



## **DENTAL HYGIENE COMMITTEE MEETING MINUTES**

**Saturday, December 17, 2016**  
**Teleconference Meeting Locations:**

**Noel Kelsch, President, RDHAP**  
DHCC Headquarters Building  
2005 Evergreen St., 1<sup>st</sup> Floor Hearing Room  
Sacramento, CA 95815

**Susan Good, Vice President, Public Member**  
Catalano-Fenske & Associates  
Conference Room  
1999 Tuolumne, Ste. 801  
Fresno, CA 93721

**Michelle Hurlbutt, RDH Educator**  
Wild Horse Pass Hotel and Casino Library  
5040 Wild Horse Pass Blvd.  
Chandler, AZ 85226

**Sandra Klein, Public Member**  
Congregation B'nai Israel  
2111 Bryan Ave.  
Tustin, CA 92782

**Nicolette Moultrie, RDH**  
**Edcelyn Pujol, Public Member**  
Diablo Valley College  
Dental Clinic Reception Area  
321 Golf Club Rd.  
Pleasant Hill, CA 94523

### **FULL 1 Roll Call/Establishment of Quorum**

Noel Kelsch, President of the Dental Hygiene Committee of California (DHCC), called the DHCC meeting to order at 9:00 a.m. Anthony Lum took roll call and a quorum was established with six DHCC members present. President Kelsch explained that Timothy Martinez, Garry Shay, and Evangeline Ward were excused.

DHCC Members Participating:

Noel Kelsch, President, Registered Dental Hygienist in Alternative Practice (RDHAP)

Susan Good, Vice President, Public Member

Michelle Hurlbutt, RDH Educator

Sandra Klein, Public Member

Nicolette Moultrie, RDH

Edcelyn Pujol, Public Member

DHCC Member Excused:

Timothy Martinez, Doctor of Dental Medicine (DMD)

Garry Shay, Public Member

Evangeline Ward, Secretary, Registered Dental Hygienist (RDH)

DHCC and DCA Staff Participating:

Lori Hubble, Executive Officer (EO)

Anthony Lum, Assistant EO

Estelle Champlain, Legislative and Regulatory Analyst

Kelsey Pruden, Department of Consumer Affairs (DCA) Legal Counsel for the DHCC

Ricardo DeLaCruz, DCA Human Resources Chief

Public Participating:

Julie Coan, President, California Dental Hygienists' Association (CDHA), RDH

JoAnn Galliano, Education Consultant, CDHA, RDH

Vickie Kimbrough, Executive Administrator, CDHA, RDH

Mary McCune, Regulatory Analyst/Advocate, California Dental Association (CDA)

Susan McLearn, CDHA, RDHAP

Janet Schlechter, Chabot College

Judy Yamamoto, President, California Dental Hygiene Educator's Association (CHDEA), RDH

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

President Kelsch asked if anyone from the public would like to make a comment regarding anything not on the agenda.

Public Comment: Judy Yamamoto requested that the DHCC explain why the DHCC has a dentist on staff sending notices to dental hygiene education programs. Ms. Yamamoto stated that she understood the intent of forming the DHCC to stem from a desire for hygienists to have a self-regulating body, therefore it seemed inappropriate to have a dentist in a leadership position.

President Kelsch replied that although the meeting rules do not allow for back and forth discussion on this topic at the present time, she encouraged Ms. Yamamoto to provide more details about what sort of inquiries or notices she is referencing.

Public Comment: Vickie Kimbrough asked that the DHCC describe to the public how the Western Regional Board Examination (WREB) reports to the DHCC concerning results of its exams including incidences that occur at the exam sites during exams.

There were no more public comments.

### **FULL 3 Approval of the August 20, 2016 & September 24, 2016 Meeting Minutes**

Motion: Nicolette Moultrie moved to accept the August 20, 2016 meeting minutes.

Second: Edcelyn Pujol.

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

Vote: The motion to accept the August 20, 2016 meeting minutes did not pass because there was not a quorum for this vote. The matter will be taken up at a future meeting.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt			Abstain
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein			Abstain
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

Motion: Nicolette Moultrie moved to accept the September 24, 2016 meeting minutes.

Second: Edcelyn Pujol.

