



**Dental Hygiene Board of California
California Department of Consumer Affairs**

INITIAL STATEMENT OF REASONS

Hearing Date: There is no hearing scheduled.

Subject Matter of Proposed Regulations: Approval of New RDH Educational Programs and Continuation of Approval for Approved RDH Educational Programs

Sections Affected: Section 1104 of Title 16 California Code of Regulations (CCR)

Specific Purpose of Each Adoption, Amendment, or Repeal:

1. Problem Being Addressed:

The Dental Hygiene Board of California (Board) is charged with oversight of registered dental hygienists, registered dental hygienists in alternative practice, and registered dental hygienists in extended functions (collectively RDHs). BPC sections 1905 and 1906 authorize the Board to adopt, amend, and revoke regulations to implement the statutory requirements of Article 9 of Chapter 4, BPC sections 1900 through 1966.6, regarding dental hygienists.

This proposal has two purposes:

- First, effective January 1, 2019, Senate Bill 1482 (Hill, Chapter 858, Statutes of 2018) (SB 1482) changed the Dental Hygiene Committee of California (DHCC) to the Dental Hygiene Board of California (DHBC). As a result of this statutory change from a “Committee,” to a “Board,” amendments are needed to section 1104 to update the language in the regulation from “Committee” to “Dental Hygiene Board.”
- Second, the Board proposes to eliminate specific reference to the title and last revision date of Commission on Dental Accreditation (CODA) standards. The Board proposes to instead refer to the report prepared for CODA in the regulation. and refer to the standards more generally. This will obviate the need to amend the regulation each time CODA issues new standards.

At the Board’s May 29, 2020 teleconference meeting, the Board approved the proposed

language and delegated authority to the Board's executive officer to make any technical, non-substantive changes, if necessary.

2. Anticipated Benefit(s) from this Regulatory Action:

The proposed amendments to section 1104 will enhance clarity for RDH educational programs by updating references to the Board and to the Self Study Report required to be submitted to the Board.

Factual Basis and Rationale:

As set forth below, the Board proposes to:

- Replace references to "Committee" with "Dental Hygiene Board.
- Replace references to specific versions of the standards issued by CODA to the standards in general under "status conferred" principles.

Section 1104, subdivisions (a), (b), (b)(1), (b)(2), (b)(3), (b)(4), (b)(5), (c), (d), and (e)

The Board proposes to amend "Committee" to "Dental Hygiene Board" for consistency with SB 1482. The term is replaced in subdivisions (a), (b), (b)(1), (b)(2), (b)(3), (b)(4), (b)(5), (c), (d), and (e) of section 1104.

Section 1104, subdivision (b)(1)

The Board proposes to amend subdivision (b)(1) by striking "in accordance with the requirements specified in CODA's "Self-Study Guide for the Evaluation of a Dental Hygiene Education Program" (As Last Revised: January 1, 2016)." The Board proposes to state "prepared for CODA (<https://www.ada.org/en/coda>) or the equivalent accrediting body, as determined by the Dental Hygiene Board." The Board proposes to this amendment to simplify and clarify the reference to the required Self Study Report. As these standards are revised periodically, this change eliminates the need to revise the regulation each time the standards are revised.

RDH programs prepare a Self Study Report for CODA and must prepare it in accordance with current CODA Standards. RDH programs are required to submit the report to the Board. As the Board does not evaluate whether the Self Study Reports comply with CODA's standards, it need not expressly incorporate CODA's standards. Accordingly, the Board proposes to delete "which is hereby incorporated by reference." This statement is now unnecessary because the regulation no longer references specific standards.

Underlying Data:

Technical, theoretical or empirical studies, reports, or documents relied upon (if any):

- Minutes: Board Full Board Teleconference, May 29, 2020.
- Printout from <https://www.ada.org/en/coda/accreditation/faq>.

Evidence Supporting Finding of No Significant Statewide Adverse Economic Impact Directly Affecting Business:

This regulation will not have any economic impact on businesses. The proposed amendments only clarify language in the regulations.

Economic Impact Assessment:

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because the regulations are aimed at clarifying language for RDH educational programs.
- It will not create new businesses or eliminate existing business within the State of California because the regulations are aimed at clarifying language for RDH educational programs.
- It will not affect the expansion of businesses currently doing business within the State of California because the regulations are aimed at clarifying language for RDH educational programs.
- This regulatory proposal benefits the health and welfare of California residents because it clarifies references for RDH educational programs, ensuring that RDH educational programs adhere to acceptable educational standards.
- This regulatory proposal does not affect worker safety because it does not involve worker safety.
- This regulatory proposal does not affect the state's environment because it does not involve environmental issues.

Specific Technologies or Equipment:

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives:

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being

implemented or made specific.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

1. Refrain from amending the regulation: This option is not reasonable because as it stands, educators have come forward to request clarity within the regulation with regard to references applicable to RDH educational programs. The Board is not aware of any opposition to the proposed amendments with regard to RDH educational program definitions.
2. Adopt the regulation: The Board determined that this alternative is the most feasible because the regulation would clarify language with regard to references applicable to RDH educational programs.