



BOARD MEETING AGENDA

March 3-4, 2016

Humphreys Half Moon Inn & Suites
2303 Shelter Island Drive
San Diego, CA 92106
800-542-7400 (Hotel) or 916-263-2300 (Board Office)

Members of the Board

Steven Morrow, DDS, MS, President
Judith Forsythe, RDA, Vice President
Steven Afriat, Public Member, Secretary

Fran Burton, MSW, Public Member
Stephen Casagrande, DDS
Yvette Chappell-Ingram, Public Member
Katie Dawson, RDH
Luis Dominicis, DDS
Kathleen King, Public Member

Ross Lai, DDS
Huong Le, DDS, MA
Meredith McKenzie, Public Member
Thomas Stewart, DDS
Bruce Whitcher, DDS
Debra Woo, DDS

During this two-day meeting, the Dental Board of California will consider and may take action on any of the agenda items. It is anticipated that the items of business before the Board on the first day of this meeting will be fully completed on that date. However, should items not be completed, it is possible that it could be carried over and be heard beginning at 9:00 a.m. on the following day. Anyone wishing to be present when the Board takes action on any item on this agenda must be prepared to attend the two-day meeting in its entirety.

Public comments will be taken on agenda items at the time the specific item is raised. The Board may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. Time limitations for discussion and comment will be determined by the President. For verification of the meeting, call (916) 263-2300 or access the Board's website at www.dbc.ca.gov. This Board meeting is open to the public and is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Karen M. Fischer, MPA, Executive Officer, at 2005 Evergreen Street, Suite 1550, Sacramento, CA 95815, or by phone at (916) 263-2300. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

While the Board intends to webcast this meeting, it may not be possible to webcast the entire open meeting due to limitations on resources or technical difficulties that may arise.

Thursday, March 3, 2016

9:00 A.M. FULL BOARD MEETING – OPEN SESSION

1. Call to Order/Roll Call/Establishment of Quorum.

CLOSED SESSION – FULL BOARD

Deliberate and Take Action on Disciplinary Matters

The Board will meet in closed session as authorized by Government Code §11126(c)(3).

CLOSED SESSION – LICENSING, CERTIFICATION, AND PERMITS COMMITTEE

Issuance of New License(s) to Replace Cancelled License(s).

The Committee will meet in closed session as authorized by Government Code §11126(c)(2) to deliberate on applications for issuance of new license(s) to replace cancelled license(s).

RETURN TO OPEN SESSION – FULL BOARD

2. Licensing, Certification and Permits Committee Report on Closed Session
The Board may take action on recommendations regarding applications for issuance of new license(s) to replace cancelled license(s).
3. Approval of the December 3-4, 2015 Board Meeting Minutes.
4. President's Report.
5. Executive Officer's Report.
6. Report from the Dental Hygiene Committee of California.
7. Oral Health Program Advisory Committee Report.
8. Update on the Implementation of the BreZE Online Licensing and Enforcement System.

JOINT MEETING OF THE DENTAL BOARD AND DENTAL ASSISTING COUNCIL – SEE ATTACHED AGENDA

**The purpose of this joint meeting is to allow the Board and the Dental Assisting Council to interact with each other, ask questions and participate in discussions.*

RETURN TO FULL BOARD OPEN SESSION

COMMITTEE MEETINGS – SEE ATTACHED AGENDAS

- ENFORCEMENT COMMITTEE
See attached Enforcement Committee agenda
- LEGISLATIVE AND REGULATORY COMMITTEE

See attached Legislative and Regulatory Committee agenda.

