

DENTAL HYGIENE COMMITTEE OF CALIFORNIA

Proposed Language

(1) Adopt Sections ~~1106-1131~~ and ~~1107-1132~~ of Division 11 of Title 16 of the California Code of Regulations, to read as follows:

Article 2.7 General Rules Regarding Fingerprint Requirement for Renewal of License

Section 11061131. Response to Committee Inquiry.

If the committee or its designee asks a licensee to provide criminal history information, a licensee shall respond to that request within 30 days. The licensee shall make available all documents and other records requested and shall respond with accurate information.

NOTE: Authority cited: Section 1906, Business and Professions Code. Reference: Sections 1916, 1950 Business and Professions Code, and Section 11105 Penal Code

11071132. Fingerprint and Disclosure Requirements for Renewal of License.

(a) As a condition of renewal for a license that expires on or after (~~INSERT DATE~~ April 1, 2011) a licensee who was initially licensed prior to January 1, 1994, or for whom an electronic record of the submission of fingerprints no longer exists, shall furnish to the Department of Justice a full set of **electronic** fingerprints for the purpose of conducting a criminal history record check and to undergo a state and federal level criminal offender record information search conducted through the Department of Justice.

(1) The licensee shall pay any costs for furnishing the fingerprints and conducting the searches.

(2) As a condition of renewal, a licensee shall certify whether his or her fingerprints have been furnished to the Department of Justice in compliance with this section.

(3) This requirement is waived if the licensee is actively serving in the military outside the country.

(4) A licensee shall retain, for at least three years from the renewal date, either a receipt showing the electronic transmission of his or her fingerprints to the Department of Justice or a receipt evidencing that the licensee's fingerprints were taken.

(b) As a condition of renewal, a licensee shall disclose whether, in the prior renewal cycle, he or she has been convicted of any violation of the law in this or any other state, the United States, or other country, omitting traffic infractions under ~~\$300~~ **\$1000** not involving alcohol, dangerous drugs, or controlled substances. In addition, a licensee shall disclose any disciplinary actions against any other license he or she may hold.

(c) Failure to comply with the requirements of this section renders any renewal incomplete and the license will not be renewed until the licensee demonstrates compliance with all requirements.

~~(d) Failure to furnish a full set of fingerprints to the Department of Justice as required by this section on or before the date required for renewal of a license is grounds for discipline by the Board Committee.~~

NOTE: Authority cited: Section 1906, Business and Professions Code. Reference: Sections 1916, 1950 Business and Professions Code, and Section 11105 Penal Code.