



Dental Hygiene Committee of California Meeting Minutes *Saturday, November 18, 2017*

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

Dental Hygiene Committee of California (DHCC) Members Present:

Noel Kelsch, Registered Dental Hygienist in Alternative Practice (RDHAP)
Susan Good, Vice President, Public Member
Evangeline Ward, Secretary, Registered Dental Hygienist (RDH)
Michelle Hurlbut, RDH, Educator
Timothy Martinez, Doctor of Dental Medicine (DMD), Public Health Dentist
Nicolette Moultrie, RDH
Edcelyn Pujol, Public Member

DHCC Member Absent:

Garry Shay, Public Member

DHCC Staff Present:

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

Public Present:

JoAnn Galliano, RDH, DHCC Educational Consultant
Vickie Kimbrough, California Dental Hygienists' Association (CDHA)

Call and Establishment of a Quorum

Noel Kelsch, President of the Dental Hygiene Committee of California (DHCC), called the meeting to order at 9:00 a.m. Roll call taken and quorum established with seven members present. Garry Shay was absent and excused.

President Kelsch recognized Dr. Bruce Whitcher, Dental Board of California President, thanking him for being a part of the DHCC's team to keep consumers safe.

President Kelsch stated the Bagley-Keene Open Meeting Act for all action items at a meeting with three or more committee members present, the law now requires that votes

or abstentions must be recorded for that action item. Meeting minutes must include the committee members name and vote under the action item. During open public session comments are limited to three minutes to present an issue.

President Kelsch announced Agenda 9 Closed Session: Full Committee (Discussion and Possible Action on the Executive Officer Recruitment) and Agenda Item 10 (Election of 2018 DHCC Officers) will be reversed.

Public Comment for Items Not on the Agenda

President Kelsch asked for comments for items not on the agenda.

No comments received.

Update on the BreEZe Computer System

Traci Napper, DHCC's Special Point of Contact (SPOC), receives incoming calls from licensees, applicants or the public that want to file a complaint on the BreEZe system. Ms. Napper presented updates to the BreEZe computer system and provided an overview of System Investigation Requests (SIR) for any issues that arise.

Ms. Napper reported the BreEZe system is working well. Majority of calls received are requesting clarification for online instructions (e.g. renewals).

President Kelsch questioned how many calls are received by the DHCC each day.

Ms. Napper stated approximately twenty calls are received each day.

President Kelsch requested staff gather statistics on calls received. President Kelsch stated she will add statistics for BreEZe complaints as a future Agenda item to bring back to the Committee. Ms. Kelsch will reach out to the program directors to see if they would survey their students to find out what their experience was with the online system.

Nicolette Moultrie questioned why license renewals for Fictitious Name Permits (FNP) are not renewed online automatically.

Ms. Napper stated the renewal system does not allow FNPs to automatically renew due to the need for signature verification. Management wanted to ensure that all of the licenses associated with the FNP were in compliance.

Ms. Napper stated the paper Renewal Application is under review as well. The DHCC received calls regarding the survey questions, and staff revised the renewal to delete some questions and information was added for first time renewals regarding continuing education requirements.

President Kelsch requested questions or comments.

Evangeline Ward questioned the type of envelope that the license is mailed in. Ms. Napper stated that the vendor uses DCA's generic preprinted envelopes. Ms. Ward would like to have it noted that the renewal and license envelopes have changed and believes she threw hers away because of the new version envelope.

Ms. Napper reported that if the licensee contacts the DCA help desk, they will forward the licensing calls to the DHCC. Any questions should be directed to the BreEZe system SPOC.

President Kelsch requested that the BreEZe System SPOC contact information be placed on the DHCC website.

Anthony Lum stated the ultimate goal with the BreEZe system is to transition to electronic renewals and the hardcopy renewals to phase out.

President Kelsch thanked Ms. Napper for her diligence.

Update on Pending & Completed Regulatory Packages

Anthony Lum presented a chart of the regulatory packages that are currently in the regulatory process.

