



## Dental Hygiene Committee Meeting Minutes

### *Saturday, April 21, 2018*

#### Location:

Doubletree by Hilton Hotel – San Diego Mission Valley  
7450 Hazard Center Drive  
San Diego, CA 92108

#### DHCC Members Present:

Susan Good, President, Public Member  
Edcelyn Pujol, Secretary, Public Member  
Michelle Hurlbutt, Registered Dental Hygienist (RDH) Educator  
Noel Kelsch, Registered Dental Hygienist in Alternative Practice (RDHAP)  
Sandra Klein, Public Member  
Garry Shay, Public Member

#### DHCC Members Absent and Excused:

Timothy Martinez, Public Health Dentist  
Nicolette Moultrie, RDH  
Evangeline Ward, RDH

#### DHCC Staff Present:

Anthony Lum, Executive Officer  
Brittany Alicia, Receptionist  
Nancy Gaytan, Enforcement Analyst  
Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Educational Specialist  
Jason Hurtado, Department of Consumer Affairs (DCA) Legal Counsel for the DHCC

#### Public Present:

Maureen Titus, CDHA  
Karen Fischer, Executive Officer, Dental Board of California (DBC)  
Thomas Stewart, DDS, President, DBC  
JoAnn Galliano, MEd, RDH, DHCC Educational Consultant and Subject Matter Expert (SME)  
Debra Daniels, Taft College  
Vickie Kimbrough, Taft College, Purple Pen  
Brenda Serpa, SJVC – Visalia  
Kelly Reich, Western Regional Examination Board (WREB)  
Jana Pierce, Shasta College  
Melissa Nieves, SWC Dental Hygiene Student  
Kaila Everett, SWC Dental Hygiene Student  
MJ Centeno, SWC Dental Hygiene Student  
Sherielaine Edquilang, SWC Dental Hygiene Student  
Taylor Nevlue, SWC Dental Hygiene Student

Howie Huynt, SWC Dental Hygiene Student  
Natalie Monty, SWC Dental Hygiene Student  
Ashley LaFavor, SWC Dental Hygiene Student  
Victoria Peterson, SWC Dental Hygiene Student  
Chelsea Tuano, SWC Dental Hygiene Student  
Hilda Cumberos, SWC Dental Hygiene Student  
Kim Dinh, SWC Dental Hygiene Student  
Leliha Dukes, SWC Dental Hygiene Student  
Amanda Gordo, SWC Dental Hygiene Student  
Casey Reinhardt, SWC Dental Hygiene Student  
Marlene Loja, SWC Dental Hygiene Student  
Roya Lugtu, SWC Dental Hygiene Student  
Vero Carrille, SWC Dental Hygiene Student  
Trang Huynh, SWC Dental Hygiene Student  
Lisa Kamibayashi, West Los Angeles College (WLAC)  
Arezou Goshtasbi, Concorde Career College (CCC) – Garden Grove  
Jean Honny, SWC  
Linda Brookman, University of Southern California (USC)  
Donna Smith, USC  
Diane Melrose, USC  
Mary McCune, California Dental Association (CDA)  
Mark Ito, Department of Consumer Affairs (DCA) Budget Analyst

## 1. Roll Call and Establishment of a Quorum

Susan Good, President of the Dental Hygiene Committee of California (DHCC), called the meeting to order at **9:00 a.m.** She announced Timothy Martinez, Nicolette Moultrie, and Evangeline Ward are absent and had been excused. DHCC Secretary, Edcelyn Pujol, took roll call and a quorum was established with six members present.

## 2. Public Comments for Items Not on the Agenda

Maureen Titus, CDHA, requested that two bills, SB 1464 and AB 3087, be reviewed by the DHCC.

No further comments received.

## 3. Update on Pending Regulatory Packages

DHCC Executive Officer (EO) Anthony Lum, stated that the following regulation packages have been returned for edits caused by the fiscal impact that was not completed beforehand:

1. CCR Title 16, Division 11, § 1104 Approval of New RDH Educational Programs and Continuation of Approval for Approved RDH Educational Programs.
2. Proposed CCR, Title 16, Division 11, § 1109.4 Retired License.
3. CCR Title 16, Division 11, § 1150, 1151, 1153 Name Badge/Sponsored Free Healthcare Events.

