



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

INITIAL STATEMENT OF REASONS

Hearing Date: TBD

Subject Matter of Proposed Amended Regulations: Registered Dental Hygienist Course in Periodontal Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen Analgesia (SLN).

Section Affected: Section 1107 of Title 16 of the 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). The Board carries out its regulatory authority through enforcement of statutory provisions of the Dental Practice Act (DPA), Business and Professions Code (BPC) sections 1900 through 1967.4, and Title 16 of the CCR.

The Board has been apprised by stakeholders that the current regulatory language regarding RDH course instruction in Local Anesthesia, Nitrous Oxide-Oxygen Analgesia and Periodontal Soft Tissue Curettage (SLN) lacks clarity and no longer aligns with current educational and professional language. The Board proposes to address these problems with this proposed rulemaking.

First, the use of “pre-clinical” and “preclinical” throughout the regulation refers to the same instructional area within dental hygiene education. Therefore, the Board proposes to strike “pre-clinical,” and replace it with “preclinical,” removing the hyphen to provide consistency within the regulation.

Second, 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,” regulatory amendments are needed to section 1107 to

update the language in the regulation where “Committee” appears.

Third, the Board proposes to amend regulatory requirements for courses of instruction in SLN for RDHs using proposed updated application forms Application for Approval of a Course in Soft Tissue Curettage, Local Anesthesia, Nitrous Oxide-Oxygen Analgesia DHBC SLN-01 (09/2019) and Periodontal Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen Analgesia (SLN) Course Provider Biennial Report DHBC SLN-03 (09/2019), which will be incorporated by reference in proposed section 1107.

Fourth, the Board proposes to amend section 1107 to update minimum requirements for obtaining and maintaining approval for courses of instruction in SLN.

2. Anticipated Benefits from this Regulatory Action:

The proposed amendments to section 1107 will enhance clarity by updating inconsistent language, updating forms, and identifying the types of injections required to be taught in SLN educational courses. The proposal will promote public safety by ensuring competency of RDHs providing injections to their patients.

Factual Basis/Rationale

Amend section 1107 of Article 3 of Division 11 of Title 16 of the CCR (RDH Course in Local Anesthesia, Nitrous Oxide-Oxygen Analgesia and Periodontal Soft Tissue Curettage)

Factual basis for the determination that each proposed amendment to section 1107 is reasonably necessary to address the problem for which it is proposed:

At the Board’s November 17, 2018 meeting, this regulatory proposal was presented to the Board for its review and approval. The Board approved the proposed regulatory amendments to section 1107 and delegated authority to the Board’s executive officer to make any technical, non-substantive changes, if necessary.

Section 1107, amendment to title of the regulation

The Board proposes to change the title of the regulation from “Local Anesthesia, Nitrous Oxide-Oxygen Analgesia and Periodontal Soft Tissue Curettage” to “Periodontal Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen Analgesia (SLN).” The latter title better lends itself to abbreviation by “SLN,” which has been added to the title of the regulation. This is necessary to improve readability.

Section 1107, amendments to replace “Committee” with “Board”

The Board proposes to amend “Committee” to “Board.” This is necessary to make the regulatory language consistent with SB 1482. The term is replaced in subdivisions (a), (a)(4), (b), (b)(1)(A), (b)(1)(B), and (b)(5) of section 1107.

Section 1107, subdivision (a)(2)

The Board proposes to amend subdivision (a)(2) to the extent that the Board has revised the form referenced therein.

Section 1107(a)(2) incorporates by reference the form “Application for Approval of a Course in Local Anesthesia, Nitrous Oxide-Oxygen Analgesia and Periodontal Soft Tissue Curettage” (DHCC SLN-01 12/2013). The Board proposes to change the name of the form to “Application for Approval of a Course in Soft Tissue Curettage, Local Anesthesia, Nitrous Oxide Analgesia (SLN)” to be consistent with the revised title of the regulation and to update the revision date to “DHBC SLN-01 (09/2019).” The header and abbreviation of the form name will reflect the change from “Committee” to “Board.”