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

Vote: The motion to accept the September 24, 2016 meeting minutes passed 5-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt			Abstain
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

#### **FULL 4 President's Report**

President Kelsch stated that it had been a privilege and an honor to represent the DHCC during discussions with Denti-Cal regarding the role and practice of a registered dental hygienist in alternative practice (RDHAP). She reported that she had attended meetings with the Dental Board of California (DBC) pertaining to the upcoming retirement of the DHCC's executive officer (EO) and to learn how the DBC went about recruiting and hiring their EO. President Kelsch thanked Lori Hubble for her work as the DHCC's first EO.

President Kelsch asked if any DHCC member or member of the public would like to comment. There were no comments.

#### **FULL 5 Budget Report.**

Anthony Lum stated that, pending unforeseen circumstances, the 2014 fee increase would secure the DHCC's fund through fiscal year 2017/2018. DHCC's expenditures were on target for the year's projections.

Mr. Lum reported that he had submitted paperwork to purchase a vehicle for the DHCC's newly hired special investigator. The vehicle would be used for travel in the course of conducting investigations.

President Kelsch asked if any DHCC member or member of the public would like to comment. There were no comments.

## **FULL 6 Status Report, Withdrawal of Approval: Concorde Career College - Garden Grove**

Mr. Lum summarized events leading to the DHCC's vote to withdraw approval of the dental hygiene program at Concorde Career College-Garden Grove (CCC-GG). He also provided an update on developments since the vote which led to the EO reversing the decision to withdraw approval.

Mr. Lum explained that the DHCC conducted a site visit to CCC-GG in June 2016 to investigate complaints received from students and faculty alleging, among other things, unsafe infection control procedures. During this site visit, the DHCC observed several deficiencies, including inadequate infection control procedures. As a result, the DHCC sent CCC-GG a letter stating the deficiencies and measures required to show that the deficiencies were corrected. He stated that when CCC-GG sent a response, the DHCC found it was insufficient to demonstrate that the deficiencies were corrected. The DHCC conducted a follow-up site visit in August 2016 to ascertain first-hand whether the infection control deficiencies were corrected; they were not.

He continued that the DHCC held a meeting on August 24, 2016 to discuss consumer protection in regard to CCC-GG. At that meeting, the DHCC voted to withdraw approval of the dental hygiene program at CCC-GG. From the date of the vote, the DHCC was allowed 90 days to issue a formal letter of intent to withdraw approval with a detailed listing of each deficiency. The letter was sent on November 14, 2016.

He stated that the November 14, 2016 letter explained to CCC-GG that the DHCC would conduct an informal conference with CCC-GG so that CCC-GG would have a final chance to present evidence to the DHCC showing that they had corrected the deficiencies.

He indicated that the informal conference took place on December 5, 2016. CCC-GG presented a convincing case of having corrected their deficiencies. The DHCC conducted a third site visit on December 10, 2016 to verify that the deficiencies were corrected. Because almost every deficient condition was corrected, DHCC's EO reversed the decision to withdraw approval. Concorde Career College-Garden Grove thus has the DHCC's approval to train dental hygienists in California.

President Kelsch asked for more information on the outstanding deficiency. Mr. Lum stated that the only remaining deficiency was that CCC-GG's biological sciences courses did not conform with university-level standards. Since CCC-GG showed that they are actively taking steps to correct the problem, DHCC allowed CCC-GG until June 2017 to comply.

Nicolette Moultrie stated that one of the original complaints was that there was not a program director available to perform necessary functions when needed because the role was being filled on a part-time basis by the dean. She asked if the dean at CCC-GG was still standing in as program director, or if a permanent program director had been hired. Mr. Lum explained that the person who had previously served as interim program director was now assigned as a full-time program director.

President Kelsch stated that she was concerned since one of the problems identified at CCC-GG was that there was a cohort whose qualifications had not been properly vetted. She asked for an update on what was being done. JoAnn Galliano, who had served as an education consultant for the DHCC during the investigations, stated that CCC-GG eventually provided full access to the students' records. After a thorough examination, the DHCC staff determined that the enrolled students did meet the minimum qualifications for admission to the program.

Ms. Moultrie asked for an update on what had been done to hire a qualified person to oversee infection control. Ms. Galliano stated that CCC-GG hired a registered dental assistant (RDA) to oversee infection control and that this person would work on site while the clinic was in session.