California Code of Regulations(CCR) Title 16, Division 11, § 1104 Continuing Approval of RDH Educational Programs- Adds specific language to review educational program consisting of materials and site visits. Rulemaking file approved by Legal (10/10/17) and has been forwarded to DCA Budgets and the Legislative and Regulatory Review Unit.

CCR Title 16, Division 11, § 1105.1 Faculty Requirements - Realigned the language for specific requirements for educational program faculty for clarity. Approved by the Office of Administrative Law as a Section 100 change on August 10, 2017, and is updated on their website.

President Kelsch stated the revision to the regulation provided more clarity.

CCR Title 16, Division 11, § 1107 RDH Course in Local Anesthesia, Nitrous Oxide-Oxygen Analgesia, and Periodontal Soft Tissue Curettage (SLN): Added charts of narrative requirements for injections and the administration of Nitrous Oxide-Oxygen Analgesia (non-substantive change). Approved by the Office of Administrative Law as a Section 100 change on August 30, 2017, and is updated on their website (see attached).

Dr. Michelle Hurlbut stated the Subcommittee has retracted the regulatory package to add more clarification.

Anthony Lum stated there is a separate regulatory package for the revised language that's not listed on the agenda.

CCR Title 16, Division 11, § 1109.4 Retired License: Creates a retired license category. Rulemaking file approved by Legal (10/10/17) and has been forwarded to DCA Budgets and the Legislative and Regulatory Review Unit.

CCR Title 16, Division 11, §§ 1150, 1151, & 1153 Name Badge for Sponsored Free Healthcare Events: Creates a requirement for out-of-state dental hygiene practitioners to wear a name badge that identifies their name and whether they can perform SLN functions. The consumer will be able to identify duties the RDH is legally licensed to perform. The rulemaking file approved by Legal (9/25/17) and has been forwarded to DCA Budgets and the Legislative and Regulatory Review Unit.

President Kelsch thanked Mr. Lum for his diligence.

Consideration of the Legislative and Regulatory Subcommittee Report

Chair Susan Good presented the Legislative and Regulatory Subcommittee Report. A quorum established with three members present. The May 6, 2017 minutes were presented and approved.

The Subcommittee discussed the status on legislative bills of interest to the DHCC. The Subcommittee recommends to the full committee to direct staff to send a letter of support for AB 15 if amended to include the increase in Dental-Cal reimbursement rates for the most common prevention treatments and evaluations performed by registered dental hygienist, such as periodontal and root planning. The list of codes to be added to the support letter should include, 4342 4910,4341,4355,1352 and 4381.

Chair Good reported the Subcommittee recommends to the Full Committee to approve the proposed language in CCR Title 16 Division 11, § 1103 Definitions, and authorizes the Interim Executive Officer to make any technical and non-substantive changes to the language and move forward with the rulemaking file with the latest revised date in “c” of the proposed amendment to February 2018.

Additionally, the Subcommittee recommends to the Full Committee to direct staff to review existing language in the Business and Professions Code (BPC) to determine whether any non-substantive and non-controversial changes to the DHCC statutes to be proposed to the Business, Professions and Economic Development Committee (BP&ED) for inclusion in the 2018 Omnibus Bill, related to non-health and health related professionals and vocation under DCA. The deadline to accept proposed language is January 9, 2018.

President Kelsch questioned Jason Hurtado, Legal Counsel, if the DHCC needs to state “Interim Executive Officer” or “Executive Officer”, as there will be an Executive Officer in place by the time this language goes through. Jason Hurtado advised to include as Executive Officer.

Future Agenda Items:

1. Create a list of items for discussion and action for the BPC.
2. Review alternative pathways for licensure.
3. Mobile Dental Hygiene Services.

4. Legislative language to allow the DHCC to administer cite and fine, and place educational programs on probation.

Chair Good presented items that required action by the full Committee:

First Recommendation: Subcommittee recommends to the full committee to send an AB 15 Support Letter, if amended.

President Kelsch requested comments or discussion.

President Kelsch acknowledged CDHA for bring forward the codes for the letter.

No further comments received.

