



Dental Hygiene Committee Meeting Minutes Licensing and Examination Subcommittee *November 17, 2017*

Department of Consumer Affairs
Dental Hygiene Committee of California
2005 Evergreen Street, Hearing Room
Sacramento, CA 95815

DHCC Members Present:

Evangeline Ward, Chairperson, Registered Dental Hygienist (RDH)
Nicolette Moultrie, RDH
Sandra Klein, Public Member
Edcelyn Pujol, Public Member

DHCC Staff Present:

Anthony Lum, Interim Executive Officer
Brittany Alicia, Office Assistant
Nancy Gaytan, Enforcement Analyst
Traci Napper, Licensing Program Analyst
Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Educational Specialist
Michael Santiago, Department of Consumer Affairs (DCA) Legal Counsel for the DHCC

Public Present:

JoAnn Galliano, RDH, DHCC Educational Consultant
Maureen Titus, California Dental Hygienists' Association (CDHA)
Vickie Kimbrough, Program Director (Taft College) and CDHA
Mary McCune, California Dental Association (CDA)

Roll Call and Establishment of a Quorum

Evangeline Ward, Chairperson of the Licensing and Examination Subcommittee, called the meeting to order at 3:01 p.m. Roll call was taken and quorum established with four members present.

Public Comments for Items Not on the Agenda

Katherine Scott, American Board of Dental Examiners (ADEX), stated that at the last meeting questions arose regarding comparisons between the various testing agencies. Ms. Scott stated Kim Laudenslager mentioned earlier in the meeting that it is difficult to compare testing agencies as some of the information is proprietary information and stated that ADHA does a great summary.

ADEX extended the invitation to the DHCC to attend an upcoming examination in the fall. ADEX is interested in becoming an approved pathway to licensure for California.

ADEX is an examination for both dentists and dental hygienists. As to alternative pathways for licensure, ADEX was actively involved in the Buffalo Model during evaluation for alternative testing for dental licensure in California. Ms. Scott clarified the examination is not a one-day examination. Patients are utilized during the testing process and clinical components are evaluated.

No further comments received.

Chairperson's Report

Chair Ward stated there is no chairperson's report.

Approval of the May 16, 2017 Licensing and Examination Subcommittee Minutes

Nicolette Moultrie moved to adopt the May 6, 2017, Licensing and Examination Subcommittee Meeting Minutes.

Second: Edcelyn Pujol

Chair Ward requested comments.

No comments received.

Vote: The motion to adopt the May 16, 2017, Licensing and Examination Subcommittee Meeting Minutes.

Vote: Pass (4:0).

Name	Aye	Nay	Abstain
Evangeline Ward	X		
Nicolette Moultrie	X		
Sandra Klein	X		
Edcelyn Pujol	X		

Licensure Statistics

Traci Napper, Licensing Program Analyst, presented licensure statistics. BreZE allows DHCC staff to monitor licensing statistics. As of March 29, 2017, the DHCC has 18,121 active licensees, 2,116 inactive licensees, and 3,046 delinquent licensees.

The Subcommittee expressed concerns regarding the delinquent license status. Mr. Lum stated that there are many explanations for delinquent licenses. DHCC staff notified each licensee by mail of delinquent status, and advised the licensee of the process to restore a license to active status.

Written Examination Statistics

Ms. Napper presented California Law and Ethics Written Examination statistics. 70% of registered dental hygienist (RDH) examinees and 75% of registered dental hygienist in alternative practice (RDHAP) examinees earned passing scores.

Nicolette Moultrie stated that at the May 6, 2017 meeting, the subcommittee asked about RDHAP low passage rates.

Ms. Napper stated RDHAP licensure had a reduction in applications. In addition, candidates may not have scheduled their law and ethics examination.

Chair Ward questioned as to the amount of time between failure and retake status, as well as to tracking ability to identify these statistics.

Ms. Napper stated based on telephone calls received, candidates request to retake the examination immediately. The reexamination application may take fifteen days to process from the date the application is received.

Public Comment: Vickie Kimbrough stated she requested the failure rate at the last DHCC meeting, focusing on data for California graduates compared to out of state graduates. Dr.

Kimbrough is of the belief that failures are due to the ethics portion of the examination. If data could be disseminated, the educators can alter the curriculum to better serve the students. In addition, educators could create a course for out of state students.

Chair Ward questioned the delay for students taking the Ethics Exam.

Ms. Napper stated she was not aware of the request for statistics on the RDHAP candidate's failure rate. She requested clarification if the Subcommittee was directing staff to provide attempt data for the Law and Ethics examination, as well to the candidate's length of time for examination attempts after completion of the program.

Chair Ward stated that she would like this information as a future agenda item.

Chair Ward requested questions or comments.