Staff will be working on these three regulation packages to proceed through the regulatory process.

#### 4. Consideration of the Legislative and Regulatory Subcommittee Report

President Good requested Legislative and Regulatory Subcommittee Chairman, Garry Shay, to present.

Chair Shay stated that all subcommittee members were present.

1. The November 17, 2017 meeting minutes were approved.
2. Several bills and regulations were considered and discussed among subcommittee members which are recorded in the Legislative and Regulatory Subcommittee meeting minutes.

President Good requested comments from members of the DHCC or public.

No comments received.

Motion: Noel Kelsch moved to adopt the Legislative and Regulatory Subcommittee Report.

Second: Sandra Klein

***Vote: Motion to adopt the Legislative and Regulatory Subcommittee Report. Passed 6:0:3.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

#### 5. Consideration of the Licensing and Examination Subcommittee Report

President Good requested Licensing and Examination Subcommittee Chairman, Noel Kelsch, to present.

Chair Kelsch stated that all subcommittee members were present.

1. The November 17, 2017 meeting minutes were approved.
2. The licensing and written examination statistics were reviewed.

- a. The Subcommittee requested research be conducted by staff to ensure exam questions parallel the law and the curriculum that is being taught in dental hygiene schools.
  - b. The Subcommittee requested research be done to find out what questions examinees are missing the most, especially registered dental hygienist in alternative practice (RDHAP) because of the high fail rate.
  - c. A post exam survey should be created to find out what examinees are struggling with regarding the written examination.
3. An Occupational Analysis (OA) and exam development contract with the Office of Professional and Examination Services (OPES) requested to be completed.
  4. The Subcommittee requested Business and Professions Code (BPC) §1917(b) be amended to place a two (2) year time limit to accept a pass clinical examination score to apply for licensure.
  5. The Subcommittee reviewed the RDH, RDHAP, and registered dental hygienist extended functions (RDHEF) duty chart in public health setting.
  6. Future agenda items included alternative licensing examination options such as portfolios and other pathways to licensure.

President Good requested comments from members of the DHCC or public.

Dr. Michelle Hurlbutt stated that she is opposed to conducting an OA as the DHCC does not administer a California Dental Hygiene Clinical Exam. She stated the purpose of an OA is to get an understanding of what is happening in the dental hygiene workplace which will not affect the California Law and Ethics Exam.

EO Lum stated that the recommendation was made to conduct an OA to review the current professional duties as compared to the last OA conducted in 2010.

Michelle Hurlbutt stated that if the DHCC is going to spend a large portion of the budget for a survey service, she would prefer an RDHAP survey as recommended by the Sunset Review Committee.

Susan Good stated that more research should be conducted as to types of questions an OA would be able to include.

EO Lum reviewed the purpose of an OA as defined by OPES:

1. An OA defines a profession in terms of the actual tasks that new licensees must be able to perform safely and competently at the time of licensure.
2. In order to develop a licensing examination that is fair, job-related, and legally defensible, it must be based upon what licensees actually do on the job.
3. The OA should be changed and reviewed every five to seven years to verify that it actually describes current practice.

Chair Kelsch stated that, in her interpretation, OPES defines the purpose of an OA as tasks of the job, not clinical reasoning or areas that can be directly related to law and ethics.

Kelly Reich, Western Regional Examination Board (WREB), stated that WREB recently conducted an OA, which will soon be shared with member states and educators. Ms. Reich stated OAs are conducted to determine the content of clinical examinations for licensure. She suggested that the DHCC refer to the WREB OA, rather than

conducting a separate OA as it is likely that the DHCC will not get desired results as it relates to the Law and Ethics Examination.

Karen Fischer, Executive Officer of the Dental Board of California (DBC), stated that the DBC accepts WREB as a pathway for licensure. She stated that the DBC conducts an OA to comply with BPC § 139. Ms. Fischer suggested EO Lum contact OPES regarding the OA requirement, as the DBC is required to conduct their OA every five to seven years.

Motion: Garry Shay moved to amend the Licensing and Examination Subcommittee Report such that the DHCC uses OPES unless the DHCC is capable of using a different vendor, in which case, this issue would be reconsidered by the Subcommittee.