Additionally, the form will reflect formatting changes to ensure that information is collected from SLN Course applicants in a consistent manner to enable fair and efficient processing of the request. The form collects individual applicant information (SLN Course provider name, California Continuing Education (CE) Provider Number, name and title of SLN Course director, SLN Course provider email, affiliated dental hygiene or dental program, mailing address of SLN Course provider, SLN Course provider telephone number, and clinical facility address (if different mailing address)) to enable identification of the applicant and help ensure accuracy in the processing of the application. This application provides a convenient way for applicants to understand the updated minimum requirements of the proposed amendments within 1107 for approval of a SLN Course along with notification of fees. The updated application form includes:

- A notice of the required \$300 application fee to the Board pursuant to BPC section 1944(a)(10). Under BPC section 1944(a)(10), the fee for each review or approval of course requirements for procedures that require additional training shall not exceed seven hundred fifty dollars (\$750). Under BPC section 1944(c), fees fixed by the Board are not be subject to the approval of the Office of Administrative Law (OAL). This is necessary so applicants understand the cost of the application.
- A notice that the SLN Course provider mailing address is public and if they wish

to provide a P.O. Box, they must also provide a physical address and to specify that the physical address is not to be used as the address of record. This is necessary so applicants understand that the mailing addresses will not be kept confidential.

- A notice that each SLN Course must be approved by the Board prior to operation. The Board is authorized to evaluate, and approve or deny educational courses pursuant to BPC section 1905(a)(1). This is necessary so providers understand that they cannot commence a course until approved by the Board.
- A notice that each Board approved SLN Course must submit a biennial report as required by 16 CCR section 1107(a)(5).
- A notice that SLN Course records shall be subject to inspection by the Board at any time. The Board is authorized to evaluate, and approve or deny educational courses pursuant to BPC section 1905(a)(1), and withdraw or revoke approval of an educational program in accordance with BPC section 1905(a)(2). Inspections will assist the Board in determining whether withdrawal or revocation of approval should be made, and this notice makes providers aware that they are subject to the inspections
- A notice that the Board may withdraw approval at any time that it determines that a SLN Course does not meet the requirements of the law. The Board is authorized to evaluate, and approve or deny educational courses pursuant to BPC section 1905(a)(1), and withdraw or revoke approval of an educational program in accordance with BPC section 1905(a)(2).
- A notice that SLN Course providers must inform the Board of any changes to SLN Course content, faculty and physical facilities within 10 days. This is required by existing language in section 1107(b). This is necessary so that providers understand they must notify the Board of any such changes in a timely manner.
- A requirement for the SLN Course provider applicant to list course faculty information including faculty name, license type, license number and issuing state, license expiration, and date of latest educational methodology. This is necessary to ensure compliance with section 1107(b)(2).
- A notice that the SLN Course director, clinical, and preclinical faculty must possess a valid, active dental hygiene/dental license in California for at least two years prior to teaching the SLN curriculum. This is necessary to ensure compliance with section 1107(b)(2).
- A notice that if any of the SLN Course faculty have ever been licensed in another state or territory to practice dental hygiene or dentistry, a license certification is required. This is necessary so the Board can ensure that a faculty member licensed out of the state possesses expertise comparable to faculty licensed within California.

- A request for copies of each license and proof of education in educational methodology for all SLN Course faculty and a faculty calibration plan must be submitted along with the application. This is necessary to ensure compliance with section 1107(b)(2).
- A request that hours for didactic, preclinical, and clinical instruction within the SLN Course be specified (question 13). This is necessary to ensure compliance with section 1107(b)(9).

