



DENTAL BOARD OF CALIFORNIA
2005 Evergreen Street, Suite 1550, Sacramento, CA 95815
P (916) 263-2300 F (916) 263-2140 | www.dbc.ca.gov

**DENTAL BOARD OF CALIFORNIA MEETING AGENDA
MAY 11-12, 2017**

Wyndham Anaheim Garden Grove
12021 Harbor Boulevard
Garden Grove, CA 92840-4001
(714) 867-5555 (Hotel) or (916) 263-2300 (Board Office)

Members of the Board:

Bruce L. Whitcher, DDS, President
Thomas Stewart, DDS, Vice President

Fran Burton, MSW, Public Member
Steven Chan, DDS
Yvette Chappell-Ingram, Public Member
Judith Forsythe, RDA
Kathleen King, Public Member

Ross Lai, DDS
Huong Le, DDS, MA
Meredith McKenzie, Public Member
Abigail Medina, Public Member
Steven Morrow, DDS, MS

During this two-day meeting, the Dental Board of California will consider and may take action on any of the agenda items, unless listed as informational only. It is anticipated that the items of business before the Board on the first day of this meeting will be fully completed on that date. However, should an item not be completed, it may be carried over and heard beginning at 9:00 a.m. on the following day. Anyone wishing to be present when the Board takes action on any item on this agenda must be prepared to attend the two-day meeting in its entirety.

Public comments will be taken on agenda items at the time the specific item is raised. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. Time limitations for discussion and comment will be determined by the President. For verification of the meeting, call (916) 263-2300 or access the Board's website at www.dbc.ca.gov. This Board meeting is open to the public and is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Karen M. Fischer, MPA, Executive Officer, at 2005 Evergreen Street, Suite 1550, Sacramento, CA 95815, or by phone at (916) 263-2300. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

While the Board intends to webcast this meeting, it may not be possible to webcast the entire open meeting due to limitations on resources or technical difficulties that may arise.

Friday, May 12, 2017

8:00 A.M.

CLOSED SESSION – FULL BOARD

Deliberate and Take Action on Disciplinary Matters

The Board will meet in closed session as authorized by Government Code §11126(c)(3).

If the Board was unable to deliberate and take action on all closed session matters due to time constraints on Thursday, May 11, 2017, it will also meet in closed session on Friday, May 12, 2017.

CLOSED SESSION – LICENSING, CERTIFICATION, AND PERMITS COMMITTEE

Issuance of New License(s) to Replace Cancelled License(s)

The Committee will meet in closed session as authorized by Government Code §11126(c)(2) to deliberate on applications for issuance of new license(s) to replace cancelled license(s).

RETURN TO OPEN SESSION – FULL BOARD

9:00 A.M. FULL BOARD MEETING – OPEN SESSION

6. Call to Order/Roll Call/Establishment of Quorum
7. Executive Officer's Report
 - A. Staffing Update – Vacancies and New Hires
 - B. Dental Assisting Council member recruitment
 - C. Board Committee Assignments
 - D. Letter from the American Dental Association (ADA) and the American Education Association (ADEA) to Dr. Tracy Montez from Office of Professional Examination Services (OPES) requesting OPES to consider evaluating remaining two clinical examinations since OPES is in the process of evaluating the ADEX clinical examination and has already reviewed WREB examination.
8. Budget Report
 - A. State Dentistry Fund
 - B. State Dental Assisting Fund
 - C. Sunset Review Issue # 5: Discussion and Possible Action regarding Combining of State Dentistry Fund and State Dental Assisting Fund
9. Discussion and Possible Action Regarding Amendments to the Board's Proposed Rulemaking to Amend California Code of Regulations, Title 16, Sections 1021 and 1022 Relevant to a Fee Increase

