



Saturday, May 2, 2015

Dental Hygiene Committee of California

Enforcement Subcommittee

Agenda



Notice is hereby given that a public meeting of the Enforcement Subcommittee of the Dental Hygiene Committee of California will be held as follows:

ENFORCEMENT SUBCOMMITTEE MEETING

Saturday, May 2, 2015
Embassy Suites Anaheim-Orange
400 N. State College Blvd.
Orange, CA 92868
(714) 938-1111

Enforcement Subcommittee Members:

Garry Shay, Public Member, Chair
Nicolette Moultrie, RDHAP
Timothy Martinez, DMD
Evangeline Ward, RDH

Upon conclusion of Licensing and Examination Subcommittee

Agenda

ENF 1 – Roll Call

ENF 2 – Public Comment for Items Not on the Agenda

ENF 3 – Chairperson's Report

ENF 4 – Approval of the December 5, 2014 Enforcement Subcommittee Meeting Minutes

ENF 5 – Enforcement Statistics – Informational Only

ENF 6 – Update on the Department of Consumer Affairs' Enforcement Performance Measures – Informational Only

ENF 7 – Future Agenda Items

ENF 8 – Adjournment

A quorum of the Committee may be present at the subcommittee meeting. However, Committee members who are not on the subcommittee may observe, but may not participate or vote. Public comments will be taken on agenda items at the time the specific item is raised. The subcommittee 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, for convenience, and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-1978 or access the Committee's Web Site at www.dhcc.ca.gov.

The meeting facilities are accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Anthony Lum at (916) 576-5004 or e-mail anthony.lum@dca.ca.gov or send a written request to DHCC at 2005 Evergreen Street, Ste. 2050, Sacramento, CA 95815. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.



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Agenda Item 1

Roll Call:

Establishment of a Quorum



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Agenda Item 2

Public Comment for Items Not on the Agenda



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Agenda Item 3

Chairperson's Report:

A verbal report will be given



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Agenda Item 4

Approval of the December 5, 2014 Enforcement
Subcommittee Meeting Minutes



DRAFT – ENFORCEMENT SUBCOMMITTEE MEETING MINUTES

**Evergreen Hearing Room
2005 Evergreen Street, 1st Floor
Sacramento, CA 95815
Friday, December 5, 2014**

ENF 1 – Roll Call

Chair Garry Shay of the Enforcement Subcommittee, called the meeting to order at 12:30 p.m. with roll call and established a quorum with all subcommittee members, Evangeline Ward and Timothy Martinez, present.

ENF 2 – Public Comment for Items Not on the Agenda

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

ENF 3 – Chairperson’s Report

There was no chairperson’s report for this subcommittee meeting.

ENF 4 – Enforcement Statistics

Nancy Gaytan, the DHCC Enforcement Analyst, presented enforcement statistics for the year in the areas of Complaints, Allegations, Enforcement Actions, and Probation. She noted an increase in the number of citations issued due to implementation of regulations last year authorizing citations.

M/S/P (Martinez/Ward) to accept the report.

ENF 5 – Department of Consumer Affairs (DCA) Performance Measures

Ms. Gaytan provided Performance Measures gathered by DCA to help boards, bureaus, and committees review progress toward meeting their enforcement goals and targets. Chair Shay noted that all of the categories are well within the target times.

M/S/ P (Ward/Martinez) to accept the report.

ENF 6 – Approval of the December 6, 2013 Enforcement Subcommittee Meeting Minutes

As a quorum was not established for the May 2013 subcommittee meeting, the December 6, 2013 subcommittee meeting minutes were not approved.

M/S/P (Martinez/Shay) to approve the minutes as presented.

ENF 7 – Approval of the May 2, 2014 Enforcement Subcommittee Meeting Minutes

M/S/P(Ward/Shay) to approve the minutes as presented.

ENF 8 – Future Agenda Items

No future agenda items were suggested.

ENF 9 – Adjournment

The Enforcement Subcommittee meeting adjourned at 12:49 p.m.