Additionally, the form includes specific questions that the SLN Course provider must answer to ensure the course complies with proposed regulation section 1107. These questions include:

- Whether the SLN Course will provide instruction in administration of local anesthetic agents limited to the oral cavity, administration of nitrous oxide-oxygen used as an analgesic utilizing fail-safe type machines containing no other general anesthetic agents, and periodontal soft tissue curettage and requests the SLN Course provider to include a copy of their curriculum including syllabi, student evaluation mechanisms including clinical skills and competency assessment forms, remediation policies and procedures, and didactic, preclinical, and clinical schedules. This is necessary to ensure compliance with section 1107(a)(1).
- Whether the SLN Course will be established at or contracted with a California dental or dental hygiene school and requests the SLN Course provider to submit a copy of the written contract and if applicable, the extramural site agreement with a California dental or dental hygiene school to be submitted along with the application. This is necessary to ensure compliance with section 1107(b)(3) and (b)(5).
- Whether there will there be a lecture classroom, patient clinic area, and radiology area for use by students requests the SLN Course provider to submit a facility site map along with the application. This is necessary to ensure compliance with section 1107(b)(3)(A).
- Whether all students will have access to equipment necessary to develop dental hygiene skills in the duties being taught and to submit a list of necessary equipment required for SLN training along with the application. This is necessary to ensure compliance with section 1107(b)(3)(B).
- Whether all students will have access to the hazardous waste management plan for disposal of needles, cartridges, medical waste, storage of nitrous oxide and oxygen tanks, and the SLN Course's clinic and radiation hazardous communication plan, and to submit a copy of the SLN Course's hazardous waste management plan and hazardous communication plan along with the application. This is necessary to ensure compliance with section 1107(b)(4)(A) and (b)(4)(B).

- Whether all students will receive a copy of the bloodborne and infectious diseases exposure control plan, including emergency needlestick procedures, and to submit a copy of the bloodborne and infectious diseases exposure control plan, including emergency needlestick procedures, along with the application. This is necessary to ensure compliance with section 1107(b)(4)(C).
- Whether the SLN Course will clearly state curriculum subject matter, specific instruction hours in the individual areas of didactic, preclinical and clinical instruction, and include written course and specific instructional learning outcomes that will be accomplished within the framework of the course, including theoretical aspects of each subject as well as practical application in accordance with 16 CCR section 1107 and a copy will be provided to students. This is necessary to ensure compliance with section 1107(b)(8) and (b)(9).
- Whether the SLN Course's duration allows a student to develop competence in administration of local anesthesia, administration of nitrous oxide-oxygen analgesia, and performance of periodontal soft tissue curettage. This is necessary to ensure compliance with section 1107(b)(9).
- Whether instruction in periodontal soft tissue curettage will include at least six (6) hours of instruction, including at least three (3) hours of didactic and preclinical instruction and at least three (3) hours of clinical instruction which includes at least three (3) clinical experiences on patients, of which only one may be on another student and one of which will be used to determine clinical competency in the course and the competency evaluation for this procedure will be achieved at a minimum of 75%. This is necessary to ensure compliance with section 1107(b)(9)(C).
- Whether instruction in the administration of local anesthetic agents will include at least thirty (30) hours of instruction, including at least fifteen (15) hours of didactic and preclinical instruction and at least fifteen (15) hours of clinical instruction. The application will direct the provider to check the "Yes" box if the answers to each question is in the affirmative. This is necessary to ensure compliance with section 1107(b)(9)(A).
- Whether preclinical instruction in local anesthesia will include a minimum of two (2) experiences per injection, which may be on another student. This is necessary to ensure compliance with section 1107(b)(9)(A).
- Whether clinical instruction in local anesthesia will include at least four (4) clinical experiences per injection to include two (2) experiences on the right side of a patient and two (2) experiences on the left side of a patient, of which only one (1) may be on another student. This is necessary to ensure compliance with the proposed amendments to section 1107(b)(9)(A).
- Whether curriculum in local anesthesia will include maxillary and mandibular anesthesia techniques for local infiltration, field blocks and nerve blocks to

include anterior superior alveolar (ASA), middle superior (MSA), anterior middle superior alveolar (AMSA), posterior superior alveolar (PSA), greater palatine, suprapariosteal, inferior alveolar (IA), lingual, and buccal injections. This is necessary to ensure compliance with section 1107(b)(9)(A).

