



Dental Hygiene Board of California Meeting Minutes

Tuesday, May 27, 2025

Public Access Teleconference Meeting Location:
DHBC Headquarters Building
2005 Evergreen Street
1st Floor Lake Tahoe Room 1290
Sacramento, CA 95815

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

DHBC Members Present:

President – Joanne Pacheco, Registered Dental Hygienist (RDH) Educator Member
Secretary – Naleni “Lolly” Tribble-Agarwal, RDH Member
Public Health Dentist Member – Dr. Sridevi Ponnala
Public Member – Dr. Julie Elginer
Public Member – Dr. Justin Matthews
Public Member - Vacant

DHBC Members Absent:

Vice President – Sonia “Pat” Hansen, RDH Member
Registered Dental Hygienist in Alternative Practice (RDHAP) Member – Michael Long
Public Member – Sherman King

DHBC Staff Present:

Anthony Lum, Executive Officer
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

Joanne Pacheco, President of the Dental Hygiene Board of California (DHBC, Board), reviewed meeting guidelines and called the meeting to order at **9:00 a.m.** Board Secretary Naleni “Lolly” Tribble-Agarwal completed the roll call, and a quorum was established with five (5) members present.

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

Board Member comment: None.

Public comment: Susan McLearn of the California Dental Hygienists' Association (CDHA) stated that CDHA is concerned about a form attached to the Registered Dental Hygienists in Alternative Practice (RDHAPs) registration in Agenda item 5.

3. FULL Agenda Item 3: Discussion and Possible Action on New November 2025 Meeting Dates.

Executive Officer (EO) Lum stated that Board members at the March 22, 2025, Full Board Meeting mentioned a potential scheduling conflict with the approved November 15-16, 2025, Full Board Meeting dates. EO Lum stated that staff proposed the following dates for the Board members to consider for the new November Full Board Meeting dates.

Proposed Full Board November Meeting Dates:

Friday, November 7, 2025 – Saturday, November 8, 2025

Friday, November 21, 2025 – Saturday, November 22, 2025

Motion: Julie Elginer moved for the Full Board to approve the new Full Board November 2025 Meeting Dates: Friday, November 7, 2025 – Saturday, November 8, 2025.

Second: Member Matthews.

Board Member discussion: Secretary Lolly Agarwal and Member Ponnala stated that they would not be able to attend the November 7-8, 2025, Full Board meeting dates. Member Elginer asked EO Lum if the absent Board members informed him of their preferences for the November meeting dates. EO Lum stated that he did not receive any information from the Board members regarding their availability for the dates. He also stated that the scheduling conflict is due to California Dental Association (CDA) having a meeting on the same date as the currently scheduled November 2025 meeting date.

Public comment: Susan McLearn of the CDHA stated that the Dental Board of California (DBC) is meeting on November 6, 2025, and is not sure if they are also meeting the next day as well. EO Lum stated that the DBC is meeting on November 5-6, 2025, so the DHBC can conduct meetings on November 7-8, 2025, and not overlap with the DBC meetings.

Additionally, EO Lum stated that for the Board to take action, a minimum of five (5) members are needed to create a quorum. He stated that if Secretary Agarwal and Member Ponnala are unable to attend there are still enough Board members to establish quorum and vote on agenda items that require action.

Vote: Motion for the Full Board to approve the new November 2025 Meeting Dates: Friday, November 7, 2025 – Saturday, November 8, 2025. Passed 5:0:3.

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

4. FULL Agenda Item 4: Discussion and Possible Action and Update on Current Legislation and Legislative Calendar.

Dr. Adina Petty reported as to current legislation of interest to the Board, as well as reporting on the current legislative calendar. She stated that most of the bills are in the appropriation suspense file and all the bills are in a holding pattern. Dr. Petty provided a brief overview of the new bills and Board staff’s recommendations.

Member Elginer directed the Board’s attention to the 2025 “Tentative Legislative Calendar” on page 25 of the Board materials. Wherein it states that Friday, May 23, 2025, was the last day for the fiscal committees to hear and report to the Floor. Member Elginer stated that bills have moved as of May 23, 2025, and the legislation information shared in the Tuesday, May 27, 2025, Board meeting materials are no longer up to date.

