

**State of California
Office of Administrative Law**

In re:
Dental Hygiene Committee of California

Regulatory Action:

Title 16, California Code of Regulations

Adopt sections: 1103, 1105, 1105.1, 1105.2,
1105.3, 1105.4, 1106

Amend sections:

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2016-0308-04

OAL Matter Type: Regular Resubmittal (SR)

In this resubmitted regulatory action, the Committee proposes to adopt various sections in Title 16 of the California Code of Regulations to establish educational program requirements for dental hygienists. It also describes the appeals process to contest the Committee's denial or withdrawal of its approval of a program and the process for changes to an existing approved program.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/20/2016.

Date: April 20, 2016



Thanh Huynh
Senior Attorney

For: Debra M. Cornez
Director

Original: Lori Hubble
Copy: Anthony Lum

RESUBMITTAL

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2014-0304-07	REGULATORY ACTION NUMBER 2016-0308-04SR	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

APR 20 2016
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OFFICE OF ADMINISTRATIVE LAW

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
Dental Hygiene Committee of California

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER 2014, 11-2	PUBLICATION DATE 3/11/2014

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Resubmittal of Educational Programs Regulation	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2015-0224-025
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SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 1103, 1105, 1105.1, 1105.2, 1105.3, 1105.4, and 1106
	AMEND
TITLE(S)	REPEAL

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input checked="" type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
May 22, 2015 through June 6, 2015; September 17, 2015 through October 3, 2015, and January 21, 2016 through February 4, 2016

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
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Other (Specify) **Director of the California Department of Consumer Affairs, Awet Kidane**

7. CONTACT PERSON Anthony Lum, Assistant Executive Officer	TELEPHONE NUMBER (916) 576-5004	FAX NUMBER (Optional) (916) 263-2688	E-MAIL ADDRESS (Optional) Anthony.Lum@dca.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

NATURE OF AGENCY HEAD OR DESIGNEE <i>Lori Hubble</i>	DATE 3-8-16
TYPED NAME AND TITLE OF SIGNATORY Lori Hubble, Executive Officer	

For use by Office of Administrative Law (OAL) only
ENDORSED APPROVED
APR 20 2016
Office of Administrative Law

FINAL REGULATION ORDER

Adopt new sections 1103, 1105, 1105.1, 1105.2, 1105.3, 1105.4, and 1106, Article 3, Division 11, title 16, California Code of Regulations to read as follows:

(Note: The entire text is new language to be added to the California Code of Regulations.)

Title 16. Professional and Vocational Regulations Division 11. Dental Hygiene Committee of California Article 3. Educational Programs

§ 1103. Definitions.

For purposes of this division, the term:

- (a) "Academic year" means a period of education consisting of a minimum of forty-five (45) quarter units, thirty (30) semester units, or a duration deemed equivalent thereto by the Committee.
- (b) "Analgesia" means a state of decreased sensibility to pain, such as that produced by using nitrous oxide and oxygen with or without local anesthesia.
- (c) "Approved accreditation standards" means for the purposes of this section those standards contained in the Commission on Dental Accreditation's "Accreditation Standards for Dental Hygiene Education Programs (as last revised February 6, 2015)" which is hereby incorporated by reference and referenced throughout this article.
- (d) "Clinical instruction" means instruction in which students receive supervised patient care experiences in performing procedures in a clinical setting to achieve safe and effective clinical outcomes. The instructor to student ratio shall meet approved accreditation standards, as referenced in subsection (c) of section 1103 of this article.
- (e) "Clinical practice" means the planned learning experiences designed for students to apply dental hygiene knowledge and skills to meet course objectives in a variety of Committee-approved clinical settings. Clinical practice may include learning experiences provided in various settings, including, but not limited to, dental hygiene skills labs, simulation labs, and computer labs, as well as health care agencies.
- (f) "Clinical setting" means a setting that accommodates patient care.
- (g) "Clinical outcome" is the result derived from a specific intervention or treatment.