President Kelsch directed the following question to the DHCC subject matter experts who took part in the investigations: "Do you feel that the consumer is safe in this environment now?"

Ms. Galliano, "Yes, we were very impressed with the changes in the infection control and the RDA who is hired in that particular position seemed very cognizant of the rules and very cognizant of what had to be done to maintain acceptance and to protect the consumer."

President Kelsch thanked everyone who had been involved in the process. She asked if there were any public comments.

Public Comment: Judy Yamamoto asked for an explanation on the criteria the DHCC uses to hire education consultants. She stated that she would like to know what makes those consultants qualified as experts in infection control procedures. She added that she has a special interest in the credentials of the dentist on staff and suggested that this dentist should be replaced by a hygienist since the DHCC is a hygienist's committee.

President Kelsch thanked Ms. Yamamoto for her comment and advised her that the hiring process is not on the current agenda. She noted that this particular concern had already been added to suggestions for future agenda items and invited Ms. Yamamoto to ask any on-point question that she may have.

There were no further comments.

## FULL 7 Consideration & Adoption of Strategic Plan

Motion: Nicolette Moultrie moved to adopt the Strategic Plan.

Second: Sandra Klein.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

Vote: The motion to adopt the Strategic Plan passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

## FULL 8 Legislative & Regulatory Subcommittee Report

Susan Good stated that the Legislative & Regulatory Subcommittee met on December 3, 2016 and received a status report on legislative bills of interest, reviewed the DCA's new rulemaking process, and discussed and revised proposed regulatory language and forms for a retired category of licensure.

Ms. Good stated that the Legislative & Regulatory Subcommittee recommends that the DHCC approve the draft regulatory language and forms for retired licensure.

Ms. Good asked if there were any questions from DHCC members or from the public. There were none.

Motion: Nicolette Moultrie moved to approve the proposed regulatory language and forms, direct staff to make any necessary nonsubstantive changes to the rulemaking file, notice the document and the proposed changes for a 45-day comment period, and delegate the appropriate authority to the EO, and should no

adverse comments be received, to adopt the changes and make nonsubstantive changes necessary to complete the rulemaking file.

Second: Noel Kelsch.

Ms. Good asked if any member of the DHCC or of the public would like to comment. There were no comments.

Vote: The motion to approve the proposed regulatory language and forms, direct staff to make any necessary nonsubstantive changes to the rulemaking file, notice the document and the proposed changes for a 45-day comment period, and delegate the appropriate authority to the EO, and should no adverse comments be received, to adopt the changes and make nonsubstantive changes necessary to complete the rulemaking file passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

## FULL 9 Licensing & Examination Subcommittee Report

Ms. Moultrie reported that when the Licensing & Examination Subcommittee met on December 3, 2016, they accepted meeting minutes from May 6, 2016, reviewed the written examination and licensure statistics, and discussed review of out-of-state education in soft tissue curettage, nitrous oxide and oxygen, and administration of local anesthetics.

Motion: Ms. Moultrie stated that the Licensing & Examination Subcommittee recommends that the DHCC table reviewing out-of-state education in soft tissue curettage, nitrous oxide and oxygen, and administration of local anesthesia.

Michelle Hurlbutt stated her opposition to tabling the discussion. She expressed that she felt it was time to investigate further to see if there was a way the DHCC could follow the example of some other states, such as Arizona, that had found a way to evaluate other states' education in this area.

President Kelsch stated that she considered it an important issue and would like to address it at some time in 2017.

Ms. Moultrie explained that the Licensing & Examination Subcommittee made the recommendation to table the item for several reasons, among them was that no member of the public came forward during the meeting to offer testimony on how this regulation affected him or her, yet the Subcommittee did hear testimony from two continuing education providers, both of whom stated that the level of knowledge and skill demonstrated by out-of-state students, who had already achieved certification in other states, indicated a grave disparity between California's and other states' standards of instruction.

Ms. Good reminded the DHCC that it is improper to engage in a discussion on the merits of the substance of an issue which is pending motion to table until at least after a vote has been recorded on that motion. She suggested moving forward with the vote.