EO Lum stated staff try to provide Board members with the most current information on these bills; however, last-minute changes from the fiscal committee on Friday, May 23, 2025, were not able to be added to the Tuesday, May 27, 2025, Board materials in time. He stated that staff try to condense the legislative language and highlight issues that the Board may need to address. EO Lum stated that the materials are required to be posted for the public to view within a certain timeframe and shared that the Board members and staff may need time to review the bills.

With President Pacheco’s approval, Member Elginer presented comments and updates on the listed bills that she found to be of concern to the Board. The bills of concern are notated in an ordered list below.

AB 224

Member Elginer stated that new language was added after the March 2025 Board meeting materials that pertained to adding portable oxygen as an essential health benefit. She asked the Board if any licensees have portable oxygen as part of their licensure. In response to Member Elginer, Dr. Petty stated that Registered Dental Hygienists in Alternative Practice (RDHAPs) are required to have oxygen if they are providing local anesthesia or soft tissue curettage to patients. Dr. Petty stated that RDHAPs do not have prescriptive abilities, so RDHAPs would have to request a prescription for oxygen from the dentist they are associated with or those other means. Dr. Petty continued that RDHAPs are the only licensees required to personally have oxygen. Registered Dental Hygienists (RDHs) and Registered Dental Hygienists in Extended Functions (RDHEFs) work under a dentist would have oxygen provided by the dentist. RDHAPs are the only licensees that autonomously provide oxygen.

Member Elginer stated that new language in section 1367.005 states that portable oxygen would be an essential health benefit. She stated that this may affect any of licensees provide oxygen.

AB 341

Member Elginer stated that the language removed private dental schools and colleges from administering the Oral Health for People with Disabilities Technical Assistance Center Program. She stated that the bill would authorize the contracted California dental school or college to partner with a public dental school or college to meet the certain requirements.

AB 371

Member Elginer stated that amended language in the bill removed the requirement for dentists to be available within 15 miles or 30 minutes from an enrollee's or insured's residence or workplace.

AB 489

Member Elginer stated that new language was added to section 4999.9 in which health care licensing boards may pursue an injunction or restraining order if there is a violation of Chapter 15.5 Health Advice From Artificial Intelligence. She stated that DBC commented on the incremental workload for enforcement. Member Elginer encouraged the Board to read through the assembly bill fiscal committee analysis as multiple DCA board provided input on the bill, including the Medical Board of California, Physical Therapy Board, Board of Registered Nursing, Board of Pharmacy, and the DBC.

Member Ponnala stated that she would like to know what DBC plans to work through this as the bill will impact both boards. She stated that she would like to remain at a watch position at this time.

AB 742 (New)

Member Elginer asked board staff if there is an existing process to prioritize applicants during the licensure process. EO Lum stated that the DHBC would likely model this process the way military applications are processed, which would use a third-party entity to determine descendants of slaves. He stated that upon receiving applications with

documentation supporting their claim, they would be first priority. He stated that the process would continue as normal; staff would review all the submitted materials to ensure there are no missing documents per the requirements. If all the submitted documents required to process a license are collected, then staff can process the application immediately.

AB 873

Member Elginer stated that there is new language around infection control. She stated that employer is responsible for ensuring that dental assistants complete the eight (8) hour course.

AB 1307 (New)

Member Elginer stated that participants could only practice in Federally Qualified Health Centers (FQHCs) that meet specified conditions and is limited to 30 dentists per program.

SB 62

Member Elginer stated that like AB 224, which discussed adding portable oxygen, SB 62 would add portable oxygen as an essential health benefit. She recommended that the Board's selected positions for both bills be consistent with each other. Board staff have recommended a watch position for AB 224 and SB 62.

SB 351

Member Elginer stated that this bill is sponsored by the American Medical Association (AMA) and supported by California Dental Association. She stated that the bill is opposed by Children's Choice Dental and Association of Dental Support Organizations.

SB 386 (New)

Member Elginer stated that this bill is sponsored by American Dental Association (ADA) and supported by the California Dental Hygienists' Association (CDHA). She stated that SB 386 would authorize a dental provider to opt out of a fee-based payment method at any time by providing affirmative consent to the healthcare service plan, health insurer, or contracted vendor. Member Elginer encouraged the Board to review the content of the committee consultant analysis that was prepared before the floor vote.

