by any institution is a policy decision and not a state or federal regulatory mandate. She stated there are two UC institutions (e.g. UCLA and UCSF) that offer advanced dental degrees for dentistry, and they make no distinction regarding regional or national accreditation. In addition, she mentioned that the policy for many California State University institutions allow transfer credits from nationally accredited institutions. In reply to the previous comment, Ms. Busacca stated that it is not a board decision to decide if transfer credits can be accepted, rather it is a decision determined by institutions throughout the State of California and the nation.

Susan McLearn of the California Dental Hygienists' Association informed the board of a workforce study being conducted by the Department of Health Care Access and

Information (HCAI) in 2025. She recommended that the Board should consider holding any thoughts concerning workforce until the study is completed.

After public comment was made, Board Member Long, the motion-maker asked to rescind the motion.

Motion: Michael Long moved to table the Discussion and Possible Action on Proposed Statutory Language Amendments to Business and Professions Code Section 1941 to the March 2025 Board Meeting.

Second: Naleni “Lolly” Tribble-Agarwal.

Committee Member discussion: The Education Committee engaged in discussion to decide what next steps the board and staff can take to prepare for discussion for future board meetings. Board members suggested staff research Californian schools to see if they accept national accreditation for the transfer credits and what changes in language can be revised in statute and regulations.

Public comment: Edward Cramp stated that federal law has changed and there is no distinction between national and regional accreditation for the last four years. California law has not changed and no institution in California is currently accredited by a regional or national accreditor. Mr. Cramp stated that this means the Board has not been following its own rules since the federal law change. He stated that there is no such thing as a regional accreditor, institution accredited by a regional accreditor, or an institution accredited by a national creditor. He urged the Board to come to a decision so that institutions are clear on the future of their programs, otherwise they will all be out of compliance.

Rebecca Busacca of The National Accreditation Commission, reiterated to the Board that the current federal law does not match DHBC’s continued reliance on regional accreditation. She stated that the misalignment of the federal and state regulations, including accreditation standards, puts programs and students at risk. She stated that this could potentially prevent graduates from accessing licensure exams and federal financial aid in the State of California. Ms. Busacca stated that there is no formal distinction between national and regional accreditation, and it is not in the California Code of Regulations, California Education Code, or Federal Regulations. She stated that DHBC’s primary regional accreditors, WASC Senior College and University Commission (WSCUC) and Accrediting Commission for Community and Junior Colleges (ACCJC), have shifted their scope and are now called national accreditors.

Vote: Motion for the Education Committee to table the Discussion and Possible Action on Proposed Statutory Language Amendments to Business and Professions Code Section 1941 to the March 2025 Board Meeting. Failed 2:2:1.

Name	Aye	Nay	Abstain/Absent
Carmen Dones, Chair		X	
Sherman King			Absent.
Michael Long	X		
Justin Matthews		X	
Naleni “Lolly” Tribble-Agarwal	X		

Motion: Carmen Dones moved for the Education Committee to review the current language to determine if an amendment to BPC section 1941 is warranted. If the Education Committee determines this change is warranted, I move for the Education Committee to complete the draft of proposed statutory language and recommend to the Full Board to consider, complete, and approve the final draft of proposed statutory language amendment for BPC section 1941, and direct staff to seek sponsored legislation for 2025.

Second: Justin Matthews.

Committee Member discussion: None.

Public comment: None.

Vote: Motion for the Education Committee to review the current language to determine if an amendment to BPC section 1941 is warranted. If the Education Committee determines this change is warranted, I move for the Education Committee to complete the draft of proposed statutory language and recommend to the Full Board to consider, complete, and approve the final draft of proposed statutory language amendment for BPC section 1941, and direct staff to seek sponsored legislation for 2025. Passed 4:0:1.

Name	Aye	Nay	Abstain/Absent
Carmen Dones, Chair	X		
Sherman King			Absent.
Michael Long	X		
Justin Matthews	X		
Naleni “Lolly” Tribble-Agarwal	X		

8. EDUCATION COMMITTEE Agenda Item 4: Discussion and Possible Action on Proposed Regulatory Language Amendments to California Code of Regulations, Title 16, Section 1105.2(e) Regarding Student Competency in Providing Dental Hygiene Care for All Classifications of Periodontal Disease.