10. Review of Dental Licensure and Permit Statistics
11. Licensing, Certifications, and Permits Committee Report on Closed Session
The Board may take action on recommendations regarding applications for issuance of new license(s) to replace cancelled license(s) and whether or not to grant, deny, or request further evaluation for a Conscious Sedation Permit as it relates to an onsite inspection and evaluation failure.
12. Review of Enforcement Statistics and Trends
13. Review of Fiscal Year 2016-17 Second Quarter Performance Measures from the Department of Consumer Affairs
14. Update on Proposed Changes to Minimum Standards for Infection Control (Cal. Code of Regs., Title 16, Section 1005)
15. Substance Use Awareness Committee Report
The Board may take action on any items listed on the attached Substance Use Awareness Abuse Committee meeting agenda.
16. Anesthesia Committee
The Board may take action on any items listed on the attached Anesthesia Committee meeting agenda.
17. Legislative and Regulatory Committee Report
The Board may take action on any items listed on the attached Legislative and Regulatory Committee meeting agenda.
18. Public Comment on Items Not on the Agenda
The Board may not discuss or take action on any matter raised during the Public Comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting (Government Code §§ 11125 and 11125.7(a)).
19. Board Member Comments on Items Not on the Agenda
The Board may not discuss or take action on any matter raised during the Board Member Comments section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting (Government Code §§ 11125 and 11125.7(a)).
20. Adjournment



MEMORANDUM

DATE	May 1, 2017
TO	Members of the Dental Board of California
FROM	Karen Fischer, Executive Officer Dental Board of California
SUBJECT	Agenda Item 7 : Executive Officer's Report

A. Staffing Update – Vacancies and New Hires as of May 1, 2017

OPERATIONS DIVISION

Executive Office ~ currently fully staffed

Recently hired: Executive Assistant (EA) – Perm/FT effective 03/02/17

Administration Unit ~ 1 vacancy

Associate Governmental Program Analyst (AGPA) – Perm/FT; previous incumbent separated 02/17/17 and recruitment has been conducted w/eligibility currently being verified for a potential hire.

Licensing & Examination Unit ~ 2.5 vacancies

Office Assistant (Typing) (OA T) – Perm/FT; previous incumbent separated 04/24/17 and position is currently under consideration for potential reclassification.

Staff Services Analyst – Perm/FT; previous incumbent accepted a promotion within the Board with a separation date of 04/06/17 and recruitment has been initiated.

Staff Services Analyst – Limited Term/PT; previous incumbent accepted a permanent position with DCA; however, the Board will not be recruiting as this position expires 06/30/17.

Recently hired:

Program Technician II (PT II) – Perm/FT effective 03/13/17

Staff Services Analyst (SSA) – Perm/FT effective 03/13/17

Dental Assisting Program ~ 1 vacancy

Management Service Technician (MST) – Perm/FT; previous incumbent separated 03/01/17 and position is currently under consideration for potential reclassification.

ENFORCEMENT DIVISION

Executive Office ~ currently fully staffed

Recently hired: Chief of Enforcement (Supervising Investigator II) – Perm/FT effective 04/17/17

Complaint & Compliance Unit ~ 2 vacancies

Office Technician (Typing) (OT T) – Perm/FT; new position through BCP 16/17; recruitment was conducted and a conditional offer has been accepted.

Office Technician (Typing) (OT T) – Perm/FT; previous incumbent accepted a transfer position with another department with a separation date of 02/07/17 and recruitment has been initiated.

Recently hired: Staff Services Analyst (SSA) – Perm/FT effective 03/27/17

Discipline Coordination Unit ~ currently fully staffed

Investigative Analysis Unit ~ 1 vacancy

Associate Governmental Program Analyst (AGPA) – Perm/FT; previous incumbent separated as of 11/30/16 and a hire has been made with an effective date of 05/25/17.

Recently hired:

Office Technician (Typing) (OT T) – Perm/FT effective 04/26/17

Associate Governmental Program Analyst (AGPA) – Perm/FT effective 03/13/17

Associate Governmental Program Analyst (AGPA) – Perm/FT effective 04/07/17

Sacramento Field Office ~ 1 vacancy

Supervising Investigator I – Perm/FT; previous incumbent accepted a promotion within the Board with a separation date of 04/16/17 and recruitment has been initiated.

Orange Field Office ~ 1 vacancy

Investigator (INV) – Perm/FT; previous incumbent separated as of 08/07/16 and recruitment is in progress with 2 potential candidates in backgrounds.