SB 861 (New)

Member Elginer stated that the Omnibus Bill included a portion that deletes the requirement for a dental hygienist member serve on the board of the DBC and includes new language for dental assistant to serve on the board instead of a dental hygienist.

In response to Member Elginer, EO Lum stated that language to remove a dental hygienist member was processed through the DBC's Sunset Review Bill. He clarified that the language was approved in the last legislative session but was not stricken from the language, so it is part of a cleanup of the Omnibus Bill. EO Lum also stated that any scope issues for dental hygiene would not need to be reviewed by the DBC.

Public Comment: Jennifer Tannehill, legislative advocate on behalf of the CDHA, stated that she is excited to see Board members interested in legislation and the legislative

process. She advised the Board members to be mindful of the legislative process and understand that bills die or can be amended and changed daily. Ms. Tannehill recommended that the Board maintain a watch position for AB 224 as it applies to beneficiaries and not providers. She reiterated EO Lum's comments on SB 861 being a cleanup bill and stated that removing the dental hygiene position also means the scope issues will not be brought to the DBC either.

Jeannette Diaz stated that she is concerned about the lack of information regarding the fiscal impact of AB 341. Ms. Diaz requested information on who will fund these services and listed Technical Assistance Center, Department of Health Care Services, and the Department of Developmental Services as possible options. She stated that she is also concerned with language change and wonders if this will limit the opportunities to find a dental school that will be able to work with the Technical Assistance Center.

Dr. Ponnala asked a question regarding AB 873 and the Board's position. EO Lum responded stating that the July 18, 2025, DHBC Board meeting is also the day that the Legislature breaks for summer. He stated that he already sent in a position letter for AB 873; however, if the Board after the July 2025 meeting would like to change positions he will send a subsequent letter to the Legislature. He also stated that he and President Pacheco attended the recent DBC meetings in Anaheim, California and made comments regarding the bill due to concern about the infection control course. Dr. Petty stated that she, EO Lum, and the President are concerned for public safety surrounding the education of unlicensed dental assistants and providing infection control services at the dental office without being properly educated on infection control processes. Following EO Lum and Dr. Petty's comments, Member Elginer restated that the DHBC has a current oppose position for AB 873 and informed the Board and staff that the language has been amended and recommended that they look over the changes.

Motion: Justin Matthews moved for the Full Board to approve the proposed positions as follows: AB 224 (Watch), AB 341 (Watch), AB 350 (Support), AB 371 (Watch), AB 489 (Watch), AB 742 (Watch), AB 873 (Oppose), AB 966 (Watch), AB 980 (Watch), AB 1307 (Watch), AB 1418 (Watch), SB 62 (Watch), and SB 351 (Watch), SB 386 (Watch), SB 470 (Support), and SB 861 (Support).

Second: Member Ponnala.

Legislation	DHBC Position
AB 224 Bonta: Health care coverage: essential health benefits.	Watch.
AB 341 Arambula: Oral Health for People with Disabilities Technical Assistance Center Program.	Watch.
AB 350 Bonta: Health care coverage: fluoride treatments.	Support.

Legislation	DHBC Position
AB 371 Haney: Dental coverage.	Watch.
AB 489 Bonta: Health care professions: deceptive terms or letters: artificial intelligence.	Watch.
AB 742 Elhawary: Department of Consumer Affairs: licensing: applicants who are descendants of slaves.	Watch.
AB 873 Alanis: Dentistry: dental assistants: infection control course.	Oppose.
AB 966 Carrillo: Dental Practice Act: foreign dental schools.	Watch.
AB 980 Arambula: Health care: medically necessary treatment.	Watch.
AB 1307 Ávila Farías: Licensed Dentists from Mexico Pilot Program.	Watch.
AB 1418 Schiavo: Department of Health Care Access and Information.	Watch.
SB 62 Menjivar: Health care coverage: essential health benefits.	Watch.
SB 351 Cabaldon: Health Facilities.	Watch.
SB 386 Limón: Dental providers: fee-based payments.	Watch.
SB 470 Laird: Bagley-Keene Open Meeting Act: teleconferencing.	Support.
SB 861 Committee on Business, Professions and Economic Development: Committee on Business, Professions and Economic Development. Consumer affairs (Omnibus Bill).	Support.

