

SECOND MODIFIED TEXT

Legend:

<u>Underlined</u>	Indicates proposed regulatory language.
Strikeout	Indicates proposed deletions to the original text.
<u>Double Underlined</u>	Indicates proposed additions to the original text.
<u><i>Italicized Double Underlined</i></u>	Indicates proposed additions to the modified text.
<u><i>Italicized Double Strikeout</i></u>	Indicates proposed deletions to the modified text.

Article 3. Educational Programs

Add Section 1109 to Article 3 of Division 11 of Title 16 of the California Code of Regulations (CCR) to read as follows:

§ 1109. Approval of Curriculum Requirements for Radiographic Decision-Making and Interim Therapeutic Restoration Courses for the Registered Dental Hygienist (RDH), Registered Dental Hygienist in Alternative Practice (RDHAP), and Registered Dental Hygienist in Extended Functions (RDHEF).

- (a) The Dental Hygiene Board of California (Board) shall approve only those educational courses in Radiographic Decision-Making (RDM) and Interim Therapeutic Restorations (ITR) for the Registered Dental Hygienist (RDH), Registered Dental Hygienist in Alternative Practice (RDHAP), and Registered Dental Hygienist in Extended Functions (RDHEF) pursuant to sections 1910.5, 1921, and 1926.05 of the Business and Professions Code that continuously meet all course requirements. Continuation of approval will be contingent upon compliance with these requirements, in addition to the requirements set forth by sections 1104 through 1108 of Article 3 regarding Educational Programs. Each approved course shall be subject to Board review at any time for compliance with curriculum requirements. Course providers shall be responsible for notifying the Board in writing of any changes to the course content, physical facilities, and faculty within ten (10) days of such changes.
- (b) Approval of RDM or ITR Educational Courses for the Student Enrolled in a Dental Hygiene Educational Program (DHEP). To be approved, an educational program shall comply with the following requirements:

(1) DHEP RDM Course Requirements.

- (A) A California DHEP shall submit to the Board an “Application for Approval of a Course for Radiographic Decision-Making in a Dental Hygiene Educational Program” DHBC RDM-01 (New ~~01/1907/21~~), hereby incorporated by reference;
- (B) Submit a \$300 application fee to the Board; and
- (C) The course shall be sufficient in length for the students to develop competency in making decisions regarding which radiographs to expose to facilitate diagnosis and treatment planning by a dentist but shall be, at a minimum, four (4) hours in length and include didactic, laboratory, and simulated clinical experiences.
- (D) New or already approved DHEPs seeking to incorporate or offer a stand-alone permit course in RDM shall submit to the Board an “Application for Approval of a Course for Radiographic Decision-Making in a Dental Hygiene Educational Program,” DHBC RDM-01 (New ~~01/1907/21~~) and a \$300 application fee prior to instruction.

(2) DHEP ITR Course Requirements.

- (A) A California DHEP shall submit to the Board an “Application for Approval of a Course for Interim Therapeutic Restorations in a Dental Hygiene Educational Program” DHBC ITR-03 (New ~~01/1907/21~~), hereby incorporated by reference; and
- (B) Submit a \$300 application fee to the Board; and
- (C) The course shall be sufficient in length for the students to develop competency in placement of protective restorations but shall be, at a minimum, sixteen (16) hours in length, including four (4) hours of didactic training, four (4) hours of laboratory training, and eight (8) hours of clinical training.
- (D) New or already approved DHEPs seeking to incorporate or offer a stand-alone permit course in ITR shall submit to the Board an “Application for Approval of a Course for Interim Therapeutic Restorations in a Dental Hygiene Educational Program,” DHBC ITR-03 (New ~~01/1907/21~~) and a \$300 application fee prior to instruction.

- (3) In addition to the instructional components described in this subdivision, an RDM or ITR DHEP educational course shall be established at the postsecondary educational level.

(c) Approval of RDM or ITR Continuing Educational (CE) Courses for the RDH, RDHAP, and RDHEF. All courses must be approved by the Board before offered by the provider. To be approved, an educational program shall comply with the following requirements:

(1) RDM CE Course Requirements.

(A) An applicant course provider shall submit to the Board an “Application for Approval of a Continuing Educational Course in Radiographic Decision-Making for the RDH, RDHAP, and RDHEF” DHBC RDM-02 (New ~~01/1907/21~~), hereby incorporated by reference; and

(B) Submit a \$300 application fee to the Board; and

(C) The course shall be sufficient in length for the participants to develop competency in making decisions regarding which radiographs to expose to facilitate diagnosis and treatment planning by a dentist but shall be, at a minimum, four (4) hours in length and include didactic, laboratory, and simulated clinical experiences.