- Whether clinical instruction in local anesthesia for the mental and incisive injections will include at least two (2) clinical experiences per injection to include one (1) experience on the right side of a patient and one (1) experience on the left side of a patient, of which only one (1) may be on another student. Whether clinical instruction for the nasopalatine injection include four (4) clinical experiences, of which only one (1) may be on another student. This is necessary to ensure compliance with the proposed amendments to section 1107(b)(9)(A).
- Whether instruction in the administration of nitrous oxide-oxygen analgesia will include at least eight (8) hours of instruction, including at least four (4) hours of didactic and preclinical instruction and at least four (4) hours of clinical instruction to include at least two (2) preclinical experiences on patients, both of which may be on another student, and at least three (3) clinical experiences on patients, of which only one may be on another student and one of which will be used to determine clinical competency in the course. The application will direct the provider to check the “Yes” box if the answers to each question is in the affirmative. This is necessary to ensure compliance with section 1107(b)(9)(B).
- Whether each clinical experience of nitrous oxide-oxygen analgesia will include the performance of a dental hygiene procedure while administering at least twenty (20) minutes of nitrous oxide-oxygen analgesia from the beginning of titration of nitrous oxide-oxygen to the discontinuation of nitrous oxide and beginning of final oxygenation. This is necessary to ensure compliance with section 1107(b)(9)(B).
- Whether the SLN Course provider will retain for at least 5 years copies of curriculum, syllabi, exams, sample test questions, clinic rubrics, copies of faculty credentials, faculty calibration plan and individual student records including evaluations and summations thereof as required by section 1107(b)(6).
- Whether the SLN Course provider will provide each student a certificate of successful completion after achievement of a minimum of 75% in each clinical competency and has been deemed competent in each of the three (3) procedures. This is necessary to ensure compliance with section 1107(b)(10).
- Whether the SLN Course provider will inform the Board of any changes to the course content, physical facilities, and faculty within ten (10) business days of such changes. This is necessary to ensure compliance with section 1107(b).
- Whether the SLN Course provider reviewed BPC section 1909 and Title 16, Division 11 of the CCR. This ensures that providers are familiar with authorized procedures for dental hygienists and regulations governing the Board.

- Whether the SLN Course provider agrees to abide by the statutory and regulatory requirements set forth in BPC section 1909, and Title 16, Division 11 of the CCR and acknowledges that failure to do so may result in loss of course approval. This ensures that providers will abide by the laws and regulations governing education for dental hygienists.

Form DHBC SLN-01 (09/2019) also includes a requirement that the applicant certify that they have read and met all requirements to help ensure that representations made by the applicant contain truthful factual representations and are made in good faith.

Finally, form DHBC SLN-01 (09/2019) includes the required notices and disclosures to the applicant for the Board's collection of personal information in compliance with Civil Code section 1798.17.

Form DHBC SLN-01 (09/2019), referenced in subdivision (a)(2), would be cumbersome, unduly expensive and otherwise impractical to publish in the CCR. The form will be available on the Board's website and hardcopies will be available from the Board upon request.

Section 1107, subdivision (a)(5)

Section 1107(a)(5) incorporates by reference the form "Report of a Course in Local Anesthesia, Nitrous Oxide-Oxygen Analgesia and Periodontal Soft Tissue Curettage." The Board proposes to change the name of the form to "Periodontal Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide Analgesia (SLN) Course Provider Biennial Report," to be consistent with the revised title of the regulation and to update the revision date to "DHBC SLN-01 (09/2019)." The header of the form will reflect that the change from "Committee" to "Board."

