



Dental Hygiene Committee of California
Enforcement Subcommittee Meeting

Department of Consumer Affairs
2005 Evergreen Street
Sacramento, CA 95815

September 27, 2010

1. *Roll Call/Establishment of Quorum*

Members Present

Alex Calero, Chair
Miriam DeLaRoi, RDHAP
Cathy DiFrancesco, RDH

Staff Present

Lori Hubble, Executive Officer
Tom Jurach
Shirley Moody
Dennis Patzer

At 11:43 a.m., Mr. Calero called roll and established a quorum.

2. *Public Comment*

There was no public comment.

3. *Approval of Enforcement Subcommittee Minutes 4/30/2010*

M/s/c (DeLaRoi/DiFrancesco) to accept the minutes with the added date of April 30th. Motion passed unanimously. Mr. Calero would like to be addressed as Alex instead of Alexander.

4. *Chairperson's Report*

Mr. Calero reported two items. First is to notice the Enforcement Subcommittee that the enforcement statistics will be discussed in the Executive Officer Report during tomorrow's full committee meeting. He also informed the subcommittee of the status of SB 1111 which failed to pass out of committee, but explained that we may see some new legislation in the future.

5. *Proposed DHCC Uniform Standards Related to Substance Abuse and Disciplinary Guidelines*

It was m/s/c (DeLaRoi/DiFrancesco) to accept the proposed regulations for DHCC Uniform Standards Related to Substance Abuse and Disciplinary Guidelines. Mr. Calero and others came up with a list of small substantive changes. He stated that the non-substantive changes (punctuation, grammar, etc.) will be taken care of by staff and do not require time in the meeting to

discuss. M/s/c (DiFrancesco/DeLaRoi) to bring the modified document to the full committee for acceptance. Motion passed unanimously.

6. *Proposed Regulations for Cite and Fine*

Citations and Fines and associated verbiage were recommended and discussed by legal counsel based on best practices with other boards which have written their own cite and fine regulations. M/s/c (DiFrancesco/DeLaRoi) to accept the proposed regulations for Cite and Fine and any updates or revisions and recommend that the full committee approve this and begin the regulatory process. Motion passed unanimously.

7. *Report on Enforcement Improvement Plan*

Ms. Moody reported on reporting statistics tracked by DCA. Questions were posed regarding the meaning of the statistics and Ms. Moody explained the various acronyms used, their meaning, and value to the Department. This report monitors time frames and DCA uses this information to track the time taken to close cases.

Ms. Moody then reported on DHCC actions to support the Enforcement Improvement Plan. The DHCC Enforcement Improvement Plan includes the hiring of additional staff, creation of Desk Manuals for the Enforcement Staff, creation of the Disciplinary Guidelines, and the creation of a pool of Expert Witnesses to review the Quality of Care Cases.

8. *Proposed regulations to implement DCA recommendation to strengthen DHCC's enforcement program pursuant to Consumer Protection Initiative (CPEI)*

Ms. Hubble reported on recommendations to strengthen the DHCC enforcement process in the absence of SB 1111. DCA has recommended the creation of regulations in the following areas in SB 1111's absence:

1. Committee delegation to Executive Officer of approval for decisions on stipulated settlements to revoke or surrender a license.
2. Failure to provide information or cooperate in an investigation constitutes unprofessional conduct.
3. Failure to report an arrest, conviction, etc. constitute unprofessional conduct.
4. Denial of application for a registered sex offender.

M/s/c (DeLaRoi/DiFrancesco) to develop regulations with respect to the 4 items under ENF – 8 which includes the arrest language at which point after staff develops this language it will come back to subcommittee for review and we will revisit this topic, again. Motion passed unanimously.

9. *Future Agenda Items*

JoAnn Galliano would like to address peer review legislation for Dental Hygiene.

Meeting adjourned at 3:48 p.m.