Ms. Hurlbutt requested that legal counsel clarify what was allowed. Ms. Pruden answered that since a motion to table had been made, the proper course would be to vote on that motion. She clarified that tabling an item meant that the item could be discussed at a later time if the DHCC should choose to place the item on a future agenda.

Ms. Hurlbutt stated that she was confused as to why members, who were not allowed to participate in the discussion at the subcommittee's meeting, would be denied the ability to discuss the topic at present. Ms. Pruden replied that all DHCC members could engage in the limited discussion as to whether to table the item, but they could not discuss the details of the item itself at the present time.

President Kelsch directed the DHCC to proceed with the vote.

Vote: The motion to table reviewing out-of-state education in soft tissue curettage, nitrous oxide and oxygen, and administration of local anesthesia failed 4-2.

Name	Vote:		Other
	Aye	Nay	
Susan Good		X	
Michelle Hurlbutt		X	
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

Motion: Susan Good moved to not take any further action on this topic at the present time.

Second: Noel Kelsch.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments from members of the public.

Ms. Hurlbutt stated that she opposed not taking action. She stated that she would like the DHCC to take action on this item in 2017. Ms. Good stated that the motion was only to not take action at this time, not to prevent action in 2017.

Ms. Moultrie added that she was concerned that there were not sufficient staff resources at the present to begin an evaluation of out-of-state education while also working on other more pressing matters that the DHCC had identified.

President Kelsch agreed that although this issue was important, the staff resources available would be better utilized addressing other issues at the present time.

Public Comment: JoAnn Galliano reminded the DHCC that soft tissue curettage, nitrous oxide and oxygen, and local anesthesia courses in California were in short supply. She voiced her support for directing staff to begin research on how to evaluate other states' training.

Vote: The motion not to take any further action on this topic at the present time passed 5-1.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt		X	
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

## FULL 10 Enforcement Subcommittee Report

President Kelsch reported that the Enforcement Subcommittee met and approved the May 6, 2016 Enforcement Subcommittee meeting minutes,

received reports on enforcement statistics and performance measures, and that there were no future agenda items proposed. The Enforcement Subcommittee suggested that the DHCC accept their report.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

## FULL 11 Education Subcommittee Report

Michelle Hurlbutt reported that the Education Subcommittee met, there were no public comments for items not on the agenda, and there was not a chairperson's report. There was discussion on possible action to seek legislation for probationary status and disciplinary actions regarding noncompliant dental hygiene education programs and the subcommittee recommends to the DHCC to seek legislation and regulations to create a framework of progressive disciplinary options that would allow the DHCC to do the following:

- cite and fine for minor violations of standing regulations,
- place a program on probationary status for more serious violations, and
- retain the option of withdrawing approval of programs that commit the most egregious violations.

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

Vote: The motion to seek legislation and regulations to create a framework of progressive disciplinary options that would allow the DHCC to do the following:

- cite and fine for minor violations of standing regulations,
- place a program on probationary status for more serious violations, and
- retain the option of withdrawing approval of programs that commit the most egregious violations.

The motion passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

## FULL 12 Executive Officer Recruitment & Selection Process

Department of Consumer Affairs (DCA) Chief of Human Resources (HR), Ricardo DeLaCruz, presented the DCA's guidelines for the EO selection process:

- The DHCC could create a selection committee to work with DCA HR through the hiring process. If the selection committee contained more than two members it would be necessary to post public notice ten days prior to any correspondence among members.
- Either the selection committee or the DHCC could create the job advertisement.
- Either the selection committee or the DHCC could create the list of desirable qualifications.
- DCA HR would be responsible for receiving, tracking, and screening all applications.
- The list of desirable qualifications is the document DCA HR would use to screen each applicant.
- DCA HR would conduct reference checks on all candidates who meet the screening criteria and forward the results to the DHCC.
- Either the selection committee or the DHCC could conduct interviews. The DHCC must decide if there will be more than one round of interviews.

Mr. DeLaCruz provided an executive salary schedule and hiring manual for the public and the DHCC. He stated that once a duty statement was created, it too, would need to be made available to the public.

Public Comment: Ms. Moultrie stated that a member of the public at her teleconference site asked how the public could access a copy of the minimum qualifications. Mr. DeLaCruz answered that the minimum qualifications would be made available as part of the job advertisement itself.