Additionally, the form will reflect formatting changes to ensure that information is collected from SLN Course providers in a consistent manner to enable fair and efficient processing of the report. The form collects individual applicant information (SLN Course provider name, California Continuing Education (CE) Provider Number, name and title of SLN Course director, SLN Course provider email, affiliated dental hygiene or dental program, mailing address of SLN Course provider, SLN Course provider telephone number, and clinical facility address (if different mailing address)) to enable identification of the SLN Course provider and help ensure accuracy in the processing of the report. Additionally, the report requests the SLN Course provider to report the name of the SLN Course, the dates the SLN Course was offered, the number of SLN Course hours, the

number of faculty involved in the SLN Course, and the number of attendees per SLN Course.

Section 1107(a)(5) requires providers to submit a biennial report (SLN-03 (09-2019)) to the Board. This biennial report form provides a convenient way for SLN Course providers to understand the areas the Board requires to be reported due to the proposed amendments within 1107 for continued approval of a SLN course. The updated application form includes:

- A notice that an SLN Course provider mailing address is public and if they wish to provide a P.O. Box, they must also provide a physical address and to specify that the physical address is not to be used as the address of record.
- A notice that each SLN Course must be approved by the Board prior to operation. The Board is authorized to evaluate, and approve or deny educational courses pursuant to BPC section 1905(a)(1).
- A notice that each Board approved SLN Course must submit a biennial report pursuant to section 1107(a)(5).
- A notice that SLN Course records shall be subject to inspection by the Board at any time. The Board is authorized to evaluate, and approve or deny educational courses pursuant to BPC section 1905(a)(1), and withdraw or revoke approval of an educational program in accordance with BPC section 1905(a)(2). Inspections will assist the Board in determining whether withdrawal or revocation of approval should be made.
- A notice that the Board may withdraw approval at any time that it determines that a SLN Course does not meet the requirements of the law. The Board is authorized to evaluate, and approve or deny educational courses pursuant to BPC section 1905(a)(1), and withdraw or revoke approval of an educational program in accordance with BPC section 1905(a)(2).
- A notice that SLN Course providers must inform the Board of any changes to course content, faculty and physical facilities within 10 days. This is required by section 1107(b).
- A notice that when utilizing the report form that the SLN Course provider should consult the regulations governing courses in Local Anesthesia, Nitrous Oxide, and Periodontal Soft Tissue Curettage in Title 16, section 1107 of the CCR. This section will inform the provider what must be contained in the report.

Additionally, the form includes specific questions regarding any changes that have been made to the course to ensure the course complies with proposed section 1107. These questions include:

- Whether there have been any changes to SLN Course Policies and/or Procedures and if there are changes, the SLN Course provider is to describe and include updated policies and/or procedures.
- Whether there have been any changes to SLN Course Faculty and if there are changes, the SLN Course provider is to describe and include a current DHBC Biosketch Form and proof of current Educational Methodology for each faculty member.
- Whether there have been any changes to SLN Course Facilities or Equipment and if there are changes, the SLN Course provider is to describe and include the updated facility map and/or equipment list.
- Whether there have been any changes to SLN Course Curriculum including syllabi, course hours, student evaluation mechanisms including clinical skills and competency assessment forms, remediation policies and procedures, and didactic, preclinical, and clinical schedules, and if there are changes, the SLN Course provider is to describe and include a copy of the new curriculum and schedules.
- Whether there have been any changes to the SLN Course Student Attendee Applicant Form, and if there are changes, the SLN Course provider is to describe and include the updated form.
- Whether there have been any changes to the SLN Course Certificate of Completion, and if there are changes, the SLN Course provider is to describe and include the updated certificate.

Form DHBC SLN-03 (09/2019) also includes a requirement that the applicant certify that they have read and met all requirements to help ensure that representations made by the applicant contain truthful factual representations and are made in good faith.

Finally, form DHBC SLN-03 (09/2019) includes the required notices and disclosures to the applicant for the Board's collection of personal information in compliance with Civil Code section 1798.17.

Form DHBC SLN-03 (09/2019), referenced in subdivision (a)(5), would be cumbersome, unduly expensive and otherwise impractical to publish in the CCR. The form will be available on the Board's website and hardcopies will be available from the Board upon request.

