

State of California
DENTAL HYGIENE COMMITTEE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

Proposed Second 15-Day Modified Text
(§§ 1140, 1104.1, and 1104.2, tit. 16, Cal. Code Regs.)

[Note: The originally proposed regulatory text is indicated by plain type. The first 15-day modifications to the originally proposed text are indicated by ~~double-strikeout~~ for deleted text and double underline for added text. The proposed second 15-day modifications are shown in underline to indicate additions and ~~strike through~~ to indicate deletions and are shaded for ease of location.]

Adopt new sections 1104, 1104.1 and 1104.2, title 16, California Code of Regulations to read as follows:

§ 1104. Approval of New RDH Educational Programs and Continuation of Approval for Approved RDH Educational Programs.

(a) A new educational program shall obtain Committee approval prior to admission of students.

(b) The Committee shall review the approval of all approved educational programs in accordance with accreditation renewal standards set by the Commission on Dental Accreditation of the American Dental Association (CODA), or an equivalent accrediting body, as determined by the Committee. In the event that an equivalent body has not been established by the Committee, the standards shall be set by CODA.

(1) All educational programs accredited by CODA, or an equivalent accrediting body, as determined by the Committee, shall submit to the Committee after each accreditation site visit an electronic copy of the Self-Study Report in accordance with the requirements specified in CODA's "Self-Study Guide for the Evaluation of a Dental Hygiene Education Program" (As Last Revised: January 1, 2016), which is hereby incorporated by reference, and a copy of the final report of the findings within thirty (30) days of the final report issuance.

(2) If the educational program is granted the CODA's, or an equivalent accrediting body's, as determined by the Committee status of "Approval with Reporting Requirements", the program shall submit to the Committee copies of any and all correspondence received from or submitted to CODA, or an equivalent accrediting body, as determined by the Committee, until such time as the status of "Approval without Reporting Requirements" is granted.

(3) If the educational program is granted the CODA's, or an equivalent accrediting body's, as determined by the Committee status of "Approval with Reporting Requirements with Intent to Withdraw", the program shall notify the Committee within ten (10) days and the Committee shall withdraw approval until such time as the status of "Approval without Reporting Requirements" is granted. Students enrolled in a program

where approval has been withdrawn will not be considered graduates of an approved program and shall be ineligible for licensure. The program shall notify the students of the withdrawal of approval and the potential for ineligibility for licensure on the basis of not having graduated from an approved program. The program shall copy the Committee on the notification to students and any correspondence submitted to CODA, or an equivalent accrediting body, as determined by the Committee, regarding accreditation status.

(4) If the educational program is withdrawn from accredited status by CODA, or an equivalent accrediting body, as determined by the Committee, the program shall notify the Committee in writing of such status within 10 days and the Committee shall withdraw approval. The program shall submit copies of any and all correspondence received from or submitted to CODA, or an equivalent accrediting body, as determined by the Committee. Students enrolled in a program where accreditation has been withdrawn will not be considered graduates of an accredited program and shall be ineligible for licensure.

(5) Continuation of approval of all educational programs shall be contingent upon compliance with the requirements described in this Article. Written notification of continuation of approval shall be provided.

(c) All Committee-approved programs shall maintain current accreditation by CODA or an equivalent accrediting body, as determined by the Committee.

(d) All Committee-approved sponsoring and affiliated institutions shall maintain current institutional accreditation pursuant to Business and Professions Code section 1941(c) by an accrediting agency recognized by the United States Department of Education.

(e) A material misrepresentation of fact by a new educational program or an approved educational program in any information required to be submitted to the Committee is grounds for denial of approval or revocation of the program's approval.

Note: Authority cited: Sections 1905 and 1906, Business and Professions Code. Reference: Sections ~~425.9,~~ 1905 and 1941, Business and Professions Code.

§ 1104.1. Process for Approval of a New RDH Educational Program.

(a) A college or an institution of higher education applying for approval of a new educational program for registered dental hygienists shall comply with the requirements specified in the Committee's document entitled, "Instructions for Institutions Seeking Approval of a New RDH Educational Program", (EDP-I-01, Rev ~~04/14~~ 12/1415), ("Instructions"), which is hereby incorporated by reference, including:

(1) Notify the Committee in writing of its intent to offer a new educational program that complies with Committee requirements;

(2) Submit a feasibility study in accordance with the requirements specified in the "Instructions" for approval as referenced in Business and Professions Code section 1941(b);

(3) The Committee shall review the feasibility study and approve or deny approval of the study as specified in the "Instructions".

(b) After approval of the feasibility study by the Committee, and at least twelve (12) months prior to the proposed date for enrollment of students, the educational program shall submit ~~the~~ CODA's or an equivalent accrediting body's required documents to the Committee in accordance with the requirements specified in the "Instructions".

(c) The required documents shall be reviewed by the Committee and site visit shall be scheduled in accordance with the requirements specified in the "Instructions".

(d) The Committee may approve, provisionally approve, or deny approval of the educational program in accordance with the requirements specified in the "Instructions".

(e) The educational program shall notify the Committee in writing of any substantive or major change in information contained in the required approval documents within 10 days of such change. A substantive or major change is one that affects the original submission, where without the submission of the new information the request for approval for a new educational program would be false, misleading, or incomplete.

Note: Authority cited: Section 1905 and 1906, Business and Professions Code. Reference: Sections 1905, ~~and 1941,~~ and 1944(a)(10), Business and Professions Code.

§ 1104.2. Appeals Process for New RDH Programs.

(a) Any new educational program whose approval is denied may request an informal conference before the Executive Officer or his or her designee. The program shall be given at least ten days notice of the time and place of such informal conference.

(b) The education program may contest the denial 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 educational program may then request a hearing to contest the Executive Officer's final decision. An educational program 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 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 educational program 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: Sections 1905 and 1906, Business and Professions Code. Reference: Sections 1905 and 1941, Business and Professions Code.