Total number of hires/separations since February 1, 2017:

Hires – 8

Separations – 6

B. Dental Assisting Council (DAC) Member Recruitment

On April 24, 2017, I received notification from Emma Ramos, Chair of Dental Assisting Council (DAC), that she had resigned her faculty position and is working as a registered dental assistant in a dental office. Emma was one of the first members appointed by the Dental Board to serve on the DAC in a position designated for a faculty member of a registered dental assisting educational program approved by the board. Emma was appointed in March 2012 to serve a three year term. She was reappointed at the February 2015 board meeting to serve an additional four year term.

This change in her employment status renders her ineligible to continue in her position on the Council as she is no longer working as a faculty member. A recruitment notice has been posted to the Board's website and applications will be accepted on a continuous basis until the position is filled.

C. Board Committee Assignments

With the sudden departure of three board members there was a shift in committee chairmanships. Board President, Dr. Bruce Witcher has made the following adjustments to accommodate these changes.

Fran Burton, public member, will replace Mr. Steve Afriat (public member) as Chair of the Enforcement Committee. Dr. Thomas Stewart will remain the Vice Chair.

Huong Le, DDS, MA will replace Debra Woo, DDS, MA as Chair of the Examination Committee. Steven Morrow, DDS, MS will serve as Vice Chair.

Abigail Medina, newly appointed public member, has requested membership on the Access to Care and Legislative Committees.

The Prescription Drug Abuse Committee name has been changed to the Substance Use Awareness Committee.

D. Letter from the American Dental Association (ADA) and the American Education Association (ADEA) to Dr. Tracy Montez from Office of Professional Examination Services (OPES) requesting OPES to consider evaluating remaining two clinical examinations. See Attached.

ADA American
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Association®
America's leading
advocate for oral health

ADEA | THE VOICE OF
DENTAL EDUCATION

March 20, 2017

Dr. Tracy Montez, Chief
California Department of Consumer Affairs
Division of Programs and Policy Review
1625 North Market Boulevard
Sacramento, California 95834

Dear Doctor Montez:

We are writing on behalf of the American Dental Association (ADA), the American Dental Education Association (ADEA), and our Joint Task Force on Licensure regarding testing for dental licensure in California as well as the other 52 licensing jurisdictions in the United States. We have learned that the Dental Board of California has requested, consistent with 2016 CA Assembly Bill 2331, that the Office of Professional Examination Services (OPES) within your division evaluate the American Board of Dental Examiners' (ADEX) clinical examination for acceptance as a pathway to licensure in California. It is our understanding that a similar evaluation of an examination by the Western Regional Examining Board (WREB) has already been completed by the OPES, and that WREB examination results are accepted for licensure purposes by the Dental Board of California.

We applaud California's interest in expanding its recognition of the examinations delivered by clinical testing agencies. We believe that state boards of dentistry should accept clinical examination results of all clinical testing agencies for the purpose of licensure. In 2016, ADA psychometricians conducted a review of the clinical examinations administered by the five clinical testing agencies (i.e., the Council of Interstate Testing Agencies (CITA); Central Regional Dental Testing Services, Inc. (CRDTS); Commission on Dental Competency Assessments (CDCA); Southern Regional Testing Agency, Inc. (SRTA); Western Regional Examining Board (WREB)). This review relied upon the *Standards for Educational and Psychological Testing*¹ as an organizing framework, and concluded that clinical testing agency examinations were quite comparable.

Given that the OPES has completed an evaluation of the WREB examination and is in the process of evaluating the ADEX, we are writing to request that the OPES also consider evaluating the remaining two clinical examinations administered throughout the US (i.e., the

¹ American Educational Research Association, American Psychological Association, & National Council on Measurement in Education. (2014). *Standards for educational and psychological testing*. Washington, DC: American Educational Research Association.

Dr. Tracy Montez
March 20, 2017
Page 2

examinations developed by CRDTS and SRTA).² Thirty-two (32) of the 37 state dental boards that accept the WREB also accept the corresponding CRDTS and SRTA examinations. An independent third party assessment of these examinations by an agency such as the OPES would shed additional light on the comparability of these assessments, particularly with respect to their use in licensure. At present, highly qualified dental professionals may be deterred from seeking a license in California and other states, due to onerous and differing requirements involving clinical examinations. Pursuit of this evaluation would be consistent with the Department of Consumer Affairs' mission to be the premier consumer protection agency, as it implements its charge to protect consumers and help ensure consumers receive quality care.

