



## **LEGISLATIVE AND REGULATORY SUBCOMMITTEE MEETING MINUTES**

**Western University of Health Sciences  
College of Dental Medicine  
Community Based Dental Education Offices  
@The Village at Indian Hill  
1460 E. Holt Avenue, Suite 150  
Pomona, CA 91767  
Friday, May 2, 2014**

### **LEG 1 – Roll Call**

Susan Good, Chair of the Legislative and Regulatory Subcommittee, called the meeting to order with a roll call at: 2:44 p.m. With all four (4) subcommittee members present, a quorum was established.

#### Legislative and Regulatory Subcommittee members present:

Susan Good, Chair  
Michelle Hurlbutt, RDH Educator  
Noel Kelsch, RDHAP  
Nicolette Moultrie, RDH

### **LEG 2 – Public Comment for Items Not on the Agenda**

There was no public comment for items not on the agenda.

### **LEG 3 – Chairperson's Report**

Ms. Good informed the subcommittee members that this was her first meeting as chairperson and while she didn't have a report, she did want to summarize what subcommittee members would be hearing as they proceeded through the agenda items.

She noted that subcommittee members had the following seven pieces of legislation that staff had been tracking and were listed in Agenda Item 4.

### **LEG 4 – Discuss and Possible Action on the Following Legislation:**

#### a. Assembly Bill (AB) 318 (Logue) Dental Care: Telehealth

Donna Kantner reported that this bill failed to pass out of its house of origin and consequently was dead.

b. AB 1174 (Bocanegra/Loque) – Oral Health:Virtual Dental Homes

Ms. Kantner reported that this legislation is a 2-year bill that is in its second year. Lori Hubble reported that she had met with the author's office and that she understood new language would be added in June. Ms. Hubble said that she would like to hold a teleconference meeting when new language is introduced so that the DHCC could review its position on the bill.

Jenny Kattlove said that The Children's Partnership is a strong supporter of AB 1174 and has been working closely for the past 1 1/2 years with the author in shaping the language. She added that the new language should be available within the next two weeks and that the bill would be heard in the Senate Business, Professions and Economic Development Committee on June 2, 2014. She also noted that a final report has been issued by the University of the Pacific that was based on information from the Office of Statewide Health Planning and Development.

Ms. Kattlove concluded her comments asking subcommittee members that when they do review current and new language for this bill, they remember that it enables a system of care that will increase access to dental care for underserved children, seniors, and adults with developmental disabilities; populations that currently are not receiving the dental care they need.

JoAnn Galliano commented that the California Dental Hygiene Association is concerned with the current language contained in this bill as it affects the scope of practice for an RDH. She added that CDHA has been working with the author's office to ensure that amendments to this bill do not change the scope of practice for an RDH.

- **Motion: Michelle Hurlbutt moved that the Legislative and Regulatory Subcommittee recommend to the DHCC to maintain the current position of oppose unless amended on AB 1174 and direct DHCC staff to review new amendments and, if needed, to agendize a teleconference to review the amendments.**

**Nicolette Moultrie seconded the motion.**

**Vote: The motion passed 4-0.**

c. AB 1758 (Patterson) – Healing Arts: Initial License Fees: Proration

Ms. Kantner informed the subcommittee members that she needed to revise her recommendation, as she had been informed that the initial fee for a registered dental hygienist was a processing fee and not a licensing fee. Consequently, this bill would not impact the DHCC.

Ms. Galliano pointed out that as currently written, the legislation applies to the DHCC as it would amend existing DHCC statutes.

- **Motion: Michelle Hurlbutt moved to oppose this legislation.**

**Nicolete Moultrie seconded the motion.**

Fran Burton suggested that given the confusion caused by the amendments to existing DHCC statute, the DHCC staff should contact the author's office for clarification.

Ms. Galliano suggested that the subcommittee might want to take an oppose, unless amended position.

- **Motion: Susan Good amended the motion to an oppose, unless amended position and to direct staff to seek clarification from the author.**

**Nicolette Moultrie seconded the motion.**

**Vote: The amended motion passed 4-0 .**

d. AB 2058 (Wilk) – Open Meetings

Ms. Kantner reported that this bill would impact the DHCC's ability to create a two-member standing subcommittee which has a continuing subject matter jurisdiction, or a meeting schedule that is fixed by resolution, policy, bylaws or formal action of the DHCC. She noted that the DHCC currently has no such committees.

Ms. Good asked Ms. Kantner if the proposed law pertained to only standing committees and not ad-hoc committees. Ms. Kantner replied that this was her understanding.

Claire Yazigi agreed with Ms. Kantner and added that this legislation would pertain to the DHCC if it ever decided to establish a standing two-person committee. She commented that this legislation would impact the DHCC's flexibility.