Mr. DeLaCruz stated that the DHCC had the option of appointing either an interim EO or an acting EO. He explained the difference between the two was that an interim EO would be temporarily appointed to the EO classification and would receive pay in the EO range, while an acting EO would maintain at whatever classification and pay that individual already held. Additionally, an interim EO did not have to be a DHCC staff member, while an acting EO did have to be a DHCC staff member.

President Kelsch stated that she would appoint herself and Michelle Hurlbutt to a two-person selection committee.

Ms. Moutrie suggested that one member of the Selection Committee should be a public member to increase perspective and transparency.

Ms. Good stated that she would prefer there be three members. She acknowledged that having a three-member selection committee would mean having to post public notice every time the selection committee met. She stated that transparency is important and worth the extra effort. She also stated that she agreed with Ms. Moutrie that a public member should be on the selection committee.

President Kelsch agreed that transparency is of high value. She stated that she was concerned about scheduling issues that would likely ensue if three or more members had to coordinate and post public notice every time a decision was needed.

Ms. Hurlbutt asked if there was a time limit on completing the hiring process. Mr. DeLaCruz answered that there was not.

President Kelsch asked the DHCC to continue to discuss the issue so that she could gain a better understanding regarding members' preferences and reasoning before she made her final decision on the composition of the selection committee.

Sandra Klein suggested that if a two-person selection committee were to complete most of the groundwork yet be required to present major decisions to the DHCC, this may resolve both timing and transparency issues.

Ms. Good and Ms. Pujol stated that they agreed with Ms. Moultrie that there should be a public member on the selection committee. Ms. Hurlbutt stated that she would be happy either way. Ms. Klein stated two RDH's would be fine.

President Kelsch formed a two-person selection committee comprised of herself (RDHAP) and Sandra Klein (public member).

Ms. Good asked for clarification from legal counsel on how the DHCC's policy could be changed so that a committee president would not have absolute authority to appoint a subcommittee. Ms. Pruden replied that any change to DHCC's procedures which had been previously approved as part of the DHCC Member's Guidelines would have to be amended and voted upon.

Ms. Hurlbutt stated that she would like the Selection Committee to be required to present the selection criteria to the DHCC for a vote prior to implementing the selection criteria.

Motion: Susan Good moved that the Selection Committee have authority over all aspects of the job advertisement - including determining the length of the job advertisement and the venue of the advertisement. The Selection Committee would also conduct the initial round of interviews. All other items would come to the DHCC.

Second: Nicolette Moultrie.

President Kelsch asked if any member of the DHCC or of the public would like to comment.

Ms. Hurlbutt requested clarification. She stated that she understood the motion would have the Selection Committee create the job description and the duty statement, but those items would come to the DHCC for approval by vote. All aspects of job advertising would be at the discretion of the Selection Committee. Initial interviews would be conducted by the Selection Committee. She asked if this was an accurate view of the motion.

Ms. Good replied that this was correct.

Ms. Hurlbutt suggested a modification to the motion to include that only the top three candidates would come before the DHCC.

Ms. Pruden advised that only the moving member could modify the motion.

Ms. Good expressed her concern that a key person could be left out.

Ms. Hurlbutt suggested the DHCC review all applications yet only see the top three.

Ms. Good accepted the amendment to bring only the top three candidates to the DHCC as long as the DHCC would be presented all applications for review and the DHCC would have to opportunity to substitute a candidate from the top three with a qualified applicant from the screened list so long as there was a majority vote from the DHCC to do so.

Susan Good presented her amended motion:

- The Selection Committee has initial review authority of the job description.
- The Selection Committee has initial review authority of the duty statement.
- The Selection Committee has authority over all aspects of the job advertisement. The Selection Committee will conduct the initial round of interviews.
- The Selection Committee will determine the top three candidates.
- The DHCC will approve or refuse to approve the job description by vote.
- The DHCC will approve or refuse to approve the duty statement by vote.
- The DHCC will be given all applications to review.

- The DHCC will have the opportunity to substitute a candidate from the top three with a candidate from the qualified applicants, but a majority vote of the DHCC would be required.
- The DHCC will interview the top three candidates.
- The DHCC will make all final-stage approvals except those pertaining to the job advertisement.

Second: Nicolette Moultrie.