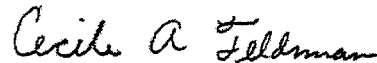
We fully recognize that the OPES functions as an agency of the State of California and that our request has financial implications. Funding for this evaluation is available if your agency is agreeable to conduct the proposed assessment.

Many thanks for your consideration of this request.

Sincerely,



Gary L. Roberts, D.D.S.
ADA President



Cecile A. Feldman, D.M.D., M.B.A.
ADEA Chair of the Board

cc: Dr. Richard W. Valachovic, president and CEO, ADEA
Mr. Peter Dubois, executive director, California Dental Association
Dr. Bruce Witcher, president, Dental Board of California
Dr. Joseph P. Crowley, president-elect, ADA
Members, ADA/ADEA Licensure Task Force
Dr. Kathleen T. O'Loughlin, executive director, ADA
Dr. Anthony J. Ziebert, senior vice-president, Education and Professional Affairs, ADA

² CITA and CDCA both administer the ADEX, while CRDTS, SRTA, and WREB administer their own clinical examinations.

Fischer, Karen@DCA

From: Montez, Tracy@DCA
Sent: Tuesday, March 28, 2017 2:57 PM
To: Harrell, Katie
Cc: peter.dubois@cda.org; whitcher.bruce@gmail.com; Hart, Karen
Subject: RE: Sent on behalf of the ADA & ADEA

Good afternoon Ms. Harrell,

In response to your correspondence sent on behalf of Dr. Gary Roberts, ADA President and Dr. Cecile Feldman, ADEA Chair of the Board, I regret to inform you that the Office of Professional Examination Services (OPES) is unable to evaluate the remaining two national clinical examinations at this time.

As mentioned, we are a state agency and must consider a number of variables including resources available to respond to our internal Department of Consumer Affairs clients. At this time, we do not have technical staff available to conduct this work.

We appreciate the confidence your organizations have in OPES and the work done to support fair, valid, and legally defensible examinations.

Sincerely,
Tracy

Tracy A. Montez, Ph.D., Chief
Division of Programs & Policy Review
Department of Consumer Affairs
1625 N. Market Blvd., Suite S-308
Sacramento, CA 95834
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From: Harrell, Katie [<mailto:harrellk@ada.org>]
Sent: Monday, March 20, 2017 12:44 PM
To: Montez, Tracy@DCA
Cc: peter.dubois@cda.org; whitcher.bruce@gmail.com; Hart, Karen
Subject: Sent on behalf of the ADA & ADEA

Dear Dr. Montez,

The attached correspondence is being sent on behalf of Dr. Gary Roberts, ADA President and Dr. Cecile Feldman, ADEA Chair of the Board..

Thank you,
Katie Harrell

Katie Harrell harrellk@ada.org
Licensure Coordinator
CDEL
312.440.2717

American Dental Association 211 E. Chicago Ave. Chicago, IL 60611 www.ada.org



MEMORANDUM

DATE	April 27, 2017
TO	Members of the Dental Board of California
FROM	Zachary Raske, Budget Analyst Dental Board of California
SUBJECT	Agenda Item 8: Budget Report

Background:

The Board manages two separate funds: 1) Dentistry Fund, and 2) Dental Assisting Fund. The funds are not comingled. The following is intended to provide a summary of expenses for the third quarter of Fiscal Year (FY) 2016-17 for the Dentistry and Dental Assisting funds.

A. State Dentistry Fund

Third Quarter Expenditure Summary for Fiscal Year 2016-17

The third quarter expenditures are based upon the budget report released by the Department of Consumer Affairs (DCA) in April 2017. This report reflects actual expenditures through March 31, 2017. The Board spent roughly \$8.4 million or 66% of its total Dentistry Fund appropriation for FY 2016-17. Of that amount, approximately \$4.2 million of the expenditures were for Personnel Services and \$4.2 million were for Operating Expense & Equipment (OE&E) for this fiscal year.