No comments received.

Discussion and Possible Action, and Recommendation to the Full Committee on Revision of the Certification of Licensure Form Sent to Other States and Jurisdictions

Anthony Lum, DHCC Interim Executive Officer, reported that over the past several months, staff has received requests for license certifications from other states (AZ, PA, MN, etc.) for California licensees attempting to obtain a dental hygiene license in their state. However, most of the states will no longer accept the information that is contained in the current Certification of Licensure form that the DHCC sends to other states and jurisdictions.

DHCC licensees pay a \$25 fee for this certification. Staff revised the "Certification of Licensure" form to capture the individual's licensing information and convey that information to the receiving entity in a format that is easily understood. A sample of the revised form and the current form was provided as a part of meeting materials for comparison.

Comment: Nicolette Moultrie stated that previous graduates applying for licensure in other states are requesting certification of education in Soft Tissue Curettage, Nitrous Oxide Oxygen, and Local Anesthesia (SLN). As she was not the program director when they graduated, the SLN may not be a part of their education transcript. Ms. Moultrie questioned if there is a way that the State can verify that the licensees have taken the course.

Mr. Lum stated there are ways for the DHCC to verify that a licensee has certification in the SLN. Staff can verify by the BreZE system, order the licensing file, or verify the certification cards issued. The DHCC has experienced this issue concerning a few licensees that took the SLN course by previously approved providers, but as the provider no longer exists, it can no longer be verified.

Ms. Moultrie questioned if staff could change the word "qualification" to "certification", as the DHCC is certifying that the licensee is permitted to perform the duties and satisfy the requirement from other states. Ms. Moultrie thanked DHCC staff for the new form as it will assist in her certifications.

Vicki Kimbrough questioned “N/A” under “License discipline”. If there is no discipline on the license, could it state “none” instead of “N/A”.

Mr. Lum stated the change can be made if the Subcommittee recommends the change to the full Committee.

Ms. Moultrie stated that the terminology should mirror the BreEZe system.

Motion: Sandra Klein moved to adopt the revised License Certification form.

Second: Edcelyn Pujol

Chair Ward requested discussion or comments.

No further comments received.

***Vote: Motion to adopt the revisions to the Certification of Licensure form.
Pass (4:0).***

Name	Aye	Nay	Abstain
Evangeline Ward	X		
Nicolette Moultrie	X		
Sandra Klein	X		
Edcelyn Pujol	X		

Discussion and Possible Action, and Recommendation to the Full Committee on Proposed Revision of Business and Professions Code (BPC) § 1917(b)

Anthony Lum reported that the section that will be presented is BPC § 1917(b) and not BPC § 1917.4(b).

Mr. Lum reported pursuant to BPC § 1917 (b), the current language does not recommend a time frame acceptable for the DHCC to accept satisfactory completion of a dental hygiene examination given by WREB, CRDTS, or the previously administered state clinical examination. An applicant who has fulfilled all the other requirements for licensure, and passed a clinical examination eight, ten, or twenty years ago would be eligible for licensure as a registered dental hygienist in California.

DHCC staff have previously issued licenses to applicants that passed an approved clinical examination at least ten years prior to applying for licensure in California. The DHCC is

concerned that this may present a situation where consumer protection is at risk due to the lack of clinical skills.

Mr. Lum provided a copy of the proposed statutory language with revision to set a time frame for the DHCC to accept examination results for licensure to become a registered dental hygienist in California. The change would add the verbiage to BPC § 1917(b) to read:

- (a) Within the preceding five years, ~~Satisfactory performance on the state clinical examination, or~~ satisfactory completion of the dental hygiene examination given by the Western Regional Examining Board or any other clinical or dental hygiene examination approved by the committee.

Edcelyn Pujol questioned as to how was the five-year time frame established.

Mr. Lum stated staff referred to the “Licensure by Credential” (LBC) pathway, as statute states five years prior to date of application.

Ms. Moultrie questioned if a student has successfully graduated from the dental hygiene program, decides to wait a few years before taking a clinical examination and lost the application that was initially certified, would the program director be required to recertify that the person is competent to sit for the exam. Ms. Moultrie’s concern is at the time of graduation, the program director would be confident in the student’s clinical skills. However, after a certain amount of time the program director may not be comfortable with certifying an application.

Mr. Lum stated the certification of education is the responsibility of the dental hygiene program. The DHCC is requesting examination results within the five years of applying for licensure in California.

Sandra Klein requested an explanation of current protocols.

Mr. Lum stated the DHCC had applications with test results from 1998. Current practice would classify a “new graduate” as completing the examination within five years. As current law does not address time duration to accept examination results, Mr. Lum stated adding the five-year requirement would clarify the language.