Vote: The motion from the Full Committee to direct staff to send a letter of support for AB 15, if amended, to include the increase in Dental-Cal reimbursement rates for the most common preventive treatments and evaluations performed by registered dental hygienist, such as periodontal and root planning. The codes to be added are 4342,4910,4341,4355,1352 and 4381.

Vote: Pass (8:0).

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

Second Recommendation: Subcommittee recommends to the full committee to approve the proposed language in CCR Title 16 Division 11, § 1103 Definitions and authorize the Executive Officer to make any technical and non-substantive changes to the language and move forward with the rulemaking file with the latest revised date in “c” of the proposed amendment to February 2018.

President Kelsch requested comments or discussion.

Dr. Hurlbutt stated the date for the CODA standard revisions is in February. She stated that it may be a two-day meeting and the insertion date may be either February 2, 2018 or February 3, 2018.

President Kelsch questioned if the DHCC could insert February 2018?

Anthony Lum stated if a document is incorporated by reference, the actual date is required.

Dr. Hurlbut questioned legal counsel if the Committee could give the Interim Executive Officer the authority to change the date if its different from the date provided?

Jason Hurtado advised the date could be amended. He asked for comments or discussion.

No discussion or comments received.

Vote: The motion from the Subcommittee to the Full Committee to approve the proposed language in CCR Title 16, Division 11, §1103 Definitions. Authorize the Executive Officer to make any technical and non-substantive changes to the language and move forward with the rulemaking file with the date late revised in “c” of the proposed amendment to February 2018.

Vote: Pass (8:0).

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

Third Recommendation: The Subcommittee recommends to the Full Committee to direct staff to review existing language in the Business and Professions Code to determine whether any non-substantive and non-controversial changes to the DHCC statutes to be proposed to the BP&ED Committee for inclusion in the 2018 Omnibus Bill, related to non-health and health related professionals and vocations under DCA. The deadline to accept proposed language is January 9, 2018.

President Kelsch asked for comments or discussion.

Anthony Lum stated the January 9, 2018 date is the actual deadline to have the language to the Legislature. Mr. Lum would request any recommendations prior to that date.

No further comments were received.

Vote: The Subcommittee recommends to the Full Committee to direct staff to review existing language in the Business and Professions Code to determine whether any non-substantive and non-controversial changes to the DHCC statutes to be proposed to the BP&ED Committee for inclusion in the 2018 Omnibus Bill, related to non-health and health related professionals and vocations under DCA. The deadline to accept proposed language is January 9, 2018.

Vote: Pass (8:0).

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

End of the Legislative and Regulatory Report.

President Kelsch acknowledge the diligence of the Legislative and Regulatory Subcommittee.

Consideration of the Licensing and Examination Subcommittee Report

Chair Ward reported the Licensing and Examination Subcommittee Report. A quorum was present with four members present. Public comment was received from the ADEX testing agency.

Chair Ward presented items that required action by the Full Committee:

First Recommendation: The Subcommittee recommends to the full Committee to accept the revision to the License Certification letter.

President Kelsch requested comments or discussion.

No comments received.

First Motion: The Subcommittee moved to recommend to the Full Committee to accept the revision to the License Certification letter.

Vote: Pass (8:0).

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

Second Recommendation: The Subcommittee recommends to the full Committee to accept the proposed language to Business and Professions Code §1917(b) to insert a five-year time frame for when new graduates or out of state applicants apply for licensure in California.

President Kelsch requested discussion or comments.

Public Comment: Lisa Okamoto, CDHA, stated that CDHA is concerned about the five-year time period for a graduate to not have practiced. Ms. Okamoto stated two years is more

reasonable to be consistent with continuing education requirements. Ms. Okamoto requested the full Committee to consider the recommendation of two years.

Nicolette Moultrie stated that she agrees with Lisa Okamoto's recommendation. She stated a five-year delay is excessive to apply for initial licensure for students graduating from California dental hygiene programs. Ms. Moultrie stated that the five-year term was created to make exceptions for out of state graduates.

President Kelsch responded that she concurs with Ms. Moultrie that five years is too long a period to obtain initial licensure in California. President Kelsch recommended a two to three-year time frame prior to requiring the candidates to take a remediation course.