Second: Noel Kelsch

Chair Kelsch requested comments from members of the DHCC or public.

JoAnn Galliano, MEd, RDH, DHCC Educational Consultant and Subject Matter Expert (SME) concurred with the recommendation to see if the DHCC, by law, can use the OA conducted by WREB and Central Regional Dental Testing Services (CRDTS) instead of conducting a separate OA.

***Vote: Motion to amend the Licensing and Examination Subcommittee Report such that the DHCC uses OPES unless the DHCC is capable of using a different vendor, in which case this issue would be reconsidered. Passed 5:1:3.***

Name	Aye	Nay	Abstain
Susan Good		X	
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

Dr. Hurlbutt asked if there was a final decision by the Subcommittee on the RDH, RDHAP, and RDHEF duty chart. She stated that she is not in favor of the duty chart as it is not accurate.

Chair Kelsch stated that there have been a substantial amount of inquiries on the scope of practice by licensed dental hygienists and a chart would be an excellent referral tool.

Ms. Galliano stated that she agrees with Dr. Hurlbutt as a chart does not always clearly delineate what a licensed hygienist can do. She recommended that if hygienists have questions regarding duties, an e-mail may be sent to the DHCC Members to make the determination. In addition, Ms. Galliano stated that in 2005, the duty chart was no longer used as it caused problems and confusion.

EO Lum stated that the majority of dental hygiene duties are set, with minimal adjustments. He stated that if a chart were adopted, a footnote may be added to disclose that duties are 'including but not limited to'.

President Good stated that as a consumer, it would be beneficial to have a duty chart so that any consumer can be aware of what the licensee can and cannot do.

Motion: Garry Shay moved to adopt the report as amended.

Second: Noel Kelsch

Chair Kelsch requested comments from members of the DHCC or public.

Ms. Titus stated that the concern is heavily weighted in the public health field, as it is unclear where the line is drawn if a dentist is not present nor available to a patient.

No further comments received.

***Vote: The motion to adopt the report as amended. Passed 6:0:3.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

## 6. Consideration of the Enforcement Subcommittee Report

President Good requested Enforcement Subcommittee Chairman, Michelle Hurlbutt, to present.

Chair Hurlbutt stated that all subcommittee members were present. The November 17, 2017 Subcommittee meeting minutes were accepted. Enforcement statistics and performance measures were reviewed. The Subcommittee discussed and took action on diversion programs.

The Enforcement Subcommittee recommended to the full committee that the DHCC Staff would investigate Diversion Programs and provide the DHCC Members with more information such as, success rates, costs, how other Boards conduct their programs, the distinction between a Participant who volunteers and one who is assigned, if there is a cost associated with the contract, and anything else the DHCC Staff feels is necessary to report.

Chair Hurlbutt requested comments from members of the DHCC or public.

No comments received.

***Vote: Motion to recommend DHCC staff investigate Diversion Programs and provide the DHCC Members with more information such as: success rates, costs, how other Boards conduct their programs, the distinction between a Participant who volunteers and one who is assigned, if there is a cost associated with creating a contract, and anything else the DHCC Staff feels is necessary to report. 6:0:3.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

The subcommittee took no action on the amendments on the uniform standards related to substance abuse and disciplinary guidelines as the Subcommittee was waiting on the outcome of a meeting regarding this matter. Depending on the outcome, it will return as an agenda item at a future meeting.

Motion: Michelle Hurlbutt moved to adopt the Subcommittee’s report.

Chair Hurlbutt requested comments from members of the DHCC or public.

No comments received.

**Vote: Motion to adopt the Enforcement Subcommittee Report. Passed 6:0:3.**

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

**7. Consideration of the Education Subcommittee Report**

President Good called on Education Subcommittee Chairman, Michelle Hurlbutt, to present.

Chair Hurlbutt stated that she was the stand-in Chair for Nicolette Moultrie, RDH, DHCC Education Subcommittee Chairman, and Evangeline Ward, RDH, who were both absent. Chair Hurlbutt, Noel Kelsch, and Edcelyn Pujol attended to form a Subcommittee. The November 17, 2017 meeting minutes were accepted.