- (h) "Competencies" means statements describing the abilities needed to practice dental hygiene, including skills, understanding, and professional values that are performed independently in realistic settings.
- (i) "Competent" means possessing the knowledge, skills and values required in the dental hygiene process of care to practice dental hygiene or provide instruction within a dental hygiene educational program.
- (j) "Curriculum" means an organized set of courses of learning which are prerequisite to the award of a degree or diploma.
- (k) "Dental hygiene process of care" means the application of scientific, evidence-based knowledge in the identification and treatment of actual or potential patient health problems as related to oral health.

The dental hygiene process of care includes:

- (1) Comprehensive collection of patient data to identify the physical and oral health status;
- (2) Analysis of assessment findings and use of critical thinking in order to address the patient's dental hygiene treatment needs;
- (3) Establishment of a dental hygiene care plan that reflects the realistic goals and treatment strategies to facilitate optimal oral health;
- (4) Provision of patient-centered treatment and evidence-based care in a manner minimizing risk and optimizing oral health;
- (5) Measurement of the extent to which goals identified in the dental hygiene care plan are achieved;
- (6) Complete and accurate recording of all documentation relevant to patient care.

These standards are located in the approved accreditation standards incorporated by referenced in section 1103(c) of this article.

- (l) "Didactic instruction" means instruction through lectures, seminars or demonstrations, as distinguished from clinical or laboratory instruction.
- (m) "Distance education" means education to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and instructor, either synchronously or asynchronously using one or more of the following technologies:
 - (1) the internet;
 - (2) one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite or wireless communication devices;
 - (3) audio conferencing;
 - (4) video cassettes, DVDs, and CD-ROMS, if the cassettes, DVDs or

CD-ROMS are used in a course in conjunction with any of the technologies listed in (l)(1-3).

- (n) "Educational program" means a progressive or planned system of training, instruction or study.
- (o) "Goal" means an intention or expectation that requires several tasks to produce the desired result.
- (p) "Graduate" means a dental hygiene student who has completed all required studies within a dental hygiene educational program and has obtained a degree.
- (q) "Homebound" means a person who is unable to receive care in a dental office or clinic due to a disabling physical or mental condition.
- (r) "Laboratory instruction" means instruction designed to perform procedures using instructional materials in which students receive supervised experience performing procedures. The instructor to student ratio shall meet approved accreditation standards referenced in subsection (c) of section 1103 of this article.
- (s) "Learning experience" means those activities planned for students by the faculty that are designed to meet the objectives of the required course of instruction, including the basic standards of competent performance.
- (t) "Learning outcomes" are statements that clearly state the expected knowledge, skills, values and competencies that students are expected to acquire in both didactic and clinical coursework.
- (u) "Local anesthesia" is the temporary loss of sensation, such as pain, in the oral cavity, produced by an injected anesthetic agent without inducing loss of consciousness.
- (v) "Mission" means an institution's stated educational reasons to exist. The mission shall have all of the following characteristics:
 - (1) It shall include the institution's goals concerning the education which students will receive, including the acquisition of the body of knowledge presented in the educational program, the development of intellectual, analytical, and critical abilities, and the fostering of values such as a commitment to pursue lifelong learning;
 - (2) It shall relate to the educational expectations of the institution's students and faculty and the community which the institution serves.
- (w) "Nitrous Oxide-Oxygen" is an inhalation agent used to achieve analgesia.

- (x) "Outcomes assessment" means an ongoing process aimed at improving student learning that includes a profile of measures evaluating the effectiveness of the program in meeting its goals and learning outcomes.
- (y) "Preclinical instruction" means instruction in which students receive supervised experience using instructional materials to prepare them for clinical experiences to achieve safe and effective clinical outcomes. The instructor to student ratio shall meet approved accreditation standards referenced in subsection (c) of section 1103 of this article.
- (z) "Quarter" means at least ten (10) weeks of instruction.
- (aa) "Quarter unit" means at least ten (10) hours of college or university level instruction during a quarter. Additional time outside of instruction may be required for a student to devote to preparation for planned learning experiences, such as preparation for instruction, study of course material, or completion of educational projects.
- (ab) "Remedial education" means education designed to achieve competency required for initial, continuation, or reinstatement of licensure, and may be required for purposes of discipline. Remedial Education is the act or process of correcting a deficiency and its intent is to restore skills to competency.
- (ac) "Semester" means at least fifteen (15) weeks of instruction.
- (ad) "Semester unit" means at least fifteen (15) hours of college or university level instruction during a semester. Additional time outside of instruction may be required for a student to devote to preparation for planned learning experiences, such as preparation for instruction, study of course material, or completion of educational projects.
- (ae) "Service learning" is a teaching and learning experience that combines community service with academic preparation. Students engaged in service learning learn about their roles as dental professionals through provision of patient care and related services in response to community-based problems.
- (af) "Sponsoring institution" means an institution of higher education approved or who has applied for approval for a dental hygiene educational program. If the sponsoring institution has more than one campus, the campus where the physical location of the educational program exists shall be deemed the sponsoring institution.
- (ag) "Staff" means professional, technical, and clerical employees of the institution to support its educational program.