Board Member discussion: None.

Public comment: Susan McLearn of the CDHA, stated that CDHA is working with the author regarding AB 873 on the infection control issue. She also stated that the DBC, DHBC, and CDHA are collaborating on this matter as well.

Vote: Motion for the Full Board to approve the proposed positions as follows: AB 224 (Watch), AB 341 (Watch), AB 350 (Support), AB 371 (Watch), AB 489 (Watch), AB 742 (Watch), AB 873 (Oppose), AB 966 (Watch), AB 980 (Watch), AB 1307 (Watch), AB 1418 (Watch), SB 62 (Watch), and SB 351 (Watch), SB 386 (Watch), SB 470 (Support), and SB 861 (Support). Passed 5:0:3.

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

5. FULL Agenda Item 5: Discussion and Possible Action on Amendments to California Code of Regulations (CCR), Title 16, Section 1116.5: Registered Dental Hygienist in Alternative Practice; Physical Facility Registration.

Dr. Petty stated that on January 1, 2025, California Code of Regulations (CCR), Title 16, section 1116.5 went into effect for the registration of physical facilities by RDHAPs. Subsequently, the Board was informed about some confusion regarding the requirements for registration of physical facilities as a stand-alone practice versus registration of physical facilities to maintain portable equipment.

In an effort to address those concerns, Board staff prepared the proposed amendments to the previously approved language and associated form incorporated by reference for 16 CCR section 1116.5 for conciseness.

At the Board’s March 21-22, 2025, the Board reviewed and approved the proposed amended language and associated form incorporated by reference and directed staff to continue the rulemaking to amend the previously approved language and associated form incorporated by reference for the registration of physical facilities by RDHAPs for conciseness.

However, during the process of preparing the regulatory package, Board staff identified additional minor, yet necessary, edits to the proposed amended language and associated form incorporated by reference. Although the Board has authorized the

Executive Officer to make additional technical edits, to err on the side of caution, it was recommended that these edits be brought back to the Board for review and approval.

Motion: Justin Matthews moved for the Full Board to approve the proposed amended language and associated form incorporated by reference for 16 CCR section 1116.5, and direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. 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, 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 after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, the Board authorizes the Executive Officer to take all steps necessary to complete the rulemaking process, and adopt the proposed regulations as described in the text notice for 16 CCR section 1116.5.

Second: Member Elginer.

Board Member discussion: Member Matthews asked if the asterisks used in some of the questions should be edited for consistency throughout the entire form. Dr. Petty and EO Lum offered suggestions to add asterisks to the 'NO' responses to be symmetrical with the asterisks in certain questions or to move all the asterisks to the end of the questions instead.

Elizabeth Dietzen Olsen, Regulatory Attorney for the DHBC, clarified that most of the content on the form has already been approved at the last meeting and that the only simple changes were made to the footers, date, and soft tissue curettage.

Member Matthews stated that if applicants carefully read through the application, they would be able to respond to the questions. He also stated that this might be something that staff who are processing the application can edit if they find applicants are not answering the questions correctly.

Member Elginer agreed with Member Matthews about the concern for consistency and would also defer to staff on whether the form may need edits in the future.

Public comment: Susan McLearn, CDHA, stated that the Board should consider creating two separate forms to avoid confusion over the asterisks. She stated that one form could be for individuals with portable practices and would enable the DHBC to track their practice location to better identify their geographic distribution.

Vote: Motion for the Full Board to approve the proposed amended language and associated form incorporated by reference for 16 CCR section 1116.5, and direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. 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, 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 after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, the Board authorizes the Executive Officer to take all steps necessary to complete the rulemaking process, and adopt the proposed regulations as described in the text notice for 16 CCR section 1116.5. Passed 5:0:3.

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

6. FULL Agenda Item 6: Future Agenda Items.

Board Member comment: None.

Public comment: None.

7. FULL Agenda Item 7: Adjournment.

President Pacheco adjourned the Full Board meeting at **5:26 p.m.**