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

Vote: The motion that:

- The Selection Committee has initial review authority of the job description.
- The Selection Committee has initial review authority of the duty statement.
- The Selection Committee has authority over all aspects of the job advertisement. The Selection Committee will conduct the initial round of interviews.
- The Selection Committee will determine the top three candidates.
- The DHCC will approve or refuse to approve the job description by vote.
- The DHCC will approve or refuse to approve the duty statement by vote.
- The DHCC will be given all applications to review.
- The DHCC will have the opportunity to substitute a candidate from the top three with a candidate from the qualified applicants, but a majority vote of the DHCC would be required.
- The DHCC will interview the top three candidates.
- The DHCC will make all final-stage approvals except those pertaining to the job advertisement.

The motion passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

President Kelsch stated that the DHCC would meet in closed session to complete the discussion. She asked if any member of the public would like to

make a comment before adjourning for closed session. There were no comments.

The DHCC adjourned to closed session.

### FULL 13 Closed Session

After meeting in closed session, the DHCC resumed the public meeting.

President Kelsch announced that the DHCC would like Anthony Lum to serve as interim EO. She asked Mr. Lum if he was willing to accept the position. Mr. Lum accepted the position.

President Kelsch stated that the DHCC recommends to DCA HR that Mr. Lum be compensated a 5% pay increase while serving as interim EO.

### FULL 14 Election of Officers

Motion: Nicolette Moultrie moved to keep the current officers: Noel Kelsch, President; Susan Good, Vice President; and Evangeline Ward, Secretary.

Second: Michelle Hurlbutt.

Ms. Pruden asked if any member of the DHCC or of the public would like to comment. There were no comments.

Vote: The motion to keep the current officers: Noel Kelsch, President; Susan Good, Vice President; and Evangeline Ward, Secretary passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

## **FULL 15 Proposed 2017 Meeting Dates & Locations**

President Kelsch reported the DHCC meeting dates and locations for 2017. She stated the summer meeting would be near Anaheim on Saturday, May 6, 2017 and Sunday, May 7, 2017. She noted that this is the same weekend as the California Dental Hygienists' Association's (CDHA's) meeting in Anaheim, therefore members and the public will be able to more easily attend both meetings. She stated that the winter meeting will take place in Sacramento on Friday, November 17, 2017 and Saturday, November 18, 2017.

Ms. Good said the meeting in Anaheim would require her to drive five hours each way. Additionally, she had a prior engagement on Sunday, May 7, 2017. She requested that the DHCC consider meeting on Friday, May 5, 2017 and Saturday, May 6, 2017 so that she would have the opportunity to participate and still drive back to her city of residence in time to fulfill her previous commitment.

Ms. Hubble suggested offering the option for Ms. Good to teleconference in to attend. She added that rescheduling for Friday would overlap with the CDHA meeting. Ms. Good replied that offering the teleconference option would make her attendance on Saturday easier but she regretted that she would not be able to attend on Sunday due to her previous commitment.

Ms. Moultrie asked if other members would have the option of attending via teleconference as well. President Kelsch noted that it would only be fair to extend the same option to all members, yet she emphasized that the public would benefit the most if as many members could meet in person as possible since personal meetings are more effective.

Motion: Noel Kelsch moved to hold DHCC's May meetings for 2017 on Saturday, May 6, 2017 and Sunday, May 7, 2017 in or near Anaheim, California with the option for attendance via teleconference. The DHCC would also hold meetings Friday, November 17, 2017 and Saturday, November 18, 2017 in Sacramento, California.

Second: Susan Good.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

Vote: The motion to hold DHCC's May meetings for 2017 on Saturday, May 6, 2017 and Sunday, May 7, 2017 in or near Anaheim, California with the option for attendance via teleconference and for the DHCC to also hold meetings Friday, November 17, 2017 and Saturday, November 18, 2017 in Sacramento, California passed 6-0.

Name	Vote:		Other
	Aye	Nay	
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			Absent
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay			Absent
Evangeline Ward			Absent

### **FULL 16 Information Regarding Health Professional Shortage Area Designations**

Estelle Champlain explained that Health Profession Shortage Areas (HPSAs) within California are federally funded by the U.S. Department of Health and Human Services. Every four years, California must report to the federal government regarding the status of HPSAs in California and nominate new sites for the designation. This cycle is soon to be set at three, instead of four-year intervals. The Office of Statewide Health Planning and Development's Shortage Designation Program is California's focal point for HPSAs.