- (ah) "Technology" means equipment, tools, and devices that are used to facilitate and support teaching and learning.
- (ai) "Wet laboratory" is a term used to distinguish classical benchtop experiments handling biological material from computer analysis or other theoretical work.

Note: Authority cited: Section 1905, Business and Professions Code. Reference: Sections 1905 and 1917, Business and Professions Code.

§1105. Requirements for RDH Educational Programs.

As of January 1, 2016, educational programs for registered dental hygienists shall comply with the requirements set forth below in order to secure and maintain approval by the Committee.

- (a) Administration and Organization. There shall be a written program mission statement that serves as a basis for curriculum structure. Such statement shall take into consideration the individual difference of students, including their cultural and ethnic background, learning styles, and support systems. It shall also take into consideration the concepts of dental hygiene, which must include the dental hygiene process of care, environment, health-illness continuum, and relevant knowledge from related disciplines.
- (b) Instruction.
 - (1) Instruction upon all levels shall be conducted upon the premise that dental hygiene education must meet the test of a true university discipline and shall include lectures, laboratory experiments and exercises and clinical practice under supervision by the faculty.
 - (2) For purposes of this section, the term "university discipline" is a level of instruction at least equivalent to that level of instruction represented by college courses in the basic sciences commonly offered or accepted in approved California dental schools.
 - (3) The length of instruction in the educational program shall include two academic years of fulltime instruction at the postsecondary college level or its equivalent, and a minimum of 1,600 clock hours.
 - (4) The instructor to student ratio shall meet approved Commission on Dental Accreditation standards referenced in subsection (c) of section 1103 of this article.
 - (5) Instruction involving procedures that require direct supervision shall be supervised by a faculty dentist who possesses an active California license or special permit with no disciplinary actions.
- (c) Standards of Competency. Each educational program shall establish and maintain standards of competency. Such standards shall be available to each student, and shall be used to measure periodic progress or achievement in the curriculum.

- (d) The policies and procedures by which the educational program is administered shall be in writing, shall reflect the mission and goals of the program, and shall be available to all students.
- (e) The educational program shall have a written plan for evaluation of all aspects of the program, including admission and selection policy and procedures, attrition and retention of students, curriculum management, patient care competencies, ethics and professionalism, critical thinking, and outcomes assessment, including means of student achievement. If the program has submitted a written plan to the Commission on Dental Accreditation, which includes each of the elements listed above, a copy of such plan may be submitted to the Committee to meet this requirement.
- (f) Admission.
- (1) The minimum basis for admission into an educational program shall be the successful completion of all of the following:
- (A) A high school diploma or the recognized equivalent, which will permit entrance to a college or university accredited by an agency recognized by the U.S. Department of Education or Council for Higher Education Accreditation; and,
- (B) College-level general education courses in the topic areas of:
- (i) Oral and Written Communication
 - (ii) Psychology
 - (iii) Sociology
 - (iv) Mathematics
 - (v) Cultural Diversity*
 - (vi) Nutrition*
- *This course is required prior to graduation, and may be waived as an admission requirement if included within the dental hygiene program curriculum.
- (C) College-level biomedical science courses, each of which must include a wet laboratory component, in:
- (i) Anatomy
 - (ii) Physiology
 - (iii) Chemistry
 - (iv) Biochemistry
 - (v) Microbiology
- (2) Admission of students shall be based on specific written criteria, procedures and policies. Previous academic performance and/or performance on standardized national tests of scholastic aptitude or other predictors of scholastic aptitude and

ability shall be utilized as criteria in selecting students who have the potential for successfully completing the educational program. Applicants must be informed of the criteria and procedures for selection, goals of the program, curricular content, course transferability and the scope of practice of and employment opportunities for dental hygienists.