Dr. Adina Petty stated that during the review of several dental hygiene educational programs (DHEPs), staff discovered some programs are not requiring students to treat Stage III (Severe) and Stage IV (Very Severe) periodontal disease patients (as further described below), in violation of DHBC and CODA requirements of “breadth of experience and student competency in patient experiences in all classifications of periodontal disease.” Therefore, President Dones asked staff to research establishing guidelines for California Code of Regulations, Title 16, Section 1105.2(e) and Commission on Dental Accreditation of the American Dental Association (CODA) Standard 2-14 regarding competency in providing dental hygiene care for all types of classification of periodontal disease.

Motion: Justin Matthews moved for the Education Committee to review the current language to determine if this change is warranted. If the Education Committee determines this change is warranted, I move for the Education Committee to review the language in the attached starting point document, determine whether additional information or language is required, complete the draft of proposed regulatory language, and recommend to the full Board for consideration and approval. If the full Board approves the language, 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 1105.2(e) as noticed.

Second: Michael Long.

Amended Motion: Justin Matthews moved to amend 16 CCR sections 1105.2(e) to state “An educational program shall provide for breadth of experience and student competency in patient experiences in all stages and grades of periodontal disease, as defined by the American Academy of Periodontology.”

Amended Motion Second: Michael Long.

Committee Member discussion: The Board engaged in a robust discussion regarding student competency, patient experiences, and understanding staging and grading in periodontal disease.

Public comment: Tonette Steeb, Diablo Valley College, concerned with the patient experiences and the differences in outlook at CODA and DHBC. Ms. Steeb stated that requiring patient experiences is asking a lot for students to see a non-smoker, a person who smokes less than ten cigarettes or has diabetes, a person who smokes more than ten

cigarettes. She stated that students are already having a difficult time finding severe patients and it would make it harder to also include both stages and grades. She said that students can learn from case studies rather than have actual patient experiences. Steeb ended her comment by stating that this would put extra stress on students to find these patients in all stages and grades and may not be appropriate in the school setting.

Susan McLearan agreed with the previous speaker that it is asking a lot for programs and the people involved and does not see how this equates to good care. She stated that Ms. Steeb's comments on referrals is good idea. McLearan stated that students and individuals in private practice should be referring to a periodontist and not treating those patients.

JoAnn Galliano, Educational Consultant at DHBC, stated that staging is not a problem as it would allow students to see difficult patients. However, she stated that grading could be problematic for programs to find exact grades. Galliano suggested that instead of finding a patient with a full mouth of class or stage four that a patient who has quadrants would all students to have that breadth of experiences.

Kimberly Pennington asked for more clarification on what kind of competency the Board is requiring and to what extent are stages and grades required. She also asked what kind of language that would look like for a DHEP to incorporate into their competencies.

Elizabeth Dietzen Olsen, DCA Regulatory Legal Counsel for the DHBC, clarified that patient experience would be for students to see these different classifications and not meant to necessarily treat it. They may refer out if they are unable to treat it.

Vote: Motion to amend 16 CCR sections 1105.2(e) to state “An educational program shall provide for breadth of experience and student competency in patient experiences in all stages and grades of periodontal disease, as defined by the American Academy of Periodontology.” Passed 4:0:1.

Name	Aye	Nay	Abstain/Absent
Carmen Dones, Chair	X		
Sherman King			Absent.
Michael Long	X		
Justin Matthews	X		
Naleni “Lolly” Tribble-Agarwal	X		

Later in the meeting, Member Long asked to re-open Education Committee Agenda Item (4) for discussion to consider removing “grades” or “grading” from the motion language. Dr. Petty restated the amended motion language for the Board.

Amended Motion: Justin Matthews moved to amend 16 CCR sections 1105.2(e) to state “An educational program shall provide for breadth of experience and student competency in

patient experiences in all stages of periodontal disease, as defined by the American Academy of Periodontology.”

Amended Motion Second: Michael Long.

Committee Member discussion: None.