The Subcommittee first discussed to amend 16 CCR §1107 RDH Course in Local Anesthesia, Nitrous Oxide-Oxygen Analgesia, and Periodontal Soft Tissue Curettage. The Subcommittee recommended to the Full Committee the issue concerning 16 CCR §1107(b)(9)(A) and 16 CCR §1107(b)(9)(B) be referred to a task force to clarify language.

The Subcommittee discussed clarification on radiography instruction in dental hygiene educational programs (DHEP). The Subcommittee recommended to the Full Committee that the DHCC follow the Commission on Dental Accreditation (CODA) standards regarding radiography education and recommended referral to a task force to discuss requirements for analog and digital radiography education in DHEP.

The Subcommittee discussed and took action on the number of Interim Therapeutic Restorations (ITR) to be completed in DHEPs for competency. The Subcommittee recommended to the Full Committee that this topic be referred to a task force to assist in drafting regulatory language concerning ITR course curriculum.

The Subcommittee discussed DHEP review updates.

1. The Subcommittee recommended to the Full Committee that the Executive Officer be directed to issue new approval for Taft College.

2. The Subcommittee recommended to the Full Committee withdraw of approval from Concorde Career College – Garden Grove with stay pending resolution of noted deficiencies by July 2, 2018.
3. The Subcommittee recommends to the Full Committee withdraw of approval from Concorde Career College – San Bernardino and Concorde Career College – San Diego if noted deficiencies are not resolved by July 2, 2018.

Chair Hurlbutt requested comments from members of the DHCC or public.

Noel Kelsch clarified that the dental hygiene educational programs should be following CODA standards.

Ms. Galliano stated that her understanding of the CODA Standard requiring analog processing was that students would have the ability to process analog radiographs, however, the DHEP could choose how the radiograph is taken.

Vickie Kimbrough (Taft College, Purple Pen) thanked the DHCC for their help in getting Taft through its deficiencies. She publicly acknowledged Dr. Daniels for being supportive of Taft's efforts and Taft's faculty and students for being flexible. She stated that in the Education Subcommittee report on DHEPs, the deficiencies are not equal among the schools. Dr. Kimbrough stated that for some schools, each deficiency is listed in detail, but for other schools, it simply says that a number of deficiencies were found without listing them. She stated that if the DHCC aims for consumer protection, then all schools and their deficiencies should be listed equally.

The Full Committee discussed and agreed with Dr. Kimbrough that all dental hygiene educational program deficiencies should be listed equally among all programs.

Adina Pineschi-Petty, Doctor of Dental Surgery (DDS), Educational Specialist stated specific deficiencies were not listed equally among the schools, as their deadlines fall after this meeting and the schools did not have the opportunity to correct the deficiencies prior to the report. The schools that had specific and detailed deficiencies listed had not corrected their deficiencies before the deadline and/or the deficiencies were of critical concern.

The Full Committee discussed and agreed that the only schools that have surpassed their deadline to correct their deficiencies should be reported to the Full Committee. In addition, staff to provide the Committee with critical concerns, elevated deficiencies, and full site visit reports.

Ms. Reich requested that if DHCC withdraws approval from a DHEP, that the information can be reported to WREB as well.

Chair Hurlbutt stated that even if the DHCC withdraws approval from a DHEP, the DHEP is still CODA accredited. The student can sit for the WREB clinical exam; however, the student cannot be licensed in California, but can be licensed in any other state that accepts WREB.

EO Lum stated that even when approval of a program is withdrawn, the school still has the right to an appeal which can be a lengthy process.

Laurel Sampson, Program Director of the Concorde Career College-San Diego Dental Hygiene Program (CCCSD), stated that she was asked to speak on behalf of the Concorde Career College-Garden Grove Dental Hygiene Program (CCCGG), the Concorde Career College-San Bernardino Dental Hygiene Program (CCCSD), and CCCSD. The Concorde Career College (CCC) programs were notified in January

2018 that CCC program length was not equivalent to two years academic years or 1600 hours. A couple of years ago, it was evaluated that units needed to be added to the core curriculum. She stated that CCC has been accredited by CODA and approved by DHCC since inception of the programs. CCC has been working diligently to get into compliance regarding the curriculum. She continued that it is CCC's intent to meet the deadline; however, CODA responded they would not review the curriculum change until July 2018, and discussed in an August 2018 meeting. Despite all efforts, there may be timeline issues, and as a result, CCC may not be able to meet the DHCC deadline. In addition to CODA, the Accrediting Commission of Career Schools and Colleges (ACCSC) poses a concern as well.