Susan Good stated that the Subcommittee did not know about the testing failure rate as well as how long it has been since the applicant had attended the program. Ms. Good inquired as to what a reasonable amount of time would be.

Chair Ward responded that the Subcommittee was unsure as to recommend a two, three, or five-year time frame. A question regarding out of state candidates and their ability to complete the hour requirement in a reduced time frame in order to be eligible for licensure.

President Kelsch questioned if that has a bearing on out of state licensure.

JoAnn Galliano stated that if you are licensed out of state and want to become licensed in California, they would not qualify for Licensure By Credential (LBC). The applicant is required to possess a current license in another state for a minimum of 5 years with proof of 750 hours worked per year. In addition, they must have passed the WREB/CRDTS examination.

President Kelsch questioned if the applicant could retake the clinical examination.

Ms. Galliano responded they could but questioned why would they if they already passed the examination previously. Ms. Galliano stated that she is of the opinion that a five-year delay is excessive for California graduates to apply for initial licensure. She recommends that language be drafted to specify the requirement for out of state licensees.

Nicolette Moultrie stated the issue for new language was proposed during the Subcommittee meeting. In the interim, the Subcommittee preferred to vote on a time period so the language could be drafted to incorporate into regulations.

President Kelsch stated that she agrees with the delineation between California graduates and out of state graduates or licensees.

Ms. Galliano recommended that this item be tabled and added as a future agenda item.

Sandra Klein commented that if there is no time frame included, we are leaving the law open. Ms. Klein stated that was the reason for the recommended five-year time frame and could be amended.

President Kelsch asked if the Committee could meet at a later date to draft language for initial licensure for California graduates and Out of State graduates?

Anthony Lum replied that the DHCC could schedule a Subcommittee meeting.

President Kelsch questioned the full Committee if they would be in agreement to table the agenda item for proposed language for Business and Professions Code § 1917(b) and meet as a Subcommittee?

Kim Laudenslager, Director of CRDTS, stated the two-path way to licensure is initial licensure by examination or initial licensure by reciprocity. Ms. Laudenslager is of the opinion the five-year time frame came from Licensure by Credential and agrees that tabling the issue would be prudent.

Ms. Moultrie questioned Ms. Laudenslager if test results are good for 5 years.

Ms. Laudenslager stated that it depends on the individual state, and many states add the length of time they will accept test results into their statutes.

Dr. Hurlbut asked if the full Committee could make a decision on the recommended language and deliberate on the out of state license at a later date and bring proposed language.

Ms. Moultrie requested clarification as to if this included initial licensure for students that graduate from California schools.

Dr. Hurlbut stated the confusion is due to the definition of “initial” licensure in California. She stated “initial” licensure is your first license in California. Ms. Klein asked if the DHCC has a deadline for initial licensure language. Dr. Hurlbutt stated there was not a deadline.

Motion: Dr. Hurlbutt moved to refer this item back to the Subcommittee.

Second: Sandra Klein

President Kelsch requested discussion or comments.

Evangeline Ward requested the date to have proposed language to the legislation.

Anthony Lum stated the date is January 9, 2018, and that an author would need to be recruited to carry the bill and language.

***Second Motion: The Full Committee move to refer the proposed language for Business and Professions Code §1917(b) back to the Subcommittee for further review.
Vote: Pass (8:0).***

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

Future Agenda Items:

1. Revise the California Law and Ethics Examination to self remediate.
2. Investigate alternate pathways for licensure.
3. Reestablish the Task Force

Consideration of the Enforcement Subcommittee Report

Acting Chair Timothy Martinez stated the Chairperson report was deferred due to absence of the chair. Dr. Martinez reported Daniel Rangel and Nancy Gaytan presented data to the subcommittee regarding Performance Measure Statistics. Dr. Martinez reported no future agenda items.

Acting Chair Martinez motioned to accept the Enforcement Subcommittee Report.

Second: Susan Good

Motion: Acting Chair Martinez moved for the Full Committee accept the Enforcement Subcommittee Report.