Public comment: JoAnn Galliano, Educational Consultant to DHBC and educator, stated that requiring students to see each grade of periodontic disease could be challenging. She stated that the experiences that a student has with a particular patient would vary and if necessary, referrals could be useful for learning about that particular case type.

Susan McLearn, California Dental Hygienist Association and former educator and clinician agreed with removing the term “grading”.

Vote: Motion to amend 16 CCR sections 1105.2(e) to state “An educational program shall provide for breadth of experience and student competency in patient experiences in all stages of periodontal disease, as defined by the American Academy of Periodontology.” Passed 4:0:1.

Name	Aye	Nay	Abstain/Absent
Carmen Dones, Chair	X		
Sherman King			Absent.
Michael Long	X		
Justin Matthews	X		
Naleni “Lolly” Tribble-Agarwal	X		

9. EDUCATION COMMITTEE Agenda Item 5: Discussion and Possible Action on the Status of the Concorde Career College-San Diego Dental Hygiene Educational Program.

Dr. Adina Petty stated that the Dental Hygiene Board of California (DHBC, Board) staff conducted a site visit at the Concorde Career College-San Diego Dental Hygiene Educational Program (CCC-SD) on October 15, 2024. This site visit was generated due to the appointment of a new program director, as well as to the Board’s oversight goals to review all Dental Hygiene Educational Programs (DHEPs) in California. Evidence of program compliance with the minimum DHEP standards set by the Business and Professions Code (BPC), the California Code of Regulations (CCR), and the Commission on Dental Accreditation (CODA) was deficient.

CCC-SD was determined to have six (6) violations. The most egregious of the violations is that CCC-SD failed to ensure dental hygiene students completed all requirements for competency established by the Board and CODA. Therefore, several of Cohort 16 and Cohort 17 graduates did not meet all DHBC and CODA requirements to receive licensure as verified through reviewed documentation.

Motion: Justin Matthews moved for the Education Committee to recommend to the Full Board to issue a citation and fine of \$2,000 (\$1,000 for each year of graduating unqualified students pursuant to the law), and placing CCC-SD on a three-year probation period with quarterly reporting requirements identifying corrective measures where the program will be reassessed. Additionally, during the probation period, CCC-SD may experience announced and unannounced site visits from Board staff to check on the progression toward compliance or further Board action.

Second: Naleni “Lolly” Tribble-Agarwal.

Committee Member discussion: Chair Dones asked Dr. Petty if CODA conduct site visits when there is a change in program director and if they have gone recently to access this campus. Dr. Petty stated that CODA goes to programs every seven years. They also go if there is a complaint, but they do not go during a program director change. Dr. Petty stated that when she started her position, the Board had an established a process for a site visit to be conducted anytime there is major change to a program, such as a program director change, move campuses, or major construction. She stated that these check-ins with programs would ensure that they are working to stay in compliance with the Board’s laws and CODA recommendations.

Member Long asked Dr. Petty if CODA recognized any of these issues at their last site visit in 2021. And how does it work for DHBC to review CODA standards and issue these violations on behalf of CODA standards. Dr. Petty stated that DHBC does not issue on behalf of CODA standards. She cited Business and Professions Code - BPC § 1941 (a) as the authority and requirement for DHBC to review the programs and ensure that they are meeting standards that include DHBC’s laws and regulations.

Public comment: Edward Cramp, Legal Counsel for Concorde Career College-San Diego (CCC-SD), stated being concerned over the timing issue for CCC-SD to send the letter response to DHBC and the procedural issue for CCC-SD to address the Education Committee virtually.

Kimberly Pennington, Program Director at Concorde Career College-San Diego (CCC-SD), presented to the Education Committee on program changes regarding CCC-SD and addressed the violations the program has received.

EO Lum stated that Board staff had not had time to review the content of the letter from CCC-SD. He suggested to the Education Committee to table this discussion until staff has had time to review the response to ensure that it is accurate and to possible see if the program has complied with any of the deficiencies, if not all of them listed in DHBC’s

deficiency letter. Also, the EO stated that if deficiencies are still found a special meeting can be arranged to address this issue.

