



ENFORCEMENT SUBCOMMITTEE MEETING MINUTES

Saturday, December 3, 2016
2005 Evergreen Street, 1st Floor
1st Floor Hearing Room
Sacramento, CA 95815

ENFORCEMENT SUBCOMMITTEE MEMBERS PRESENT

Garry Shay, Public Member, Chair
Evangeline Ward, RDH
Noel Kelsch, RDHAP (temporary member)

ENFORCEMENT SUBCOMMITTEE MEMBERS ABSENT

Timothy Martinez, DMD
Edcelyn Pujol, Public Member

ENF 1 Roll Call/Establishment of Quorum

Noel Kelsch, president of the Dental Hygiene Committee of California, appointed herself as a temporary member of the Enforcement Subcommittee to serve in the absence of excused members so that a quorum could be established. Garry Shay, chair of the Enforcement Subcommittee, called the meeting to order at 1:03 p.m. Chair Shay took roll call and a quorum was established with three subcommittee members present. Edcelyn Pujol and Timothy Martinez had been excused.

ENF 2 Public Comment for Items Not on the Agenda

Chair Shay asked if any subcommittee member or member of the public would like to comment on any item not on the agenda. There were no comments.

ENF 3 Approval of the May 6, 2016 Enforcement Subcommittee Meeting Minutes

Motion: Noel Kelsch moved to accept the May 6, 2016 Enforcement Subcommittee meeting minutes.

Second: Garry Shay.

Chair Shay asked if any member of the public would like to comment. There were no comments.

Vote: The motion to accept the May 6, 2016 Enforcement Subcommittee meeting minutes passed 3-0.

Name	Vote:		Other
	Aye	Nay	
Garry Shay	X		
Noel Kelsch	X		
Evangeline Ward	X		
Timothy Martinez			Absent
Edcelyn Pujol			Absent

ENF 4 Enforcement Statistics

Nancy Gaytan presented a summary of the DHCC's enforcement statistics since the May 2016 meeting.

Noel Kelsch noted that over the past several years there has been a steady increase in the number of complaints for unprofessional conduct and she asked what is causing the increase. Evangeline Ward suggested it may be due to implementation of a rule requiring that a sign be posted in dental offices notifying patients how to file a complaint.

Motion: Garry Shay moved to receive and file the enforcement statistics report.

Second: Noel Kelsch.

Chair Shay asked if any member of the public would like to comment.

Ms. Kelsch requested that in the future the statistics should be broken down by type of complaint so that the DHCC could determine what is driving complaints, especially in the area of unprofessional conduct. She noted that if the DHCC knew what the problems were, there may be some action the DHCC could implement to support solutions.

There were no further comments.

Vote: The motion to receive and file the enforcement statistics report passed 3-0.

Name	Vote:		Other
	Aye	Nay	
Garry Shay	X		
Noel Kelsch	X		
Evangeline Ward	X		
Edcelyn Pujol			Absent
Timothy Martinez			Absent

ENF 5 Update on the Department of Consumer Affairs' Enforcement Measures

Ms. Gaytan stated that DHCC staff has reduced average processing times for both intake and investigation. These increases in efficiency exceeded the improvement targets set by the Department of Consumer Affairs. However, deficiencies persist in the area of formal discipline. Ms. Gaytan explained that for this process, DHCC staff must rely on the Attorney General's (AG's) office to prepare pleadings and statements of issues. Turnaround time from the AG is outside the control of DHCC staff.

Ms. Kelsch expressed her appreciation of improved processing timelines. She noted that better enforcement processes are keeping consumers safer.

Motion: Evangeline Ward moved to receive and file the enforcement performance measures report.

Second: Noel Kelsch.

Chair Shay asked if any member of the public would like to comment. There were no further comments.

Vote: The motion to receive and file the enforcement performance measures report passed 3-0.

Name	Vote:		Other
	Aye	Nay	
Garry Shay	X		
Noel Kelsch	X		
Evangeline Ward	X		
Edcelyn Pujol			Absent
Timothy Martinez			Absent

ENF 6 Future Agenda Items

Chair Shay asked if any member of the public would like to propose a future agenda item. There were no comments.

ENF 7 Adjournment

Motion: Noel Kelsch moved to adjourn.

Second: Nicolette Moultrie.

Vote: The motion to adjourn passed 3-0.

Name	Vote:		Other
	Aye	Nay	
Garry Shay	X		
Noel Kelsch	X		
Evangeline Ward	X		
Timothy Martinez			Absent
Edcelyn Pujol			Absent

The Enforcement Subcommittee adjourned at 1:15 p.m.