Ms. Moultrie requested consideration of three years, as a new graduate should be considered as currently graduating from a dental hygiene program.

Anthony Lum requested a recommendation from Ms. Moultrie.

Ms. Moultrie recommended two years.

JoAnn Galliano stated the recommendation would affect out-of-state applicants. An applicant who may practice in another state that does not qualify for the LBC pathway, but can qualify for the initial licensure. With the proposed time limit, it will require the applicant to retake a clinical exam.

Ms. Moultrie questioned if applicants have taken the WREB or CRDTS examination, would it apply to those applicants.

Ms. Galliano stated that the requirement would still apply to the applicant if the examination results are older than five years from date of application.

Sandra Klein questioned if the DHCC could make an exception for out-of-state applicants.

Mr. Lum stated an exception for out-of-state applicants would make the licensure process difficult.

Ms. Klein requested a recommendation for an appropriate amount of time for state applicants.

Mr. Lum stated applicants from out-of-state are able to qualify through the LBC pathway if the applicant has not taken the CRDTS or WREB Examination.

Public Comment: Lisa Okamoto, CDHA, stated CDHA has the same concerns regarding recent graduates that wait to take a clinical examination. In addition, Ms. Okamoto stated concerns regarding out of state applicants that have not met LBC requirements.

Ms. Moultrie questioned if changing LBC from five years to three years would remedy concerns.

Mr. Lum stated the 750 hours required per year would be difficult to complete if the time frame was condensed from five years to three years.

Public Comment: Jana Pierce recommended consulting other boards to give the DHCC a more global perspective. Ms. Pierce gave personal testimony regarding getting a license in California. Ms. Pierce requested consideration for applicants that have not been working to extend the time and require that an applicant work a certain number of hours over a five to seven year period.

Ms. Moultrie stated concerns regarding BPC §1917(f) "Satisfactory completion of committee-approved instruction in gingival soft tissue curettage, nitrous oxide-oxygen analgesia, and local anesthesia". The DHCC has had some enforcement issues and if a person has not practiced SLN for five years there may be cause for concern.

Dr. Pineschi-Petty stated that a required remediation course may be an option to recertify SLN skills.

Chair Ward questioned the time frame required that would necessitate the completion of a remediation course.

Ms. Moultrie stated out of state applicants are required to complete an SLN course. Initial licensures from California will not be required to complete a “refresher” course if we are considering them similarly to an out-of-state applicant. The DHCC must consider two different populations when making a decision to change the requirements of BPC § 1917 (b).

Chair Ward questioned if the DHCC had previous concerns regarding licensing.

Mr. Lum stated the DHCC had previous applicants that passed the clinical examination in 1998. As there is no provision in the law to restrict them from applying for licensure, the applications were approved.

Chair Ward questions as the licenses were issued, have any concerns been noted.

Mr. Lum stated no concerns have been brought to his attention.

Ms. Moultrie stated Mr. Lum brought the issue to the Subcommittee to prevent creating a risk to consumer protection. Mr. Lum stated having a time frame recommended by the subcommittee would clarify the application process, ensure applicants are qualified, and have met the minimum competency level to perform their duties.

Motion: Dr. Martinez moved to take no action on this item. Moved to direct staff to provide additional information for a future date to allow the Subcommittee time to make an informed decision on this item.

Mr. Lum commented that the DHCC has a limited amount of time to present legislation. As the deadline is mid-January, the DHCC will not be meeting before the deadline. Mr. Lum stated that he has concerns leaving the statute is open ended.

Chair Ward asked for a motion.

Motion: Sandra Klein moved to accept the language as proposed with five years from the time they have taken the examination to apply for licensure.

Second: Edcelyn Pujol

Chair Ward requested comments.

There were no further comments.

Vote: Motion to adopt the proposed language to add 5 years from the time of completion of an examination to apply for licensure.

Vote: Pass (3:1).

Name	Aye	Nay	Abstain
Evangeline Ward	X		
Nicolette Moultrie		X	
Sandra Klein	X		
Edcelyn Pujol	X		

Future Agenda Items

JoAnn Galliano requested the DHCC to review the Law and Ethics Examination. Ms. Galliano proposed to have the examination revised to allow the examination to remediate within itself. The purpose of the examination is for the candidates to learn the law and understand ethical practice. An exam that can remediate as the candidate takes the examination provides for education concurrently.

Ms. Galliano stated the California Law portion is not in question. It had been her experience that the ethics questions provided the most challenge. Ms. Galliano requested the revision to be considered for both the RDH and RDHAP written examinations.

Ms. Moultrie added reconvening the Alternative Pathway to Licensure Subcommittee to investigate alternate pathways for licensure.

Adjournment

Chair Ward adjourned the Licensing and Examination Subcommittee meeting at 3:58 p.m.