Vote: Motion for the Education Committee to recommend to the Full Board to issue a citation and fine of \$2,000 (\$1,000 for each year of graduating unqualified students pursuant to the law), and placing CCC-SD on a three-year probation period with quarterly reporting requirements identifying corrective measures where the program will be reassessed. Additionally, during the probation period, CCC-SD may experience announced and unannounced site visits from Board staff to check on the progression toward compliance or further Board action. Passed 3:1:1.

Name	Aye	Nay	Abstain/Absent
Carmen Dones, Chair	X		
Sherman King			Absent.
Michael Long	X		
Justin Matthews	X		
Naleni “Lolly” Tribble-Agarwal		X	

Member Long requested to return to Education Committee Agenda Item 5 to reconsider his vote and to make a new motion to table the discussion.

Motion: Michael Long moved to table Education Committee Agenda Item 5 regarding discussions on Concorde Career College-San Diego (CCC-SD) until the March Meeting.

Second: Naleni “Lolly” Tribble-Agarwal.

Committee Member discussion: None.

Public comment: EO Lum stated that a special meeting of the Education Committee or the Full Board can be called ahead of the March Board Meeting to address any egregious actions.

Susan McLearn, California Dental Hygienists’ Association, commented that she agreed with Member Long that the response from the college should be considered before taking any action.

Member Long asked to strike “March” from the motion after considering EO Lum’s input.

Amended Motion: Michael Long moved to table Education Committee Agenda Item 5 regarding discussions on Concorde Career College-San Diego (CCC-SD) until a future meeting.

Amended Motion Second: Naleni “Lolly” Tribble-Agarwal.

Vote: Motion to table Education Committee Agenda Item 5 regarding discussions on Concorde Career College-San Diego (CCC-SD) until a future meeting. Passed 3:1:1.

Name	Aye	Nay	Abstain/Absent
Carmen Dones, Chair	X		
Sherman King			Absent.
Michael Long	X		
Justin Matthews		X	
Naleni “Lolly” Tribble-Agarwal	X		

10. EDUCATION COMMITTEE Agenda Item 6: Dental Hygiene Educational Program Site Visit Update.

Dr. Adina Petty reported on the current status of the following DHEPs: at Pasadena City College (PCC), Carrington College-Sacramento (Carrington-Sacramento), Cypress College (Cypress), Taft College (Taft), Cabrillo College (Cabrillo), and Concorde Career College-San Diego (CCC-SD).

Dr. Petty additionally provided the current site visit schedule for the California DHEPs.

Committee member comment: Chair Dones expressed concern about Cabrillo College regarding student, faculty, and patient safety and what recommendations can be implemented to move forward.

EO Lum responded that his presentation tomorrow, November 16, 2024, will help clarify the site visit process and includes the steps staff take to have a program become compliant.

Dr. Petty stated that Cabrillo College were given a due date no later than November 8, 2024, to submit lands of corrective action for their violation of feeling unsafe, and October 31, 2024, to address the other two concerns regarding insufficient clinic resources. Cabrillo College requested an extension, which EO Lum approved. Dr. Petty stated that new deadline was extended to Saturday, November 16, 2024, and that she did not think there would be enough time for staff to review the contents prior to the Board receiving the information.

Public comment: None.

11. EDUCATION COMMITTEE Agenda Item 7: Discussion and Possible Action to Establish a Taskforce to Create a Penalty Rubric for Dental Hygiene Educational Programs (DHEPs) Found Non-Compliant of the Board’s Laws and CODA Standards.

EO Lum stated that in 2023, the Board promulgated regulations regarding “Reviews, Site Visits, Citations and Fines, and Probationary Status for Dental Hygiene Educational Programs” (California Code of Regulations, Title 16, section 1104.3). Within the regulation, subdivision (b)(3) establishes factors to be considered in the issuance of any citation or fine to a dental hygiene educational program (DHEP). Those factors are as follows:

1. Nature and severity of the violation.
2. Length of time that has passed since the date of the violation.
3. Consequences of the violation, including the potential to harm, or actual patient.
4. History of previous violations of a similar nature.
5. Evidence that the violation was willful.
6. Gravity of the violation.
7. The extent to which the cited DHEP has remediated the deficiencies.