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Agenda Item 5

Enforcement Statistics – Informational Only



MEMORANDUM

DATE	May 2, 2015
TO	Enforcement Committee Dental Hygiene Committee of California
FROM	Nancy Gaytan, Enforcement Analyst
SUBJECT	ENF 5 – Enforcement Statistics

Attached please find the Enforcement Statistics for the period from December 2014 to March 2015.

Complaints/Convictions/Arrests Received: The total number received was 59

Pending Cases: 8

Allegation Types: The attached summary provides a breakdown of the open and closed cases by the type of allegation. Again, the majority of our cases were drug and alcohol related.

Citations Issued: 31

Enforcement Actions: The total number of cases referred to the Attorney General's Office was 6. The total number of filed cases is: 7 accusations and 1 Statement of Issues.

Probation: The total number of probationers is 25; 5 of which are currently on a tolling status.

DHCC ENFORCEMENT STATISTICS

(December 2014 - March 2015)

Investigations	Dec-14	Jan-15	Feb-15	Mar-15	Total
Complaints					
Received	5	4	13	4	26
Pending	5	0	1	1	1

	Dec-14	Jan-15	Feb-15	Mar-15	Total
Convictions/Arrest Reports					
Received	4	9	7	13	33
Pending	15	13	14	7	7

Allegations	Dec-14	Jan-15	Feb-15	Mar-15	Total
Assault / Battery	0	1	1	1	3
Drug / Alcohol Related Offenses	4	5	4	11	24
Excessive Treatment	0	1	2	0	3
Failure to Notify Address Change	5	2	9	4	20
Patient Abandonment	0	0	1	0	1
Theft	0	3	2	1	6
Unlicensed Practice	0	0	1	0	1
Working Beyond Scope of License	0	1	0	0	1

Citations	Dec-14	Jan-15	Feb-15	Mar-15	Total
Issued	3	9	7	12	31
Dismissed	0	0	0	0	0

Enforcement Actions	Dec-14	Jan-15	Feb-15	Mar-15	Total
Cases Referred to AG	4	1	0	1	6
Accusations Filed	1	0	3	3	7
Statement of Issues Filed	1	0	0	0	1
Decisions / Stipulations Adopted	1	0	3	1	5

Probation	Dec-14	Jan-15	Feb-15	Mar-15	Total
Initial Probationary Licenses					
Issued	1	0	0	0	1

Probationers	Total
Active	20
Tolling	5



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Agenda Item 6

Update on the Department of Consumer Affairs'
Enforcement Performance Measures – Informational Only



MEMORANDUM

DATE	May 2, 2015
TO	Enforcement Committee Dental Hygiene Committee of California
FROM	Nancy Gaytan Enforcement Analyst
SUBJECT	ENF 6: Q2 Performance Measures (October – December 2014)

Performance Measures was established by the Department in order for each Board, Bureau or Committee to review its progress toward meeting its enforcement goals and targets. Data is collected quarterly and reported on the Department’s website.

Volume: 48 Total (23 Consumer complaints, 25 Conviction reports)
 Number of complaints and convictions received per quarter

Cycle Time:

- Intake – Target: 30 Days** **Q1 Average: 21 Days**
 Average cycle time from complaint receipt, to the date the complaint was acknowledged and assigned for processing.
- Intake & Investigation – Target: 270 Days** **Q1 Average: 58 Days**
 Average time from complaint receipt to closure of the investigation process (does not include cases sent to the Attorney General (AG) or other forms of formal discipline).
- Formal Discipline – Target: 540 Days** **Q1 Average: 110 Days**
 Average number of days to complete the entire enforcement process for cases resulting in formal discipline (includes intake and investigation by the Committee and prosecution by the AG).
- Probation Intake – Target: 10 Days** **Q1 Average: 4**
 Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer;

Probation Intake measures the time between when the probation monitor is assigned the case file and the date they meet with their assigned probationer to review monitoring terms and conditions. In some cases, probation monitoring may not take place until an applicant has completed all their licensing requirements.

- Probation Violation Response – Target: 10 Days** **Q3 Average: 0**
 Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action. **None to report**



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Agenda Item 7

Future Agenda Items



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Agenda Item 8

Adjournment