

Dental Hygiene Committee of California
FINAL STATEMENT OF REASONS

Hearing Date: September 12, 2012

Subject Matter of Proposed Regulations: Fingerprinting Requirements

Section(s) Affected: Title 16, Division 11, California Code of Regulations, Section 1132.

Updated Information:

The Initial Statement of Reasons is included in the file. The information contained therein is updated as follows:

At its April 16, 2012 meeting, the Dental Hygiene Committee of California (Committee) approved proposed regulatory language relative to fingerprinting requirements and directed staff to take all steps necessary to initiate the formal rulemaking process, including noticing the proposed language for 45-day public comment, setting the proposed language for a public hearing, and authorized the Executive Officer to make any non-substantive changes to the rulemaking package. If after the close of the 45-day public comment period and public regulatory hearing, no adverse comments are received, the Executive Officer was further authorized to make any non-substantive changes to the proposed regulations before completing the rulemaking process and adopt the proposed additions to California Code of Regulations, Title 16, Section 1132 as noticed in the proposed text. The proposed text was noticed on the Committee's web site and mailed to interested parties on July 20, 2012. The 45-day public comment period began on July 20, 2012 and ended on September 12, 2012. The Committee held a regulatory hearing on September 12, 2012 in Sacramento, California. The Committee did not receive any comments in response to the proposed regulation.

Updated Specific Purpose of Each Adoption or Amendment:

The Committee's proposed changes are updated as follows:

Changes made during the 45-day public comment period and hearing: None

Local Mandate

A mandate is not imposed on local agencies or school districts.

Small Business Impact:

This action will not have a significant adverse economic impact on small businesses. If one half of affected dental hygienists used the services of one of the 750 businesses, some of which are small businesses, that provide fingerprinting services to California dental hygiene license applicants and licensees, the one-time fee paid to each business would amount to approximately \$165 per vendor ($1770 \times \70 (\$32 DOJ + \$17 FBI + \$21 rolling fee = \$70) = \$123,900 \div 750 = \$165.20).

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the committee would be more effective in carrying out the

purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulation or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Objections or Recommendations/Responses:

The following recommendations were made regarding the proposed action:

45-day Notice:

No Comments were received during the 45 day Notice period.