Motion: Carmen Dones recommended for the Education Committee to approve and recommend to the Full Board establishment of a task force to formulate a DHEP penalty rubric, thereby establishing consistent penalties against DHEPs in violation of DHBC laws, regulations, and CODA Standards.

Second: Michael Long.

Committee Member discussion: None.

Public comment: None.

Vote: Recommendation for the Education Committee to approve and recommend to the Full Board establishment of a task force to formulate a DHEP penalty rubric, thereby establishing consistent penalties against DHEPs in violation of DHBC laws, regulations, and CODA Standards. Passed 4:0:1.

Name	Aye	Nay	Abstain/Absent
Carmen Dones, Chair	X		
Sherman King			Absent.
Michael Long	X		
Justin Matthews	X		
Naleni “Lolly” Tribble-Agarwal	X		

12. EDUCATION COMMITTEE Agenda Item 8: Future Agenda Items.

Committee Member comment: None.

Public comment: None.

13. EDUCATION COMMITTEE Agenda Item 9: Adjournment of the Education Committee.

Chair Dones adjourned the Education Committee at **1:08 p.m.**

14. FULL Agenda Item 5: Legislation and Regulatory Committee Meeting.

15. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 1: Roll Call & Establishment of Quorum.

Naleni “Lolly” Tribble-Agarwal, Legislation and Regulatory Committee Chair, called the Legislation and Regulatory Committee to order at **1:11 p.m.**, completed the roll call, and a quorum was established with five (5) members present.

16. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 2: Public Comment for Items Not on the Agenda.

Committee Member comment: None.

Public comment: None.

17. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 3: Discussion and Possible Action Regarding California Code of Regulations, Title 16, Section 1005: Minimum Standards to Infection Control.

EO Lum stated that Business and Professions Code section 1680(ad) states in part “...The board shall review infection control guidelines, if necessary, on an annual basis and proposed changes shall be reviewed by the Dental Hygiene Board of California to establish a consensus. The hygiene board shall submit any recommended changes to the infection control guidelines for review to establish a consensus...”

The Dental Board of California (DBC) established an Infection Control Advisory Working Group, consisting of Joanne Pacheco (Vice President, DBC), Cara Miyaski (Chair, DBC Dental Assisting Council), and Dental Hygiene Board of California (DHBC) Member Michael Long, have reviewed California Code of Regulations (CCR), Title 16, section 1005 regarding Minimum Standards for Infection Control for clarity of language, necessity for amendments, and consistency with other governing agencies, such as CAL-OSHA, CalEPA, and the Centers for Disease Control. The goal was to establish a consensus between the DHBC and DBC on the proposed regulatory amendments on 16 CCR section 1005 with subsequent implementation of the minimum standards. If the DHBC approves the proposed language, the amendments to 16 CCR section 1005 will be presented at the February 6-7, 2025, DBC Dental Assisting Council and subsequent DBC meeting for approval.

Motion: Michael Long moved for the Legislation and Regulatory Committee to review the proposed regulatory amendments in 16 CCR section 1005 regarding Minimum Standards for Infection Control, determine whether additional information or language is required, and

recommend to the Full Board to consider, complete, and approve the final draft of proposed statutory language amendments for 16 CCR section 1005.

Second: Sridevi Ponnala.

Committee Member discussion: None.

Public comment: Tooka Zokaie, Sr. Health Policy Analyst, on behalf of the California Dental Association (CDA), was concerned whether the new infection control training requirement is duplicative as there are existing infection control requirements, referencing the annual two-hour license renewal course, the annual OSHA BBP training, and the eight-hour infection control course. She requests that the Board and staff take this into consideration as they continue to review this language. Ms. Zokaie also addressed a concern regarding protective eyewear that includes a top shield as it is an industrial standard for grinding and welding and may not be readily available. She requested that the language be edited to not be misinterpreted as a requirement.