Section 1107, subdivisions (b)(2), (b)(2)(B), and (b)(3)

Subdivisions (b)(2), (b)(2)(B), and (b)(3) of the proposal is to provide consistency of language within the regulation. The use of "pre-clinical" and "preclinical" throughout the

regulation refers to the same instructional area within dental hygiene education. Therefore, the use of “pre-clinical” within subdivisions (b)(2), (b)(2)(B), and (b)(3) will be stricken and replaced by “preclinical” with the hyphen removed. This is necessary to provide uniformity of language without changing the intent or meaning in the regulation.

Section 1107, subdivision (b)(9)(A)

The Board proposes to amend this subdivision to clarify language for specific types of injections required by the Board for education in local anesthesia and update the regulatory language to be consistent with current educational terminology. Proposed amendments to subdivision (b)(9)(A) of the regulation would provide updated language and terminology applicable to local anesthesia education to coincide with current accepted anesthesia language and techniques and provide the necessary practice to RDH students to ensure injection competency.

First, the Board proposes to strike “on four different patients” and add “to include two (2) experiences on the right side of a patient and two (2) experiences on the left side of a patient.” This amendment is necessary to ensure RDH students have ample practice navigating the difficulties encountered in providing injections to different sides of the patient. The Board proposes this amendment based on its experience that it can be difficult for students to find four patients for these experiences. The Board deems it more important to ensure that students gain experience in doing the right and left sides of a patient than requiring injections on multiple patients.

Second, the Board proposes adding “s” to pluralize “field block” and “nerve block.” This is necessary to clarify that all techniques classified as field blocks and nerve blocks of the individual nerves are acceptable for education in local anesthesia.

Third, the Board proposes deleting the “nerve block” descriptor associated with the individual nerves in this paragraph. This amendment is necessary to clarify that additional anesthesia techniques that are not nerve blocks are acceptable for education in local anesthesia.

Fourth, the Board proposes to delete “infraorbital” as this term references an anesthesia technique of the anterior superior alveolar (ASA) nerve. It is repetitive since the ASA nerve is already referenced in the subdivision.

Fifth, the Board proposes to delete the “nasopalatine (P-ASA) nerve block.” Instead, the Board proposes to add “Clinical instruction for the nasopalatine injection shall include four (4) clinical experiences, of which only one (1) may be on another student.” This

amendment is necessary as the nasopalatine injection is a midline injection. As this injection is a midline injection (not administered on the left or right side of the patient but administered in the center, or midline, of the body) the language relating to this injection needs to be phrased more generally as four clinical experiences without reference to the left or right sides of the patient.

Sixth, the Board proposes to add “(IA)” within the “inferior alveolar” nerve description to clarify the nerve nomenclature to include a commonly used acronym for the inferior alveolar nerve and be consistent, as the other main nerve descriptions include their acronyms. This is necessary to improve clarity and readability.

Seventh, the Board proposes to delete “(to include Gow-Gates technique)” within the IA because the “Gow-Gates technique” is an anesthesia technique for the IA nerve. Therefore, it is not necessary to include it since the IA nerve is separately referenced and would include this technique.

Eighth, the Board proposes to delete “mental nerve block” and “incisive nerve block” and add “Clinical instruction for the mental and incisive injections shall include at least two (2) clinical experiences per injection to include one (1) experience on the right side of a patient and one (1) experience on the left side of a patient.” The mental and incisive injections have the same injection site on a patient. An incisive injection requires only the application of more pressure to effect the desired nerve block. Therefore, it is unnecessary for these nerve blocks to be included within the new proposed language of “two (2) experiences on the right side of a patient and two (2) experiences on the left side of a patient.”

Ninth, the Board proposes to delete “intraseptal” from the requirement “to include two (2) experiences on the right side of a patient and two (2) experiences on the left side of a patient.” This is necessary because “intraseptal” is a specific type of nerve block, not a specific nerve. For clarity of the regulation, the Board proposes that the regulation focus on the type of nerve receiving anesthesia, rather than the type of injection.