(2) ITR CE Course Requirements.

(A) An applicant course provider shall submit to the Board an “Application for Approval of a Continuing Educational Course in Placement of Interim Therapeutic Restorations for the RDH, RDHAP, and RDHEF” DHBC ITR-04 (New ~~01/1907/21~~), hereby incorporated by reference; and

(B) Submit a \$300 application fee to the Board; and

(C) The course shall be sufficient in length for the participants to develop competency in placement of protective restorations but shall be, at a minimum, sixteen (16) hours in length, including four (4) hours of didactic training, four (4) hours of laboratory training, and eight (8) hours of clinical training.

(3) In addition to the instructional components described in subdivisions (c)(1) and (c)(2), a program or course shall be established at a post-graduate educational level.

(d) Requirements for Approval of DHEP and CE RDM and ITR Courses.

(1) Administration.

To be approved, each course shall provide the resources necessary including, but not limited to, equipment and facilities, to satisfy the educational

requirements as specified in this section. Course providers shall be responsible for informing the Board of any changes in writing to the course content, physical facilities, and faculty within ten (10) days of such changes.

(2) Admission.

(A) To be eligible for admission to an RDM or ITR Course for the Student in a DHEP, students shall:

- (i) Be a student in good standing in a DHEP; and
- (ii) Possess current certification in Basic Life Support (BLS) and Cardiopulmonary Resuscitation (CPR) from the American Heart Association (AHA) or the American Red Cross (ARC), or a provider approved by the American Dental Association's Continuing Education Recognition Program (CERP) or the Academy of General Dentistry's Program Approval for Continuing Education (PACE).

(B) To be eligible for admission to a CE Course in RDM or ITR for the RDH, RDHAP, and RDHEF, participants shall:

- (i) Possess a valid, active license as an RDH, RDHAP, or RDHEF issued by the Board, and
- (ii) Possess current certification in Basic Life Support (BLS) and Cardiopulmonary Resuscitation (CPR) from the American Heart Association (AHA) or the American Red Cross (ARC), or a provider approved by the American Dental Association's Continuing Education Recognition Program (CERP) or the Academy of General Dentistry's Program Approval for Continuing Education (PACE).

(3) Faculty.

Didactic, laboratory, preclinical, and clinical faculty, including the program or course director and supervising dentist(s) shall:

- (A) Possess a valid, active California RDH, RDHAP, RDHEF license, or Doctor of Dental Surgery (DDS) license, or Doctor of Dental Medicine (DMD) license with no disciplinary actions in any jurisdiction to practice dental hygiene or dentistry;
- (B) Possess current certification in Basic Life Support (BLS) and Cardiopulmonary Resuscitation (CPR) from the American Heart Association (AHA) or American Red Cross (ARC), or a provider approved

by the American Dental Association's Continuing Education Recognition Program (CERP) or the Academy of General Dentistry's Program Approval for Continuing Education (PACE);

- (C) RDH, RDHAP, and RDHEF faculty shall possess current licensure in RDM and ITR placement; and
- (D) Be calibrated in instruction and grading of RDM and ITR *as provided in 16 CCR section 1105.1(c)(2).*

(4) Facilities and Equipment.

(A) RDM and ITR Courses for the Student in a DHEP.

Didactic instruction may take place in an in-person or an online environment. Each course shall have access to adequate equipment and facilities for lectures and testing.

Laboratory and clinical instruction shall be held at a physical facility. Physical facilities and equipment shall be maintained and replaced in a manner designed to provide students with a course that will meet the educational objectives set forth in this section. A physical facility shall have all the following:

- (i) A patient clinic area, laboratory, and a radiology area;
- (ii) Access to equipment necessary to develop dental hygiene skills in RDM and ITR duties; and
- (iii) Infection control equipment shall be provided as described in 16 CCR section 1005.

(B) RDM CE Courses for the RDH, RDHAP, and RDHEF.

Didactic instruction may take place in an in-person or an online environment. Each course shall have access to adequate equipment and facilities for lectures and testing and shall be maintained and replaced in a manner designed to provide participants with a course that will meet the educational objectives set forth in this section.

(C) ITR CE Courses for the RDH, RDHAP, and RDHEF.

Didactic instruction may take place in an in-person or an online environment. Each course shall have access to adequate equipment and facilities for lectures and testing.