- (g) The program shall have published student grievance policies.
- (h) There shall be an organizational chart that identifies the relationships, lines of authority and channels of communication within the educational program, between the program and other administrative segments of the sponsoring institution, and between the program, the institution and extramural facilities and service learning sites.
- (i) The educational program shall have learning resources, including faculty, library, staff and support services, technology and physical space and equipment, including laboratory and clinical facilities, to support the program's stated mission and goals and in accordance with approved accreditation standards referenced in subsection (c) of section 1103 of this article.
- (j) The educational program director shall have the primary responsibility for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program.
- (k) The number and distribution of faculty and staff shall be sufficient to meet the educational program's stated mission and goals.
- (l) When an individual not employed in the educational program participates in the instruction and supervision of students obtaining educational experience, his or her responsibilities shall be described in writing and kept on file by the dental hygiene program.
- (m) As of January 1, 2017, in a two-year college setting, graduates of the educational program shall be awarded an associate degree, and in a four-year college or university, graduates shall be awarded an associate or baccalaureate degree.

Note: Authority cited: Section 1905, Business and Professions Code. Reference: Sections 1905 and 1941, Business and Professions Code.

§ 1105.1. Faculty.

- (a) "Program Director" or "Interim Program Director" means a registered dental hygienist or dentist who has the authority and responsibility to administer the educational program in accordance with approved accreditation standards referenced in subsection (c) of section 1103 of this article. The educational program may have an Interim Program Director for a maximum of twelve (12) months. The director shall have a full-time appointment as defined by the institution, whose primary

responsibility is for the operation, supervision, evaluation and revision of the program. The program director shall meet the following minimum qualifications:

- (1) Possess an active, current dental or dental hygiene license issued by the Committee or the Dental Board of California (DBC), with no disciplinary actions;
 - (2) Possess a master's or higher degree from a college or university accredited by an agency recognized by the U.S. Department of Education or Council for Higher Education Accreditation;
 - (3) Documentation of two (2) years' experience teaching in pre- or post-licensure registered dental hygiene or dental programs. This requirement may be waived for an Interim Program Director; and
 - (4) Documentation of a minimum of 2,000 hours in direct patient care as a registered dental hygienist, or working with a registered dental hygienist.
- (b) "Program faculty" means an individual having a full-time or part-time agreement with the institution to instruct one or more of the courses in the educational program's curriculum. The individual shall hold a baccalaureate degree or higher from a college or university accredited by an agency recognized by the U.S. Department of Education or Council for Higher Education Accreditation, and possess the following:
- (1) An active California dental or dental hygiene license or special permit with no disciplinary actions; or
 - (2) A postsecondary credential generally recognized in the field of instruction; or
 - (3) A degree in the subject being taught or evaluated.
 - (4) All program faculty shall have documented background in educational methodology every two years, consistent with teaching assignments.
- (c) Clinical teaching faculty shall have direct patient care experience within the previous five (5) years in the dental hygiene area to which he or she is assigned, which can be met by either:
- (1) Two (2) years experience providing direct patient care as a registered dental hygienist or dentist; or
 - (2) One (1) academic year of dental or dental hygienist level clinical teaching experience.
- (d) Didactic teaching faculty shall possess the following minimum qualifications:

Current knowledge of the specific subjects taught, which can be met by either:

- (1) Having completed twelve (12) hours of continuing education in the designated subject area; or
- (2) Two (2) semester units or three (3) quarter units of dental hygiene education related to the designated dental hygiene area; or have national certification in the designated dental hygiene area.

(e) Faculty Responsibilities.

- (1) Each faculty member shall assume responsibility and accountability for instruction, evaluation of students, and planning and implementing curriculum content as required by the educational program.
- (2) Each faculty member shall participate in an orientation prior to teaching, including, but not limited to, the educational program's curriculum, policies and procedures, strategies for teaching, and student supervision and evaluation.
- (3) Each faculty member shall be competent in the area in which he or she teaches.

Note: Authority cited: Section 1905, Business and Professions Code. Reference: Sections 1905 and 1941, Business and Professions Code.