Vote: Motion for the Legislation and Regulatory Committee to review the proposed regulatory amendments in 16 CCR section 1005 regarding Minimum Standards for Infection Control, determine whether additional information or language is required, and recommend to the Full Board to consider, complete, and approve the final draft of proposed statutory language amendments for 16 CCR section 1005. Passed 3:2:0.

Name	Aye	Nay	Abstain/Absent
Naleni “Lolly” Tribble-Agarwal, Chair	X		
Carmen Dones		X	
Sonia “Pat” Hansen		X	
Michael Long	X		
Sridevi Ponnala	X		

18. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 4: Discussion and Possible Action to Seek New Legislation for Business and Professions Code Sections 1915.1, 1926.3, 1941, 1944, and 1961.5.

Dr. Adina Petty stated the Dental Hygiene Board of California (Board) licenses and regulates California dental hygienists pursuant to sections 1900 through 1967.4 of the Business and Professions Code (BPC). Since inception of the statutes, the Board continually analyzes and reviews them for any possible revisions that would help clarify the language for staff, licensees and interested stakeholders; improve procedures; and enhance program efficiencies for the betterment of the Board. This ongoing task is to

improve the Board's oversight requirements of Registered Dental Hygienists, Registered Dental Hygienists in Alternative Practice, Registered Dental Hygienists in Extended Functions, and dental hygiene educational programs to uphold the law.

The reasons for the requested statutory changes are:

- 1) Mirrors previously approved language for dental students to be applied to dental hygiene students to work at sponsored events to improve access to dental care and increase their clinical experiences.
- 2) Provide direction to Registered Dental Hygienists in Alternative Practice to notify the Board of their working locations at each license renewal which assists in the Board's oversight of the license category.
- 3) Adds and expands accrediting agencies recognized by the US Dept. of Education which focus on allied health education for entities interested in starting new dental hygiene educational programs.
- 4) For clarity, separates one combined licensure fee into two separate fees (Application Fee and Initial Licensure Fee) so applicants know what their fees are paying for.
- 5) Allows the Board to post enforcement related information about licensees and their licensure status on the website for consumer protection and transparency.
- 6) Provides authority to the Executive Officer to rescind a citation after the appeals process and discovered the licensee would not have violated the Dental Practice Act when the initial citation was issued.

Motion: Carmen Dones moved for the Legislation and Regulatory Committee to review the current language to determine if an amendment to BPC sections 1915.1, 1926.3, 1941, 1944, and 1961.5 are warranted. If the Committee determines these changes are warranted, I move for the Committee to complete the draft of proposed statutory language and recommend to the Full Board to consider, complete, and approve the final draft of proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, 1944, 1961.5, and direct staff to seek sponsored legislation for 2025.

Second: Naleni "Lolly" Tribble-Agarwal.

Committee Member discussion: EO Lum clarified that 1926.3 current law states that RHDAPs only need to report where they are working upon licensure, so staff would like to request that HAPs and licensees report at each license renewal so that the Board is aware of the areas they are providing services. For 1944, the fees are separated to show the application fee is \$100.00 and the initial license fee \$150.00 currently. The cap of \$300.00 was included so the public is aware of the maximum amount the Board can charge. For 1961.5, this would be to post enforcement action against license fees onto the DHBC website. It would allow the EO to remove a citation when warranted, such as when a licensee fails a continuing education audit and submits acceptable CE certificates after being issued a citation. Currently, there are no provisions to rescind a citation and the mark would stay on the licensee's record.

The Board had a robust discussion regarding the clinical supervision ratios in 1915.1.

For 1961.5, Member Long asked where on the website this information will be posted. EO Lum stated that it would most likely be posted in the BreZE online system and made available for public search. Member Long suggested the information could be posted similarly to the Dental Board’s Enforcement action tab on their website. EO Lum thanked Member Long for the suggestion and also stated that DCA has a website uniformity plan roll-out so information across boards and bureaus may look different in the near future.

Public comment: Susan McLearn, California Dental Hygienists’ Association, inquired with the Board on whether the faculty to student ratio changed based on a motion made from previous meeting. The Board engaged in a discussion regarding the clinical supervision ratios in 1915.1 and established that the law states the faculty to student ratio is 1-to-5.