Laboratory and clinical instruction shall be held at a physical facility. Physical facilities and equipment shall be maintained and replaced in a

manner designed to provide participants with a course designed to meet the educational objectives set forth in this section. A physical facility shall have all the following:

- (i) A patient clinic area, laboratory, and a radiology area;
- (ii) Access to equipment necessary to develop dental hygiene skills in ITR duties; and
- (iii) Infection control equipment shall be provided as described in 16 CCR section 1005.

(5) Health and Safety.

DHEP and CE course providers shall comply with all local, state, and federal health and safety laws and regulations.

(A) All students or participants shall have access to the course's hazardous waste management plan for the disposal of needles, cartridges, medical waste, and storage of oxygen and nitrous oxide tanks.

(B) All students or participants shall have access to the course's clinic and radiation hazardous communication plan.

(C) All students or participants shall receive a copy of the course's bloodborne and infectious diseases exposure control plan, which shall include emergency needlestick information.

(D) Faculty shall review with each student or participant all requirements pursuant to this section.

(6) Curriculum and Learning Resources.

(A) RDM didactic instruction shall include:

(i) Caries Management by Risk Assessment (CAMBRA) concept;

(ii) Guidelines for RDM to include, but not limited to, the following concepts of:

(a) The American Dental Association's ~~Dental Radiographic Examinations: Recommendations for Patient Selection and Limiting Radiation~~ *Guidelines on the Selection of Patients for Dental Radiographic Examinations* and

(b) The American Academy of Pediatric Dentistry's *Guidelines on Prescribing Dental Radiographs.*

(iii) The guidelines developed by Pacific Center for Special Care at the University of the Pacific Arthur A. Dugoni School of Dentistry (Pacific) for use in training for Health Workforce Pilot Project (HWPP) #172 including:

(a) Instruction on specific decision-making guidelines that incorporate information about the patient's health, radiographic history, time span since previous radiographs were taken, and availability of previous radiographs; and

(b) Instruction pertaining to the general condition of the mouth including extent of dental restorations present, visible signs of abnormalities, including broken teeth, dark stain within the tooth, and visible holes in teeth.

(B) RDM laboratory instruction shall include a review of clinical cases with instructor-led discussion about radiographic decision-making in clinical situations.

(C) RDM simulated-clinical instruction shall include case-based examination with various clinical situations where trainees make decisions about which radiographs to expose and demonstrate competency to faculty based on these case studies.

(D) Didactic, ~~laboratory, and clinical~~ instruction in ITR placement shall include:

(i) Review of pulpal anatomy.

(ii) Theory of adhesive restorative materials used in the placement of adhesive protective restorations including mechanisms of bonding to tooth structure, handling characteristics of the materials, preparation of the tooth prior to material placement, and placement techniques.

(iii) Criteria used in clinical dentistry pertaining to the use and placement of adhesive protective restorations; ~~Criteria~~ which shall include, but not limited to:

(a) Patient factors:

(1) According to the American Society of Anesthesiologists Physical Status Classification, the patient is Class III or less;

(2) The patient is cooperative enough to have the interim restoration placed without the need for special protocols, including sedation or physical support;

(3) The patient, or responsible party, has provided consent for the ITR procedure; and

(4) The patient reports that the tooth is asymptomatic, or if there is mild sensitivity which stops within a few seconds of the removal of the offending stimulus.

(b) Tooth Factors:

(1) The lesion is accessible without the need for creating access using a dental handpiece;

(2) The margins of the lesion are accessible so that clean, non-involved margins can be obtained around the entire periphery of the lesion with the use of hand instrumentation;

(3) The depth of the lesion is more than two millimeters from the pulp on radiographic examination or is judged by the DDS or DMD to be a shallow lesion such that the treatment does not endanger the pulp or require the use of local anesthetic; and

(4) The tooth is restorable and does not have other significant pathology.

(iv) Theory of protocols to deal with adverse outcomes used in the placement of adhesive protective restorations including mechanisms of bonding to tooth structure, handling characteristics of the materials, preparation of the tooth prior to material placement, and placement techniques;

(v) Criteria for evaluating successful completion of adhesive protective restorations including, but not limited to, restorative material not in hyper occlusion, no marginal voids, and minimal excess material;

(vi) Protocols for adverse outcomes after ITR placement including, but not limited to; exposed pulp, tooth fracture, gingival tissue injury, high occlusion, open margins, tooth sensitivity, rough surface, complications, or unsuccessful completion of adhesive protective restorations including situations requiring immediate referral to a dentist; and

(vii) Protocols for follow-up of adhesive protective restorations, including, but not limited to, at least two (2) follow-up examinations of the ITR within a twelve (12) month period.