§ 1105.2. Required Curriculum.

- (a) The curriculum of an educational program shall meet the requirements of this section.
- (b) The curriculum shall include education in the dental hygiene process of care and shall define the competencies graduates are to possess at graduation, describing
 - (1) the desired combination of foundational knowledge, psychomotor skills, communication skills, and professional behaviors and values required,
 - (2) the standards used to measure the students' independent performance in each area, and
 - (3) the evaluation mechanisms by which competence is determined.
- (c) The organization of the curriculum shall create opportunities for adjustments to and research of, advances in the practice of dental hygiene to ensure that graduates will have the knowledge, skills, and abilities to function within the dental hygiene scope of practice.
- (d) The content of the curriculum shall include biomedical and dental sciences and dental hygiene sciences and practice. This content shall be of sufficient depth, scope, sequence of instruction, quality and emphasis to ensure achievement of the

educational program's standard of competency.

(1) Biomedical and Dental Sciences Content

- (A) Cariology
- (B) Dental Materials
- (C) General Pathology and/or Pathophysiology
- (D) Head, Neck and Oral Anatomy
- (E) Immunology
- (F) Oral Embryology and Histology
- (G) Oral Pathology
- (H) Pain management
- (I) Periodontology
- (J) Pharmacology
- (K) Radiography
- (L) Dental Anatomy and Morphology

(2) Dental Hygiene Sciences and Practice Content

- (A) Community Dental Health
- (B) Dental Hygiene Leadership
- (C) Evidence-based Decision Making and Evidence-based Practice
- (D) Health Informatics
- (E) Health Promotion
- (F) Infection and Hazard Control Management
- (G) Legal and Ethical Aspects of Dental Hygiene Practice
- (H) Medical and Dental Emergencies
- (I) Oral Health Education and Preventive Counseling
- (J) Patient Management
- (K) Preclinical and Clinical Dental Hygiene
- (L) Provision of Services for and Management of Patients with Special Needs
- (M) Research

(3) Approved educational programs shall, at a minimum, specifically include instruction in local anesthesia, nitrous oxide-oxygen analgesia and periodontal soft tissue curettage in accordance with the provisions of this subdivision.

(A) An educational program shall provide infection control equipment according to the requirements of California Code of Regulations, Title 16, Division 10, Chapter 1, Article 1, Section 1005.

(B) An educational program shall provide at least one complete nitrous oxide-oxygen unit for each six (6) students enrolled in the course and shall include a fail-safe flowmeter, functional scavenger system and disposable or sterilizable nasal hoods for each laboratory partner or patient. All tubing, hoses and reservoir bags shall be maintained and replaced at regular intervals to

prevent leakage of gases. When not attached to a nitrous oxide-oxygen unit, all gas cylinders shall be maintained in an upright position, secured with a chain or in a cart designed for storage of gas cylinders.

(C) An educational program shall comply with local, state, and federal health and safety laws and regulations.

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

(ii) All students shall have access to the program's clinic and radiation hazardous communication plan.

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

(D) General Curriculum Content. Areas of didactic, preclinical and clinical instruction shall include:

(i) Indications and contraindications for all patients of:

1. periodontal soft tissue curettage;
2. administration and reversal of local anesthetic agents;
3. nitrous oxide-oxygen analgesia agents

(ii) Head and neck anatomy;

(iii) Physical and psychological evaluation procedures;

(iv) Review of body systems related to course topics;

(v) Theory and psychological aspects of pain and anxiety control;

(vi) Selection of pain control modalities;

(vii) Pharmacological considerations such as action of anesthetics and vasoconstrictors, local anesthetic reversal agents and nitrous oxide-oxygen analgesia;

(viii) Recovery from and post-procedure evaluation of periodontal soft tissue curettage, local anesthesia and nitrous oxide/oxygen analgesia;

(ix) Complications and management of periodontal soft tissue curettage, local anesthesia and nitrous oxide-oxygen analgesia emergencies;

- (x) Armamentarium required and current technology available for local anesthesia, nitrous oxide-oxygen analgesia and periodontal soft tissue curettage;
- (xi) Techniques of administration of maxillary and mandibular local infiltrations, field blocks and nerve blocks, nitrous oxide-oxygen analgesia and performance of periodontal soft tissue curettage;
- (xii) Proper infection control procedures according to the provisions of Title 16, Division 10, Chapter 1, Article 4, section 1005 of the California Code of Regulations;
- (xiii) Patient documentation that meets the standard of care, including, but not limited to, computation of maximum recommended dosages for local anesthetics and the tidal volume, percentage and amount of the gases and duration of administration of nitrous oxide-oxygen analgesia;
- (xiv) Medical and legal considerations including patient consent, standard of care, and patient privacy.