Ms. Champlain provided an overview of the criteria used to determine whether an area may qualify for HPSA designation. She noted that HPSA designation impacts the DHCC because it affects access to dental care generally and more specifically, it affects the feasibility of RDHAPs ability to set up and maintain businesses in different regions within California.

President Kelsch stated that at a prior meeting, a member of the public had brought to the attention of the DHCC how revocation of her region's HPSA designation had resulted in her having to close her RDHAP business and abandon her patients. President Kelsch said that she would like the DHCC to discuss the problem of RDHAPs having to leave their patients if their designation is revoked.

Ms. Champlain reported that some RDHAP applicants have expressed to staff during the application for licensure process that they feel uncertain whether they will be able to afford to take the risk of establishing a business as an RDHAP since there is a real possibility they may be forced to close at some point due to revocation of the area's HPSA designation. They expressed tension between the sincere desire to provide dental care to those in need and the practical consideration of needing to maintain a viable business.

Ms. Good stated that she lives in an area designated as an HPSA so she is deeply aware of the challenges present in HPSAs. She suggested the DHCC should receive regular reports on this topic at its meetings.

Ms. Hurlbutt noted that it is profoundly unfair as well as counterproductive that a provider of necessary care would be forced to close his or her business and leave patients as a result of that provider having fulfilled a need. This penalizes both the provider and the patients. She therefore suggested that in each report the DHCC should receive an update on any RDHAP who was affected by the HPSA designation process. She additionally suggested that the DHCC consider seeking legislation to allow RDHAPs who have gone into an area of need to keep their practice if that area's HPSA designation is removed.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

### **FULL 17 Update on Regulations**

Ms. Champlain reported that the DCA's budget office notified her on November 3, 2016 that the rulemaking files for Out-of-State Licensees at Sponsored Free Health Care Events and for Local Anesthesia, Nitrous Oxide and Oxygen Analgesia, and Periodontal Soft Tissue Curettage would progress out of the budget office on that day. Then, on December 2, 2016, the legal office sent notice of some modifications that needed to be made to the rulemaking file for the Local Anesthesia, Nitrous Oxide and Oxygen Analgesia, and Periodontal Soft Tissue Curettage. Those modifications were made and the rulemaking file was resubmitted.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

### **FULL 18 Executive Officer's Report on Operational, Administrative, & Logistical Issues Concerning the Committee**

Ms. Hubble reported that the DHCC recently filled two positions: Adina Pineschi-Petty for education specialist and Daniel Rangel for special investigator. A new receptionist had been hired and was set to begin work in January 2017. Also, preparations were being made to advertise for a probation monitor.

Ms. Hubble reported that the DHCC had been utilizing the new DCA computer system, BreEZe, for close to a year. She stated that although several improvements were made to BreEZe over the year, there are some technical challenges that remain.

Ms. Hubble noted that this would be her final EO report before retirement. She closed her report by expressing gratitude for having been given the opportunity to participate in positive change for California as the DHCC's EO. She thanked the DHCC members as well as the dental hygiene community for being such wonderful people to work with.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

## **FULL 19 Future Agenda Items**

DHCC members reported that the following items should be placed on future agenda(s):

- Describe to the public how WREB reports to the DHCC concerning results of its exams including incidences that occur at the exam sites during exams.
- Discuss seeking legislation to prevent RDHAPs from having to close their practices when an HPSA designator is withdrawn.
- Discuss possible modification of DHCC bylaws to cease allowing the DHCC president to appoint committees, specifically in the context of hiring an EO.
- Discuss whether the DHCC should evaluate/accept SLN training gained outside of California.

President Kelsch stated that in regards to the request made by a member of the public to receive information on the hiring policies for DHCC staff, since DHCC's staff are California state employees, details of their employment process is not under the purview of the DHCC. She asked Mr. Lum to present a brief and general overview of the state's hiring process at a future meeting.

President Kelsch asked if any member of the DHCC or of the public would like to comment. There were no comments.

## **FULL 20 Adjournment**

President Kelsch adjourned the meeting at 11:52 a.m.