(E) Laboratory instruction in ITR placement shall include placement of adhesive protective restorations where students and participants demonstrate competency in this technique on typodont teeth.

(F) Clinical instruction in ITR shall include experiences where students and participants demonstrate placement of ITRs under direct supervision of faculty.

(~~E~~G) Minimum ITR Requirements.

(i) Laboratory instruction shall include placement of ten (10) adhesive protective restorations where students or participants demonstrate competency in this technique on typodont teeth.

(ii) Clinical instruction shall include experiences where students or participants demonstrate, at a minimum, the placement of five (5) adhesive therapeutic restorations that shall be evaluated by the program faculty to criteria-referenced standards.

(~~F~~H) Curriculum shall require adherence to infection control standards as provided in 16 CCR section 1005.

(~~G~~I) Curriculum shall prepare the student or participant to assess, plan, implement and evaluate procedures as provided in subdivision (c)(6) of this section to perform with competence and judgment.

(~~H~~J) Students or participants shall be provided a course syllabus that contains:

(i) Course learning outcomes;

(ii) Titles of references used for course materials;

(iii) Content objectives; and

(iv) Grading criteria which includes competency evaluations and laboratory, preclinical, and clinical rubrics to include problem solving and critical thinking skills that reflect course learning outcomes.

(~~K~~) Successful completion shall require students or participants to achieve competency at a minimum of 75% in each of the competencies.

(7) Recordkeeping.

DHEP and CE course providers shall possess and maintain the following for a period of not less than five (5) years:

(A) Individual student or participant records, including those necessary to establish satisfactory completion of the course;

(B) Copies of lab and clinical competency documents;

(C) Copies of faculty calibration plans, faculty credentials, licenses, and certifications including documented background in educational methodology within the previous two years;

(D) Copies of student or participant course evaluations and a summation thereof; and

(E) Copies of curriculum, including course syllabi, exams, sample test questions and clinic rubrics.

(e) Satisfactory completion of courses in RDM and ITR placement shall be determined using criteria-referenced completion standards, where the instructor determines when the student or participant has achieved RDM and ITR placement competency based on these standards, including the duration of time needed to achieve competency. Any student or participant who does not achieve competency in these duties in the specified period of instruction may receive additional education and evaluation, or, in the judgment of the faculty, may be discontinued from the RDM or ITR courses.

(f) Certificates of Completion. Pursuant to the regulatory requirements set forth by 16 CCR section 1016, subdivision (h)(1), only after a student or participant has successfully completed the requirements of a course in RDM, ITR, or RDM and ITR, may a DHEP or course provider provide the student or participant with an original "Certification of Completion of a Course in Interim Therapeutic Restoration for the RDH, RDHAP, and RDHEF", "Certification of Completion of a Course in Radiographic Decision-Making for the RDH, RDHAP, and RDHEF", or "Certification of Completion of a Course in Radiographic Decision-Making and Interim Therapeutic Restorations for the RDH, RDHAP, and RDHEF", as applicable.

(g) Appeals.

(1) The Board may deny or withdraw its approval of a course for noncompliance with this section. If the Board denies or withdraws approval of a course, the reasons for withdrawal or denial will be provided in writing within sixty (60) business days.

(2) Any course provider or applicant whose approval is denied or withdrawn shall be granted an informal conference before the Executive Officer or his or her designee prior to the effective date of such action. The applicant or course provider shall be given at least ninety (90) business days' notice of the time and place of such informal conference and the specific grounds for the proposed action.

(3) The applicant or course provider may contest the denial or withdrawal of approval by either:

(A) Appearing at the informal conference. The Executive Officer shall notify the course provider of the final decision of the Executive Officer within thirty (30) business days of the informal conference. Based on the outcome of the informal conference, the course provider may then request a hearing to contest the Executive Officer's final decision. A course provider shall request a hearing by written notice to the Board within thirty (30) business days of the postmark date of the letter of the Executive Officer's final decision after informal conference. Hearings shall be held pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code; or

(B) Notifying the Board in writing the course provider's election to forego the informal conference and to proceed with a hearing pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Such notification shall be made to the Board before the date of the informal conference.

NOTE: Authority cited: Sections 1905, 1906, and 1910.5, Business and Professions Code. Reference: Section 1910.5, Business and Professions Code.