RETURN TO OPEN SESSION – FULL BOARD

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Friday, March 4, 2016

8:00 A.M. OPEN SESSION – FULL BOARD

9. Call to Order/Roll Call/Establishment of Quorum.
10. Discussion and Possible Action to Initiate a Rulemaking to Amend California Code of Regulations, Title 16, Section 1049 Relating to Mobile and Portable Dental Unit Registration Requirements.
11. Report on the Little Hoover Commission Hearing on Occupational Licensing
12. Examinations:
 - A. Western Regional Examination Board (WREB) Update
 - B. Staff Update on Portfolio Pathway to Licensure
13. Licensing, Certifications and Permits:
 - A. Review of Dental Licensure and Permit Statistics
 - B. Request Received from Senator Jerry Hill Regarding Appointment of a Subcommittee to Investigate Whether California's Current Laws, Regulations, and Policies Relating to Pediatric Anesthesia Provide Sufficient Consumer Protection
14. Budget Report
15. Discussion and Possible Action to Initiate a Rulemaking to Amend California Code of Regulations, Title 16 Sections 1021 and 1022, Dentistry and Dental Assisting Licensing and Permitting Fee Increase.
16. Enforcement Committee Report
The Board may take action on any items listed on the attached Enforcement Committee agenda.
17. Legislative and Regulatory Committee Report
The Board may take action on any items listed on the attached Legislative and Regulatory Committee agenda.
18. Public Comment on Items Not on the Agenda.
The Board may not discuss or take action on any matter raised during the Public Comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting (Government Code §§ 11125 and 11125.7(a)).

19. Board Member Comments on Items Not on the Agenda.
The Board may not discuss or take action on any matter raised during the Board Member Comments section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting (Government Code §§ 11125 and 11125.7(a)).
20. Adjournment.



JOINT MEETING OF THE DENTAL BOARD AND DENTAL ASSISTING COUNCIL

Thursday, March 3, 2016

Upon Conclusion of Agenda Item 8

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2303 Shelter Island Drive

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Members of the Board

Steven Morrow, DDS, MS, President

*Judith Forsythe, RDA, Vice President (Also a Council member)

Steven Afriat, Public Member, Secretary

Fran Burton, MSW, Public Member

Stephen Casagrande, DDS

Yvette Chappell-Ingram, Public Member

Katie Dawson, RDH

Luis Dominicus, DDS

Kathleen King, Public Member

Ross Lai, DDS

Huong Le, DDS, MA

Meredith McKenzie, Public Member

Thomas Stewart, DDS

*Bruce Whitcher, DDS, (Also a Council member)

Debra Woo, DDS

Members of the Dental Assisting Council

Chair – Anne Contreras, RDA

Vice Chair – Emma Ramos, RDA

Pamela Davis-Washington, RDA

Teresa Lua, RDAEF

Tamara McNealy, RDA

Judith Forsythe, RDA

Bruce Whitcher, DDS

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JNT 1 - Call to Order/Roll Call/Establishment of Quorum

**The Board meeting is still in progress. Therefore, it is necessary to take roll call of the Dental Assisting Council members only, for the purpose of joining the Board meeting.*

**The Board may take action on any Council recommendations during this joint meeting.*

JNT 2 - Approval of the December 3, 2015 Joint Dental Board and Dental Assisting Council Meeting Minutes.

JNT 3 - Dental Assisting Staff Update.

JNT 4 - Update on Registered Dental Assistants (RDAs) and Registered Dental Assistants in Extended Functions (RDAEFs) Practical Examinations Statistics.

JNT 5 – Update on Registered Dental Assistants (RDAs) and Registered Dental Assistants in Extended Functions (RDAEFs) Licensing Statistics

JNT 6 – Staff Update on the Department of Consumer Affairs (DCA) Office of Professional Examination Services (OPES) Occupational Analysis of the Registered Dental Assistant (RDA) and Registered Dental Assistant in Extended Functions (RDAEF) Practical Examinations.

JNT 7 - Discussion and Possible Action Regarding Legislative Counsel’s Opinion, Dated February 10, 2016, Relating to the Registered Dental Assistant Practical Examination

JNT 8 – Update on Dental Assisting Council Regulatory Workshops.

JNT 9 – Update on Dental Assisting Council Recruitment.

JNT 10 - Public Comment on Items Not on the Agenda

The Board may not discuss or take action on any matter raised during the Public Comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting (Government Code §§ 11125 and 11125.7(a)).

JNT 11 - Adjourn Joint Meeting of the Dental Board and the Dental Assisting Council.



