



**EDUCATION SUBCOMMITTEE MEETING MINUTES**

**Saturday, December 3, 2016**  
**2005 Evergreen Street, 1<sup>st</sup> Floor**  
**1<sup>st</sup> Floor Hearing Room**  
**Sacramento, CA 95815**

**EDUCATION SUBCOMMITTEE MEMBERS PRESENT**

**Michelle Hurlbutt, RDH Educator, Chair**  
**Susan Good, Public Member**  
**Sandra Klein, Public Member**  
**Timothy Martinez, DMD**

**EDUCATION SUBCOMMITTEE MEMBERS ABSENT**

**Timothy Martinez, DMD**

**EDU 1 Roll Call/Establishment of Quorum**

Michelle Hurlbutt, chair of the Education Subcommittee, called the meeting to order at 1:16 p.m. Chair Hurlbutt took roll call and a quorum was established with three subcommittee members present. Timothy Martinez was absent and excused.

**EDU 2 Public Comment for Items Not on the Agenda**

Chair Hurlbutt 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.

**EDU 3 Chairperson's Report**

There was no Chairperson's report for this meeting.

**EDU 4 Discussion and Possible Action to Seek Legislation for Probationary Status & Disciplinary Actions Regarding Non-Compliant Dental Hygiene Education Programs: Recommendation to the Full Committee**

Estelle Champlain reported that the DHCC is responsible for approving or denying approval of all dental hygiene education programs in California, yet at this time, there is no intermediary option available for the DHCC to pursue when a program is out of compliance but the aberration is minor and correctable. This is a problem with far-reaching impact because if a program's approval were to be withdrawn, the students of that program would be negatively affected and could not obtain a California RDH license. For these reasons, staff suggests that the subcommittee recommend to the full committee that the DHCC seek legislation and regulations to enact a progressive discipline program whereby the DHCC can, in instances of less egregious violations of regulations, utilize citations, fines, or a probationary status in order to bring a noncompliant program into compliance without having to resort to withdrawing the programs's approval. Withdrawal of a program's approval would still exist as an option, but that option would be reserved for violations that are the most serious, such as violations that pose an immediate threat to consumer safety.

Chair Hurlbutt asked if any subcommittee member or member of the public would like to comment on this topic. There were no comments.

Motion: Susan Good moved to recommend to the full committee to direct staff to seek legislation and regulations to create a framework that would allow the DHCC to cite and fine dental hygiene education programs for minor violations or place a program on probationary status for more serious violations, while retaining the option of denying/withdrawing approval of a dental hygiene program that has committed the most egregious violations.

Second: Sandra Klein.

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

Public Comment: Vickie Kimbrough stated that regardless of whether a progressive disciplinary program comes into effect there is a need for better communication going both ways between the DHCC and dental hygiene education programs. She suggested that program directors at the dental hygiene schools would benefit from being included in a discussion about possible implementation of a progressive discipline program.

Chair Hurlbutt replied that every one of the DHCCs education regulations was brought to the program directors at meetings before being implemented. This regulation would be no different. The DHCC will continue to attend meetings, such as the upcoming January 2017 California Dental Hygienists' Association (CDHA) meeting.

Public Comment: Lygia Jolley noted that the rulemaking process is lengthy and she asked what will happen in the meantime as the DHCC pursues and enacts

legislation and regulations to create intermediary measures. She asked whether California’s dental hygiene education programs will only face two possible outcomes from DHCC: approval or disapproval. Chair Hurlbutt answered that since the current law only allows those two options, until the law can be changed, the DHCC must abide by those two options.

Ms. Pruden explained that since this is not a matter that can be changed by regulatory action alone, it will be necessary to pass this change by means of a bill being approved by the state legislature.

Anthony Lum added that the DHCC does offer noncompliant dental hygiene programs with an opportunity to comply. However, if the program does not comply, then the DHCC must withdraw approval of that program.

Chair Hurlbutt noted that the DHCC does not act without complaint. The DHCC does not go out to seek noncompliance; instead the DHCC investigates and takes action on complaints that are received.

Vote: The motion to recommend to the full committee to direct staff to seek legislation and regulations to create a framework that would allow the DHCC to cite and fine dental hygiene education programs for minor violations, place a program on probationary status for more serious violations, while retaining the option of denying/withdrawing approval of a dental hygiene program that has committed the most egregious violations passed 3-0. Timothy Martinez was absent and excused.

| Name              | Vote: |     | Other  |
|-------------------|-------|-----|--------|
|                   | Aye   | Nay |        |
| Michelle Hurlbutt | X     |     |        |
| Susan Good        | X     |     |        |
| Sandra Klein      | X     |     |        |
| Timothy Martinez  |       |     | Absent |

Ms. Champlain asked the subcommittee if they would like to appoint, or ask the full committee to appoint, up to two people to work with staff on this issue so that staff can understand what the DHCC intends regarding delicate and nuanced aspects of this proposal.

Chair Hurlbutt asked for a motion to recommend to the full committee to appoint up to two members to work with staff on this educational issue.

Motion: Sandra Klein moved to recommend to the full committee to appoint up to two members to work with staff on this education issue.

Second: Susan Good.

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

The motion to recommend to the full committee to appoint up to two members to work with staff on this education issue passed 3-0. Timothy Martinez was absent and excused.

| Name              | Vote: |     | Other  |
|-------------------|-------|-----|--------|
|                   | Aye   | Nay |        |
| Michelle Hurlbutt | X     |     |        |
| Susan Good        | X     |     |        |
| Sandra Klein      | X     |     |        |
| Timothy Martinez  |       |     | Absent |

## **EDU 5 Update on Task Force on Alternative Pathways to Licensure**

Chair Hurlbutt stated that the Task Force on Alternative Pathways to Licensure had been tabled in lieu of staff needing to focus on implementing BreEZe. She noted that there is still interest in this subject and the DHCC plans to address it as soon as possible.

Chair Hurlbutt asked if any subcommittee member or member of the public would like to comment on this issue. There were no comments.

## **EDU 6 Future Agenda Items**

Chair Hurlbutt asked if any member of the public would like to propose a future agenda item.

Public Comment: JoAnn Galliano recommended that the education subcommittee evaluate select western states' curriculum to see if there exists sufficient likeness to California's soft tissue curettage, local anesthesia, and nitrous oxygen-oxide curriculum. She noted that Arizona accepts California's training in anesthesia. Ms. Galliano requested that the subcommittee consider evaluating an out-of-state applicant based on whether the DHCC found the *curriculum* under which that applicant had been trained to be satisfactory. Using the curriculum as a standard of competency evaluation would be a different option from using a test administered to the applicant as a standard of competency evaluation.

There were no other comments.

## EDU 7 Adjournment

Motion: Susan Good moved to adjourn.

Second: Sandra Klein.

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

Vote: The motion to adjourn passed 3-0.

| Name              | Vote: |     | Other  |
|-------------------|-------|-----|--------|
|                   | Aye   | Nay |        |
| Michelle Hurlbutt | X     |     |        |
| Susan Good        | X     |     |        |
| Sandra Klein      | X     |     |        |
| Timothy Martinez  |       |     | Absent |

The Enforcement Subcommittee adjourned at 1:34 p.m.