Vote: Pass (8:0).

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

Nicolette Moultrie questioned as the previous Subcommittee Reports were not voted on as a package, if the full Committee would need to go back and vote on all Subcommittee reports. Jason Hurtado, Legal Counsel, advised the full Committee to vote on each Subcommittee Report.

President Kelsch asked for a motion to accept the Legislative and Regulatory Subcommittee full report.

Susan Good moved to accept the Legislative and Regulatory Subcommittee full report.

Second: Nicolette Moultrie

President Kelsch requested questions or comments.

No comments received.

Motion: Susan Good moved to accept the Legislative Regulatory Subcommittee full report.

Vote: Pass (8:0).

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

President Kelsch asked for a motion to accept the Licensing and Examination Subcommittee full report.

Sandra Klein moved to accept the Licensing and Examination Subcommittee full report.

Second: Susan Good

President Kelsch requested questions or comments.

No comments received.

Motion: Sandra Klein moved to accept the Licensing and Examination Subcommittee full report.

Vote: Pass (8:0).

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

Consideration of the Education Subcommittee Report

Chair Hurlbutt reported to the Full Committee that the Education Subcommittee had a quorum with four members present.

Chair Hurlbutt presented the Chairperson's Report.

1. The Subcommittee voted and approved the June 10, 2017 Subcommittee meeting minutes.
2. California Code of Regulations (CCR), Title 16, Division 11 § 1105.4 Appeal Process: The Subcommittee recommended to staff to amend the results from the informal conference time from 10 days to 30 business days.
3. No action was taken by the Subcommittee to amend the regulations and directed staff to add language to clarify the process.

President Kelsch requested comments or discussion.

Chair Hurlbutt reported on the update of the Taft College Dental Hygiene Program.

Jason Hurtado stated that the Full Committee can direct the Interim Executive Officer to issue a "Stay" order based on the testimony given by Taft Dental Hygiene Program and staff, to include a subsequent Site Visit of the to ensure compliance.

Chair Hurlbutt requested clarification of the "Stay" Order.

Mr. Hurtado stated that the order will be effective immediately once the Interim Executive Officer issues the "Stay" and will continue pending the Site Visit.

Chair Hurlbutt requested clarification regarding the Attorney Law Office Hearing.

Mr. Hurtado responded Taft College could withdraw their appeal assuming the program is in full compliance post Site Visit.

Ms. Kimbrough stated that if full compliance is found, Taft College will withdraw their appeal.

President Kelsch recused herself from the discussion as she was an instructor at Taft College and requested Education Subcommittee Chair Hurlbutt to preside.

Chair Hurlbut moved to direct the Interim Executive Officer to Issue a "Stay" Order based on his October 27, 2017, informal conference decision pending follow up subsequent site visits from the DHCC staff. Staff will report back to the full Committee at the next scheduled meeting for the final decision. The Interim Executive Officer will then issue a decision that will supersede the October 27, 2017, decision.

Second: Susan Good

Comments:

Anthony Lum responded that a telephone conference will be scheduled once staff has reported the findings from the Site Visit.

Nicolette Moultrie requested clarification for pending compliance issues at Taft College and questioned if infection control violations were of a concern.

Dr. Kimbrough, Taft Program Director, stated she requested a report from the spore testing agency for Taft. This report documented all testing dates back to September 7, 2017 showing all sterilizers passed testing.

Ms. Moultrie questioned staff if they witnessed this process at the Site Visit.

Dr. Pineschi-Petty stated staff did not witness this process at the Site Visit, but Taft did submit the report to the DHCC.

Ms. Moultrie requested to add that information as an amendment. Based on the documentation presented to the full Committee, Taft is not in compliance due to lack of evidence.

Chair Hurlbutt stated staff informed the Subcommittee of five deficiencies that were outstanding. Four of the deficiencies were resolved, and the fifth one had evidence of compliance submitted. An additional Site is to be conducted to determine compliance.