NOTICE OF ENFORCEMENT COMMITTEE MEETING

Thursday, March 3, 2016

Upon Conclusion of the Joint Meeting of the Dental Board and the Dental Assisting Council

Humphreys Half Moon Inn & Suites

2303 Shelter Island Drive

San Diego, CA 92106

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MEMBERS OF THE ENFORCEMENT COMMITTEE

Chair – Bruce Witcher, DDS

Vice Chair – Luis Dominicis, DDS

Steve Afriat, Public Member

Fran Burton, Public Member

Ross Lai, DDS

Thomas Stewart, DDS

Debra Woo, DDS, MA

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1. Call to Order/Roll Call/Establishment of Quorum.
2. Approval of the February 26, 2015 Enforcement Committee Meeting Minutes.
3. Enforcement – Statistics and Trends.
4. Review of First Quarter Performance Measures from the Department of Consumer Affairs.
5. Discussion and Possible Action Regarding a Recommendation for Appointment/Reappointment of Southern Diversion Evaluation Committee Members
6. Diversion Program Report and Statistics.

- Department of Consumer Affairs (DCA) Contract and Performance Audit of the DCA Diversion Program Provided by Maximus Health Services.

7. Update on Issuance of Public Reprimands.
8. Discussion and Possible Action Regarding the Need to Define “Filing” and “Discovery” in Regulations
9. Public Comment of Items Not on the Agenda
The Committee may not discuss or take action on any matter raised during the Public Comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting (Government Code §§ 11125 and 11125.7(a)).
10. Future Agenda Items
Stakeholders are encouraged to propose items for possible consideration by the Committee at a future meeting.
11. Committee Member Comments for Items Not on the Agenda
The Committee may not discuss or take action on any matter raised during the Committee Member Comments section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting (Government Code §§ 11125 and 11125.7(a)).
12. Adjournment



NOTICE OF LEGISLATIVE AND REGULATORY COMMITTEE MEETING

Thursday, March 3, 2016

Upon Conclusion of the Enforcement Committee Meeting

Humphreys Half Moon Inn & Suites

2303 Shelter Island Drive

San Diego, CA 92106

800-542-7400 (Hotel) or 916-263-2300 (Board Office)

MEMBERS OF THE LEGISLATIVE & REGULATORY COMMITTEE

Chair – Fran Burton, MSW, Public Member

Vice Chair – Kathleen King, Public Member

Katie Dawson, RDH

Huong Le, DDS, MA

Meredith McKenzie, Public Member

Bruce Whitcher, DDS

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1. Call to Order/Roll Call/Establishment of Quorum
2. Approval of the May 14, 2015 Legislative and Regulatory Committee Meeting Minutes
3. 2015 Tentative Legislative Calendar – Information Only
4. Discussion and Possible Action on the Following Legislation:
 - American Board of Dental Examiners (ADEX)
 - Dental Corp Loan Repayment Program

- Designated Two-Year Legislative Bills
 - AB 12 (Cooley) State Government: Administrative Regulations: Review
 - AB 648 (Low) Community Based Services: Virtual Dental Home Grant Program
 - SB 149 (Stone) Investigational Drugs, Biological Products or Devices: Right to Try
 - SB 482 (Lara) Controlled Substances: CURES database
- Newly Introduced Legislation
 - SB 1033 (Hill) Medical Board: Disclosure of Probationary Status
 - SB 1039 (Hill) Professions and Vocations
 - SB 1217 (Stone) Healing Arts: Reporting Requirements: Professional Liability
 - AB 2048 (Gray) National Health Service Corps State Loan Repayment Program
 - AB 2235 (Thurmond) Board of Dentistry: Pediatric Anesthesia: Committee
 - AB 2331 (Dababneh) Dentistry: Applicants to Practice

5. Update on Pending Regulatory Packages:

- Abandonment of Applications (Cal. Code of Regs., Title 16, Section 1004)
- Delegation of Authority to the Executive Officer (Cal. Code of Regs., Title 16, Section 1001)
- Dental Assisting Comprehensive Regulatory Proposal; (Cal. Code of Regs., Title 16, Division 10, Chapter 3)
- Elective Facial Cosmetic Surgery Permit Application and Renewal Requirements (New Regulation);
- Licensure By Credential Application Requirements (New Regulation);
- Continuing Education Requirements and Basic Life Support Equivalency Standards(Cal. Code of Regs., Title 16, Sections 1016 and 1017);

6. Discussion of Prospective Legislative Proposals:

Stakeholders Are Encouraged to Submit Proposals in Writing to the Board Before or During the Meeting for Possible Consideration by the Board at a Future Meeting

7. Public Comment of Items Not on the Agenda

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10. Adjournment