For comparison purposes, last year at this time the Board spent roughly \$8.4 million or 79% of its FY 2015-16 Dentistry Fund appropriations. Approximately 48% of the expenditures were Personnel Services and approximately 52% of the expenditures were OE&E.

Fund Title	Appropriation	Total Expenditures Through 3-31-17
Dentistry Fund	\$12,619,000	\$8.4

Attachment 1 displays year-to-date expenditures for the Dentistry Fund.

Analysis of Fund Condition

Attachment 1a displays an analysis of the State Dentistry Fund’s condition including expenditures for the BreEze system. Without fee increases, the State Dentistry Fund is heading towards insolvency for FY 2018-19. Months in reserve are decreasing and will go negative in FY 2018-19.

B. State Dental Assisting Fund

Third Quarter Expenditure Summary for Fiscal Year 2016-17

The third quarter expenditures are based upon the budget report released by the Department of Consumer Affairs (DCA) in April 2017. This report reflects actual expenditures through March 31, 2017. The Board spent roughly \$1.6 million or 64% of its total Dental Assisting Fund appropriation for FY 2016-17. Of that amount, approximately \$515,000 of the expenditures was for Personnel Services and \$1.1 million were for OE&E for this fiscal year.

For comparison purposes, last year at this time the Board spent roughly \$1.6 million or 80% of its FY 2015-16 Dental Assisting Fund appropriations. Approximately 30% of the expenditures were Personnel Services and approximately 70% of the expenditures were OE&E.

Fund Title	Appropriation	Total Expenditures Through 3-31-17
Dental Assisting Fund	\$2,577,000	\$1,585,813

Attachment 2 displays year-to-date expenditures for the Dental Assisting Fund.

Analysis of Fund Condition

Attachment 2a displays the Dental Assisting Fund’s condition including expenditures for the BreEze system. Without fee increases, the State Dental Assisting Fund is heading towards insolvency for FY 2018-19. Months in reserve are decreasing and will go negative in FY 2018-19.

C. Sunset Review Issue #5: Discussion and Possible Action Regarding Combining of State Dentistry Fund and State Dental Assisting Fund

As part of the Board’s Sunset Review during 2015, the Assembly Business and Professions Committee recommended that the Board consider whether it is feasible or preferable to merge the Dentistry and Dental Assisting funds, and to share all staff and costs.

Board staff has researched the feasibility of merging the funds and has consulted with the Department of Consumer Affairs’ Budget Office. Staff has determined that the merging of the two funds will streamline certain processes. The combining of the two separate funds and two separate appropriations into one, will create efficiencies in budgeting and accounting processes in the long term and would make any budgeting issues simpler to understand. There would be a significant amount of work involved in

making the switch, including requiring statutory amendments. However, the DCA Budget Office opined that the long-term benefits of merging the two funds outweigh the short-term concerns and increased workload.

Staff recommends that the Board take action to support the merging of the State Dentistry Fund and the State Dental Assisting Fund and direct staff to continue to research and identify the process by which the two funds may be merged and include a request to merge the funds as part of the Board's Sunset Review Report which will be developed in 2018.

Action Requested:

Support the merging of the State Dentistry Fund and the State Dental Assisting Fund and direct staff to continue to research and identify the process by which the two funds may be merged and include a request to merge the funds as part of the Board's Sunset Review Report which will be developed in 2018

0741 - Dental Board of California

Analysis of Fund Condition

1/10/2017

(Dollars in Thousands)