Ms. Moultrie stated that the Committee first heard about Taft on June 7, 2017. For there still to be outstanding deficiencies through October 13, 2017, Ms. Moultrie is of the opinion that the school lacked effort to be in compliance until they received the letter dated October 27, 2017, and Taft worked on compliance issues 14 days prior to the Committee meeting to avoid withdrawal of their program.

JoAnn Galliano stated that working with the program with Dr. Pineschi-Petty, and being a previous program director at a community college, changes are not accomplished quickly. Staff conducted multiple Site Visits and at each Site Visit, Taft made all the required changes. DHCC staff could not confirm that Taft's sterilizers were working at the time of the Site Visit. However, Dr. Kimbrough immediately reported the correction to the DHCC. During the period of June to October staff saw major changes with the program.

Ms. Moultrie questioned Ms. Galliano if staff explained compliance concerns to the Interim Executive Officer before the letter was issued.

Ms. Galliano stated the report that was presented at that time to the IEO could not recommend to rescind the "Withdrawal". Grading and patient compliance were not in compliance.

Ms. Moultrie questioned Anthony Lum if he reviewed the evidence personally.

Mr. Lum stated that he had not personally reviewed the evidence. Staff has reviewed the evidence and as they have greater expertise in that area, he trusted the recommendation of his staff.

Chair Hurlbutt stated that as a Subcommittee, they rely on staff to investigate and provide evidence, so the Subcommittee can make an informed decision. Staff has provided evidence that four of the five deficiencies have been resolved.

Sandra Klein questioned if the fifth item was grading or infection control. Chair Hurlbutt replied the grading process was deficient. Chair Hurlbutt stated the pending infection control concern was regarding spore logs. Taft has since provided a corrected report.

Evangeline Ward questioned if the “unknown” test results were indicating results passed or rejected.

Ms. Galliano stated that all of the results were passing, but results could not be matched up with individual sterilizers.

Ms. Moultrie questioned if the program was informed on October 13, 2017, and the letter did not go out until October 27, 2017, did the IEO have the information from Taft prior to the letter?

Chair Hurlbutt questioned Dr. Kimbrough when the results were received from the spore agency.

Ms. Kimbrough stated she did not currently have that information and would have to refer back to her email.

Ms. Moultrie stated that she is of the opinion that the DHCC does not have all of the facts. Staff received information prior to sending the letter, and the Interim Executive Officer relies on staff to disseminate information prior to the issuance of the letter. Ms. Moultrie is aware staff provided an update, and is not focused on Taft itself, but as to DHCC procedures. Ms. Moultrie questioned if this issue will be processed on an individual basis and what can the DHCC do to make sure our decisions are consistent in the future.

Chair Hurlbutt stated DHCC procedures were taken into consideration during the Subcommittee review and recommended the language in CCR Title 16, Division 11, §1105 be clarified so the DHCC will not have a repeat of this issue.

Jason Hurtado stated if Taft is found not to be in compliance, the issue will subsequently proceed to a ALJ hearing. The ALJ’s decision will go to the Full Committee to adopt or reject the decision.

Sandra Klein questioned if the DHCC could request a short deadline for the “Stay” to ensue this matter is resolved in a timely manner.

Evangeline Ward stated her concern was if the “Stay” doesn’t have a time line, there will be a graduating class in May 2018 and an incoming class that will have their graduation status affected. If the issue is not corrected, would the process have to be repeated.

Ms. Galliano stated corrections are in place for the incoming class and are fulfilling the requirements.

Ms. Moultrie requested legal counsel to be available through the process of drafting language for the time extension.

Jason Hurtado replied that he will be working cooperatively with the Interim Executive Officer to revise the language to CCR Title 16, Division 11, §1105.4 to extend the decision time line from 10 days to 30 business days.

Jason Hurtado advised the Committee to schedule a subsequent meeting to review the findings from the site visit.

Motion: Chair Hurlbut moved to direct the Interim Executive Officer to Issue a “Stay” Order based on his October 27, 2017, informal conference decision pending follow up subsequent site visits from the DHCC of Taft no later than January 31, 2018. Staff to report back to the Full Committee the findings at upcoming teleconference.