(E) Specific Curriculum Content.

Curriculum relating to the administration of local anesthetic agents, administration of nitrous oxide-oxygen analgesia, and performance of periodontal soft tissue curettage shall meet the requirements contained in Title 16, Division 11, section 1107 of the California Code of Regulations,.

Out-of-state dental hygiene programs that are accredited by the Commission on Dental Accreditation or an approved accrediting body and who provide instruction according to this subdivision may be approved by the Committee to meet the requirements set forth in Business and Professions Code, section 1909.

Note: Authority cited: Section 1905 & 1909, Business and Professions Code. Reference: Sections 1905 and 1941, Business and Professions Code.

§ 1105.3. Changes to an Approved Program.

(a) Each dental hygiene program holding a certificate of approval shall:

(1) File its legal name and current mailing address with the Committee at its principal office and shall notify the Committee at said office of any change of name or mailing address within thirty (30) days prior to such change. It shall give both the old and the new name or address.

(2) Notify the Committee within ten (10) days of any:

- (A) Change in fiscal condition that will or may potentially adversely affect applicants or students enrolled in the dental hygiene program.
- (B) Change in the organizational structure, administrative responsibility, or accountability in the dental hygiene program, the institution of higher education in which the dental hygiene program is located or with which it is affiliated that will affect the dental hygiene program.
- (C) Programmatic increase or decrease in program enrollment of more than 10%.
- (D) Programmatic reduction in program faculty or support staff of more than 10%.

(b) An approved dental hygiene program shall not make a substantive change without prior Committee approval. These changes include:

- (1) Change in location, ownership or educational program expansion through an additional campus or distance education.
- (2) Expansion, reduction or elimination of the program's physical facilities.
- (3) Any changes that require a report to the Commission on Dental Accreditation or equivalent accrediting body shall require approval from the Committee.

Note: Authority cited: Section 1905, Business and Professions Code. Reference: Section 1905, Business and Professions Code.

§ 1105.4. Appeals Process.

- (a) The Committee may deny or withdraw its approval of an educational program. If the Committee denies or withdraws approval of a program, the reasons for withdrawal or denial will be provided in writing within ninety (90) days.
- (b) Any educational program 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 educational program shall be given at least ten days' notice of the time and place of such informal conference and the specific grounds for the proposed action.
- (c) The educational program may contest the denial or withdrawal of approval by either:
 - (1) Appearing at the informal conference. The Executive Officer shall notify the educational program of the final decision of the Executive Officer within ten days of the informal conference. Based on the outcome of the informal

conference, the program may then request a hearing to contest the Executive Officer's final decision. An educational program or program applicant shall request a hearing by written notice to the Committee within 30 calendar days of the postmark date of the letter of the Executive Officer's final decision after the 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;

- (2) Notifying the Committee in writing the program'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 Committee before the date of the informal conference.

Note: Authority cited: Section 1905, Business and Professions Code. Reference: Sections 1905 and 1941, Business and Professions Code.

§ 1106. Radiation Safety Certificate.

- (a) Certificates. A certificate may be issued by an approved California dental hygiene program to their dental hygiene student who successfully completes the radiation safety course as part of the student's curriculum. A dental hygiene student shall be deemed to have successfully completed the course if the student has met all the course requirements and has obtained passing scores on both written and clinical examinations that includes theory and clinical application in radiographic techniques.
- (b) A dental hygiene student who has received certification from an educational program approved the Committee shall be allowed to operate dental radiographic equipment for the purpose of oral radiography.

Note: Authority cited: Sections 1905 and 1950.5(m), Business and Professions Code. Reference: Section 1905, Business and Professions Code; and Section 106975, Health and Safety Code.