Joanne Galliano, Educational Consultant, agreed with Chair Dones and Susan McLearn that for screening, toothbrush instruction and oral hygiene instruction it is not necessary, but for patient treatment scaling, prophylaxis, sealant placement, and similar items then the 1-to-5 ratio should be maintained.

Vote: Motion for the Legislation and Regulatory Committee to review the current language to determine if an amendment to BPC sections 1915.1, 1926.3, 1941, 1944, and 1961.5 are warranted. If the Committee determines these changes are warranted, I move for the Committee to complete the draft of proposed statutory language and recommend to the Full Board to consider, complete, and approve the final draft of proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, 1944, 1961.5, and direct staff to seek sponsored legislation for 2025. Passed 5:0:0.

Name	Aye	Nay	Abstain/Absent
Naleni “Lolly” Tribble-Agarwal, Chair	X		
Carmen Dones	X		
Sonia “Pat” Hansen	X		
Michael Long	X		
Sridevi Ponnala	X		

19. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 5: Discussion and Possible Action for Non-Substantive Changes to the Board’s Statutes through the Senate Business, Professions, and Economic Development Committee’s 2025 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 has contacted us for any Omnibus Bill recommendations to be submitted to them by the mid-January deadline for inclusion in the bill.

Committee Member discussion: None.

Public comment: None.

Motion: Carmen Dones moved for the Legislation and Regulatory Committee to accept Board staff's non-substantive nomenclature statutory changes for the Omnibus Bill and delegate authority to the Executive Officer to recommend any non-substantive changes in existing statute to be forwarded to the Senate Committee on Business, Professions, and Economic Development for review.

Second: Sonia "Pat" Hansen.

Committee Member discussion: None.

Public comment: None.

Vote: Motion for the Legislation and Regulatory Committee to accept Board staff's non-substantive nomenclature statutory changes for the Omnibus Bill and delegate authority to the Executive Officer to recommend any non-substantive changes in existing statute to be forwarded to the Senate Committee on Business, Professions, and Economic Development for review. Passed 5:0:0.

Name	Aye	Nay	Abstain/Absent
Naleni "Lolly" Tribble-Agarwal, Chair	X		
Carmen Dones, Acting Chair	X		
Sonia "Pat" Hansen	X		
Michael Long	X		
Sridevi Ponnala	X		

20. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 6: Regulatory Update: Status of Dental Hygiene Board of California Regulatory Packages.

Dr. Adina Petty reported as to the current status of DHBC proposed regulatory packages completed and in process for the Board.

Committee Member discussion: None.

Public comment: EO Lum highlighted Dr. Petty's efforts in assembling the regulatory packages to the Board. He stated that DHBC has successfully issued a high volume of regulations due to Dr. Petty and praised her ability to work on three to four per year as some boards only average about two per year.

EO Lum and Chair Tribble-Agarwal thanked Dr. Petty for her contributions to the Board.

Dr. Petty and Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel for the DHBC, exchanged words of praise for each other's work ethic and teamwork.

21. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 7: Legislative Update: Bills of Interest and Legislative Calendar (Informational Only).

Dr. Adina Petty reported as to current legislation of interest to the Board, as well as reporting on the current legislative calendar.

Committee Member discussion: Member Dones commented on the significance of AB 1891, as it now allows screening processes in the community college for the selection of students in the over-capacity in the number of applications it receives. She stated that bill's multi-criteria screening process will benefit prospective students who can now draw from essays, volunteer experience, life experiences, and more when applying.

Public comment: Susan McLearn of California Dental Hygienists' Association asked if the Board could clarify why information for AB 2242 was not included on the Dental Board's Sunset Review. EO Lum stated that the subject matter does not pertain to DHBC, so the Board does not need to address it.

22. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 8: Future Legislative and Regulatory Committee Agenda Items.

Committee Member comment: None.

Public comment: None.

23. LEGISLATION AND REGULATORY COMMITTEE Agenda Item 9: Adjournment of the Legislative and Regulatory Committee Meeting.

Chair Naleni "Lolly" Tribble-Agarwal adjourned the Education Committee at **2:04 p.m.**