Second: Susan Good

Chair Hurlbut requested discussion or comments.

Susan Good questioned if the “Stay” Order would be open ended.

Chair Hurlbut stated the “Stay” would remain in place until the Full Committee deliberates the findings. The Full Committee would either direct the Executive Officer to reverse the “Stay” or continue the “Stay”.

Motion: Chair Hurlbutt moved to direct the Interim Executive Officer to Issue a “Stay” order based on his October 27, 2017 informal conference decision pending follow up subsequent site visits from the DHCC of Taft no later than January 31, 2018. Direct staff to report back to the Full Committee the findings at upcoming teleconference.

Vote: Pass (7:1).

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch			X
Timothy Martinez	X		
Sandra Klein	X		

Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

Chair Hurlbutt reported staff raised a question regarding how much time is appropriate for administrative time afforded to program directors. The Subcommittee did not take an action on this topic.

Future agenda Items.

1. Primary duties for a program director related to the administrative time.

Chair Hurlbutt moved for the Full Committee to accept the Education Subcommittee’s Report.

President Kelsch questioned letter from Concorde Career College – Garden Grove (CCC-GG).

Chair Hurlbut stated that it was discussed under the update of the Educational Programs.

President Kelsch questioned if the full Committee could discuss this issue.

Chair Hurlbutt stated that this topic could be discussed.

President Kelsch stated that the letter was concerning to her. The Committee allowed the Concorde Career Colleges to continue to be approved at that time a wet lab was lacking. The Concordes still do not have wet labs. President Kelsch expressed concern that the students are graduating from the Concordes without university level Microbiology and Chemistry. President Kelsch stated the DHCC should be persistent with them using the facilities at another school. Of greater concern is infection control at CCC-GG. As the representative for Infection Control, President Kelsch believes the DHCC needs to take this issue as seriously as the DHCC does for other dental hygiene programs. The DHCC has reviewed this school before, they are in breach again. CCC-GG is reporting breach with water issues addressed previously. President Kelsch requested the DHCC send an investigator immediately to review the waterline status.

Chair Hurlbutt stated there will be an unannounced site visit. Staff can’t reveal the date as it is unannounced. Chair Hurlbutt said it is her impression the site visit will be soon as staff is equally as concerned about the breach.

President Kelsch question as to who made the decision to allow the Concordes to continue without a wet lab and why. President Kelsch understands they are on target for occupancy

for Microbiology and Chemistry, but there were previous graduating classes that lacked wet lab experience.

Chair Hurlbut deferred the response to the Interim Executive Officer.

Nicolette Moultrie stated that the Committee could not discuss this issue as it is not on the agenda.

Chair Hurlbut replied that this issue was discussed as an update and that staff will be moving forward on the site visit. The Subcommittee had the same concerns.

JoAnn Galliano stated January 2018 will be the first cohort required to have wet lab experience. The wet lab will be in place by the time the new cohort begins.

President Kelsch stated that as a Committee that consumer protection is very important. She further stated that if Concorde is not in compliance by January 2018, the Committee would need to take action.

JoAnn Galliano stated that the DHCC has it in the minutes that if Concorde did not comply within the 12 months allowed, the Committee can make an immediate decision.

Chair Hurlbutt stated that this conversation could not continue in this forum.

Motion: Chair Hurlbutt moved to accept the Education Subcommittee's full report.

Vote: Pass (8:0).

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

Election of 2018 DHCC Officers

President Kelsch nominated Susan Good as the DHCC President.

Ms. Good accepted the nomination for the DHCC President.

Michelle Hurlbutt nominated Nicolette Moultrie as the DHCC Vice President.

Ms. Moultrie accepted the nomination for Vice President.

Susan Good nominated Edcelyn Pujol for the DHCC Secretary.

Ms. Pujol accepted the nomination for Secretary.

Motion: Dr. Hurlbut moved to accept the nominations for 2018: Susan Good for President, Nicolette Moultrie for Vice President, and Edcelyn Pujol for Secretary.

Second: Sandra Klein

President Kelsch requested comments.

No comments were received.