Chair Hurlbutt stated that she believes CODA has an emergency measure that allows DHEPs to put emergency changes in place as requested by the program. She recommended Ms. Sampson to look at CODA emergency measures. Dr. Hurlbutt stated CCC has a set of graduates that are not meeting the law; therefore, CCC must devise a plan to place the students in compliance.

Ms. Galliano stated that there should not be an issue with the accrediting body. If you are required by state law to make a change, the accrediting body must allow you to make that change. State law supersedes the accrediting body and they are required to acknowledge the changes.

Ms. Sampson stated that CCC will do everything they able to become compliant; however, CCC may not be able to meet the deadline for reasons that are out of CCC's control.

DHCC Legal Counsel Jason Hurtado stated that the DHCC may hold a Summer teleconference to discuss CCC concerns.

No further comments received.

Motion: Michelle Hurlbutt moved to adopt the Education Subcommittee Report.

***Vote: Motion to adopt the Education Subcommittee Report. Passed 6:0:3.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

## 8. Discussion and Possible Action to Determine November 2018 and April & November 2019 Meeting Locations

President Good stated that at the November 2017 committee meetings, the dates for 2018 and 2019 committee meetings were determined as follows:

1. November 16-17, 2018.
2. April 12-13, 2019.
3. November 22-23, 2019.

Although meeting dates were determined, the locations were not. President Good recommended that the next meeting be held in the Central Valley. Additionally, she stated that it would meet the convenience of licensees who practice in the Central Valley and give them an opportunity to attend a DHCC Committee Meeting.

Motion: Susan Good moved to conduct the November 2018 meetings in Fresno and that the DHCC set a Committee goal to alternate between locations in Northern, Central, and Southern California.

Second: Noel Kelsch

President Good requested comments from members of the DHCC or public.

Brenda Serpa, SJVC – Visalia, voiced support for having a DHCC Committee Meeting in the Central Valley.

Ms. Kelsch stated that she would support holding future meetings at state facilities and schools.

Dr. Petty stated that holding the DHCC Committee Meetings at schools that have DHEPs may pose a conflict of interest if they are offering free usage of facilities. EO Lum stated that he was in agreement with Dr. Petty.

Sandra Klein suggested to hold the meeting at a hotel as the hotel would be the focal point for many attendees.

No further comments received.

***Vote: Motion to meet in Fresno for the DHCC's November 2018 meetings and to alternate between locations in Northern, Central, and Southern California. Passed 6:0:3.***

Name	Aye	Nay	Abstain
Susan Good	X		
Michelle Hurlbutt	X		
Noel Kelsch	X		
Timothy Martinez			X (absent)
Sandra Klein	X		
Nicolette Moultrie			X (absent)
Edcelyn Pujol	X		
Garry Shay	X		
Evangeline Ward			X (absent)

## 9. Future Agenda Items

1. Breeze update patch schedule.
2. Mobile and portable dental unit legislation.
3. Remediation class to be considered for initial California licensure for RDH applicants whom have graduated over two (2) years prior to their application.
4. Request to clarify requirements of sealing, polishing, and contouring permanent restorations.
5. Soft tissue curettage, local anesthesia, and nitrous oxide-oxygen regulation clarification.
6. Radiography regulation clarification including future language requiring analog and digital training.
7. Review of amount of ITRs required for certification of licensure.

President Good requested comments from members of the DHCC or public.

Dr. Kimbrough recommended that the task force assigned to review ITRs consider creating language to enable continuing education providers the ability to provide ITR courses to licensed RDHs not associated with DHEPs, as well as separating anesthesia requirements between DHEPs and SLN providers for out-of-state dental hygienists applying for California licensure.

No further comments received.

## 10. Adjournment

President Good adjourned the Full Committee meeting of the DHCC at **10:51 a.m.**