- **Motion: Nicolette Moultrie moved to oppose this legislation.**

**Michelle Hurlbutt seconded the motion.**

Ms. Hurlbutt commented that she agrees with Ms. Yazigi that this legislation would negatively impact future committee activities.

Ms. Good commented that while the bill currently does not pertain to the DHCC, she thought that it was not in the public's nor the DHCC's best interest not to have public access and input.

Ms. Galliano commented that the legislation wasn't clear about what would constitute a standing committee. She expressed concern that the requirements of this legislation would actually be a hindrance to getting activities completed because of the time requirements contained within the bill.

Lori Hubble agreed noting that DHCC staff time in setting just the current meeting was substantial and that travel costs would also be impacted.

Ms. Good said that teleconferencing could address finding a meeting location and having input from the public might speed up the decision process when the matter came to the full DHCC.

**Vote: The motion passed 2-1 (Michelle Hurlbutt and Nicolette Moultrie voted for the motion, Susan Good voted to oppose the motion, Noel Kelsch voted to abstain).**

Ms. Galliano noted that as of today's meeting, the bill had been amended and she suggested that DHCC staff might review the amendments to determine if the intent or subject matter still affected the DHCC.

e. AB 2165 (Patterson) - Professions and Vocations: Licenses

Ms. Kantner reported that this legislation may be a result of the backlog of applications at the Board of Registered Nursing and would not affect the DHCC. The DHCC would not be affected because it completes the application review process within 45 days and offers examinations required for licensure more than the minimum 6 times per year required by this legislation.

Ms. Kantner said that she was concerned about one provision of this bill that would allow for examination without an application.

- **Motion: Michelle Hurlbutt moved to oppose, unless amended and to direct staff to seek clarification of the language contained on page 2 line 27 through page 3 line 2 with respect to how this pertains to how the DHCC processes its applications.**

**Noel Kelsch seconded the motion.**

**Vote: The motion passed 4-0.**

f. AB 2507 (Bocanegra) – Public Records Act: Exemptions: Pending Litigation

Ms. Kantner explained that this bill would provide that outside attorney billing records, when they are prepared in connection with a pending civil action in which a public agency is a defendant, are exempt from the California Public Records Act's disclosure provisions during litigation that is pending.

Ms. Yazigi explained that this legislation pertains to itemized billing from the Attorney General's office.

There was no recommendation nor action taken by subcommittee members.

g. SB 1245 (Lieu) – Dental Hygiene Committee of California

Ms. Kantner informed subcommittee members that this legislation would authorize extension of the DHCC operations until January 1, 2019.

- **Motion: Michelle Hurlbutt moved to support SB 1245.**

**Noel Kelsch seconded the motion.**

**Vote: The motion passed 4-0.**

h. Any Other Legislation of Interest to the Committee

AB 2396 (Bonta) Conviction: Expungement: Licenses – Ms. Yazigi explained that this legislation would prohibit all health care boards from denying a license based solely on a conviction that has been dismissed pursuant to expungement.

Ms. Yazigi said that this legislation would take away some of the DHCC's discretion with respect to licensing an individual who has a criminal conviction. Currently, the DHCC can review such an applicant's efforts at rehabilitation to prove their fitness for licensure. This legislation would take this ability away.

- **Motion: Nicolette Moultrie moved to direct DHCC staff to bring forth this legislation at tomorrow's meeting so that the full DHCC could discuss it.**

**Michelle Hurlbutt seconded the motion.**

**Vote: The motion passed 4-0 .**

SB 1091 (Galgiani) Administrative Procedures: California Regulatory Notice Register: Proposed Rulemaking Activities

After discussion, the DHCC determined that this bill would probably remain in suspense and die.

SB 850 (Block) Public Postsecondary Education: Community College Districts: Baccalaureate Degree Pilot Program

Ms. Moultrie said that she wanted to bring this bill to the DHCC's attention as one of the provisions of the legislation would be to create a pilot program that would allow a Community College District to pick one program that is a vocational program that currently allows graduates to obtain a license and permit that program to offer a baccalaureate degree instead of an associate of arts degree normally conferred to graduates of a community college.

Ms. Good said that DHCC staff will add this bill to the list of bills they are tracking.

**LEG 5 – Approval of the December 6, 2013 Legislative and Regulatory Subcommittee Meeting Minutes**

- **Motion: Nicolette Moultrie moved to recommend to the DHCC that the minutes from the December 6, 2013 Legislative and Regulatory Subcommittee Meeting minutes be approved.**

**Noel Kelsch seconded the motion.**

**Vote: The motion passed 4-0.**

**LEG 6 – Future Agenda Items**

Ms. Hurlbutt asked that the DHCC staff review statutes pertaining to dental hygiene and determine those that are expired and thus could be included in Omnibus legislation for removal from existing statutes.

**LEG 7 – Adjournment**

The Legislative and Regulatory Subcommittee meeting adjourned at: 4:09 p.m.