Motion: Michelle Hurlbutt moved to accept the Committee nominations for 2018: Susan Good for President, Nicolette Moultrie for Vice President and Edcelyn Pujol for Secretary.

Vote: Pass (8:0).

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbut	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

Discussion and Possible Action on Proposed DHCC 2018 & 2019 Meeting Calendar

Anthony Lum stated in previous years, DHCC Committee meetings have been held twice a year in May and December. Mr. Lum stated it has become increasingly difficult to secure hotel accommodations and meeting rooms at the State rate during that timeframe. Mr. Lum proposed alternative dates for the full Committee in April and November.

Nicolette Moultrie moved to accept the DHCC meeting date for April 20-21, 2018
Second: President Kelsch

President Kelsch requested questions or comments.

No comments were received.

Motion: Nicolette Moultrie moved to accept the DHCC meeting date for April 20-21, 2018.

Vote: Pass (8:0).

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

Nicolette Moultrie moved to accept the DHCC meeting date for November 16-17, 2018

Second: Sandra Klein

President Kelsch requested questions or comments.

Comment: Michelle Hurlbutt stated that some people may be off on November 12, 2018, for Veteran Day it's a short week and it's the week before Thanksgiving.

No further comments received.

Motion: Nicolette Moultrie moved to accept the DHCC meeting date for November 16-17, 2018.

Vote: Pass (8:0.)

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

President Kelsch turned the discussion over to Susan Good as she will be President at that time. Susan Good presented the 2019 meeting dates.

Nicolette Moultrie moved to accept April 12-13, 2019, as the DHCC meeting date.

Second: Edcelyn Pujol

Susan Good requested questions or comments.

No further comments received.

Motion: Nicolette Moultrie moved to accept April 12-13, 2019, as the DHCC meeting date.

Vote: Pass (8:0.)

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein	X		

Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

Nicolette Moultrie moved to accept November 15-16, 2019 as the DHCC meeting date.

Second: Noel Kelsch

Susan Good requested questions or comments.

Comment: Michelle requested clarification if DBC's Meeting will be held on November 13-14, 2019.

Nicolette Moultrie verified the date on DBC's website.

Ms. Moultrie recommended the DHCC meeting being held on November 16-17, 2019.

Anthony Lum stated that he will be researching for another venue for the meeting to ensure ease of public access to the meeting.

Nicolette Moultrie amended her motion for the DHCC meeting to be held on November 22-23, 2019.

Second: Michelle Hurlbut

Susan Good requested questions or comments.

No further comments were received.

Motion: Nicolette Moultrie moved amend the DHCC meeting dates from November 15-16, 2019 to November 22-23, 2019 as the DHCC meeting date.

Vote: Pass (8:0).

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein	X		
Nicolette Moultrie	X		

Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

Motion: Nicolette Moultrie moved to accept November 22-23, 2019 as the DHCC meeting date.

Vote: Pass (8:0).

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez	X		
Sandra Klein	X		
Nicolette Moultrie	X		
Edcelyn Pujol	X		
Garry Shay	<i>Absent/Excused</i>		
Evangeline Ward	X		

Meeting was turned back over to President Kelsch.

Future Agenda Items

1. Examinations regarding second and third attempts.
2. Remedial education programs.
3. Alternate pathways for licensure.
4. Anesthesia requirements compare to other programs.
5. Reciprocity with expanded duties.
6. Enforcement tracking methods to decrease the processing times.

7. New language for “Cite and Fine and Probation” for educational programs.
8. Clarification of what is public health and the scope of practice
9. Mobile Unit regulations.
10. BreEZe statistics.
11. Fictitious Name Permit online process.
12. Update the DHCC website to add SPOC for BreEZe.
13. Ethics Examination to allow self-remediation.
14. Business and Professions Code revision.
15. Update on Concorde Career College - Garden Grove.

President Kelsch expressed gratitude to the DHCC for allowing her to serve as the Committee President and expressed gratitude to staff for their diligence.

Closed Session – Executive Officer Recruitment

Adjournment: The Full Committee Adjourned at 2:45 pm