Tenth, the omissions and deletions within the chart included within subdivision (b)(9)(A) reflect the above explanations and mirror the amended text.

Section 1107, subdivision (b)(9)(B)

The Board proposes to amend subdivision (b)(9)(B) to define and provide clarity to the period of time for the beginning of administration of nitrous oxide-oxygen analgesia to the end time required within the twenty minutes of nitrous oxide-oxygen analgesia.

Additionally, the 20-minute preclinical requirement for nitrous oxide-oxygen analgesia in the chart will be stricken, as the language within the chart is inconsistent with the regulatory language and was added in error. This change was brought to the attention of the Board by RDH educators and included within the updated language approved by the Board at the November 17, 2018 meeting.

Section 1107, subdivision (b)(10)

The Board proposes to delete “Certification in Administration of Local Anesthesia, Nitrous Oxide Oxygen Analgesia” (DHCC SLN 02 09/2013) and replace it with “Certification in Administration of Periodontal Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen Analgesia” (DHBC SLN-02 09/2019). This change is necessary to make the title of the certificate of completion consistent with the amendments to the title of the regulation, and subdivisions (a)(2) and (a)(5). It is also necessary to reflect the change from “Committee” to the “Board” in the abbreviation of the form.

Form DHBC SLN-02 09/2019, referenced in subdivision (b)(10), would be cumbersome, unduly expensive and otherwise impractical to publish in the CCR. The form will be available on the Board’s website and hardcopies will be available from the Board upon request.

Underlying Data:

- SB 1482
- Minutes: DHCC Education Subcommittee Meeting, November 16, 2018.
- Minutes: DHCC Full Board Meeting, November 17, 2018.

Business Impact:

This regulation will not have any significant adverse economic impact on businesses. This initial determination is based on the following facts:

The proposed amendments to the regulation are proposed for clarity with respect to the title of the Board, titles of the referenced forms, and the time required to for the administration of nitrous oxide-oxygen analgesia. The amendments will also resolve internal inconsistency with respect to the term “preclinical” and consistency with current local anesthesia language.

The proposed amendments to the forms incorporated by reference (SLN-01 (09-2019), SLN-02 (10-2019), and SLN-03 (9-2019)) incorporate the amendments proposed within the regulation for uniformity of information reported to the Board and do not require expenditure of additional effort to complete them.

Economic Impact Assessment:

This regulatory proposal will have the following effects:

- It would not create or eliminate jobs within the State of California. The amendments to the regulation are proposed for clarity with respect to the title of the Board, titles of the referenced forms, and the time required to for the administration of nitrous oxide-oxygen analgesia. The amendments will also resolve internal inconsistency with respect to the term “preclinical” and consistency with current local anesthesia language.
- It would not create, eliminate, or affect the expansion of businesses within the State of California. The amendments to the regulation are proposed for clarity with respect to the title of the Board, titles of the referenced forms, and the time required to for the administration of nitrous oxide-oxygen analgesia. The amendments will also resolve internal inconsistency with respect to the term “preclinical” and consistency with current local anesthesia language.
- It would increase worker safety as the amendments to the regulation will promote more uniform training of RDHs to increase safety of local anesthesia and nitrous oxide-oxygen analgesia usage.
- It would positively impact the health and welfare of California residents. The amendments to the regulation will promote more uniform training of RDH students and licensees to increase the safety of local anesthesia and nitrous oxide-oxygen analgesia usage.
- It would not affect the state’s environment because it does not involve environmental issues.

Specific Technologies or Equipment:

This regulation includes standard dental equipment available to the general dental industry and 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, certain aspects of the regulation are unclear and inconsistent with current local anesthesia language.
2. Adopt the regulation: The Board determined that this alternative is the most feasible because the regulation would clarify language regarding educational requirements on local anesthesia and nitrous oxide-oxygen analgesia and allow for more uniform training of RDHs to increase the safety of local anesthesia and nitrous oxide-oxygen analgesia usage.