2017-18 Governor's Budget

	ACTUAL 2015-16	CY 2016-17	BY 2017-18
BEGINNING BALANCE	\$ 5,635	\$ 6,327	\$ 3,743
Prior Year Adjustment	\$ -69	\$ -	\$ -
Adjusted Beginning Balance	<u>\$ 5,566</u>	<u>\$ 6,327</u>	<u>\$ 3,743</u>
REVENUES AND TRANSFERS			
Revenues:			
125600 Other regulatory fees	\$ 62	\$ 69	\$ 71
125700 Other regulatory licenses and permits	\$ 997	\$ 966	\$ 964
125800 Renewal fees	\$ 10,247	\$ 9,583	\$ 9,854
125900 Delinquent fees	\$ 71	\$ 70	\$ 69
131700 Misc. Revenue from Local Agencies	\$ -	\$ -	\$ -
141200 Sales of documents	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ 34	\$ -	\$ -
150300 Income from surplus money investments	\$ 27	\$ 11	\$ 3
150500 Interest Income From Interfund Loans	\$ -	\$ -	\$ -
160100 Settlements and Judgements	\$ -	\$ -	\$ -
160400 Sale of fixed assets	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ 4	\$ -	\$ -
161400 Miscellaneous revenues	\$ 2	\$ -	\$ -
164300 Penalty Assessments	\$ -	\$ -	\$ -
Totals, Revenues	<u>\$ 11,444</u>	<u>\$ 10,699</u>	<u>\$ 10,961</u>
Totals, Revenues and Transfers	<u>\$ 11,444</u>	<u>\$ 10,699</u>	<u>\$ 10,961</u>
Totals, Resources	<u>\$ 17,010</u>	<u>\$ 17,026</u>	<u>\$ 14,704</u>
EXPENDITURES			
Disbursements:			
1110 Program Expenditures (State Operations)	\$ 10,660	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ -	\$ 12,619	\$ 13,135
8880 Financial Information System of California (State Operations)	\$ 23	\$ 17	\$ 17
9900 Statewide General Administrative Expenditures (Pro Rata)	\$ -	\$ 647	\$ 787
Total Disbursements	<u>\$ 10,683</u>	<u>\$ 13,283</u>	<u>\$ 13,939</u>
FUND BALANCE			
Reserve for economic uncertainties	\$ 6,327	\$ 3,743	\$ 765
Months in Reserve	5.7	3.2	0.6

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
- B. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1
- C. ASSUMES INTEREST RATE AT 0.3%.

**DENTAL BOARD - FUND 0741
BUDGET REPORT
FY 2016-17 EXPENDITURE PROJECTION**

FM 9

OBJECT DESCRIPTION	FY 2015-16		FY 2016-17				
	ACTUAL	PRIOR YEAR	BUDGET	CURRENT YEAR	PERCENT	PROJECTIONS	UNENCUMBERED
	EXPENDITURES (MONTH 13)	EXPENDITURES 3/31/2016	STONE 2016-17	EXPENDITURES 3/31/2017	SPENT	TO YEAR END	BALANCE
PERSONNEL SERVICES							
Salary & Wages (Staff)	3,281,479	2,434,943	4,264,000	2,518,762	59%	3,373,779	890,221
Statutory Exempt (EO)	108,581	81,252	96,000	85,356	89%	111,576	(15,576)
Temp Help (Expert Examiners)	0	0	40,000	0	0%	0	40,000
Temp Help Reg (907)	142,959	115,670	199,000	31,907	16%	90,000	109,000
Temp Help (Exam Proctors)	0	0	45,000	0	0%	0	45,000
BL 12-03 Blanket	64,215	48,051	0	38,258		58,000	(58,000)
Board Member Per Diem (901, 920)	16,100	9,400	46,314	13,000	28%	18,000	28,314
Committee Members (911)	4,200	3,000	58,686	2,100	4%	4,200	54,486
Overtime	37,330	22,184	25,000	13,418	54%	23,000	2,000
Staff Benefits	1,804,708	1,348,883	2,357,000	1,466,837	62%	1,964,768	392,232
TOTALS, PERSONNEL SVC	5,459,572	4,063,383	7,131,000	4,169,638	58%	5,643,323	1,487,677
OPERATING EXPENSE AND EQUIPMENT							
General Expense	90,116	67,214	58,000	243,185	419%	326,000	(268,000)
Fingerprint Reports	15,894	9,257	26,000	9,297	36%	17,000	9,000
Minor Equipment	3,699	2,309	6,000	24,962	416%	24,962	(18,962)
Printing	80,185	45,695	42,000	66,753	159%	90,000	(48,000)
Communication	29,473	17,902	33,000	23,333	71%	33,000	0
Postage	62,527	44,515	59,000	26,816	45%	50,000	9,000
Insurance	8,056	8,056	2,000	11,050	553%	11,050	(9,050)
Travel In State	153,609	94,533	109,000	81,196	74%	137,000	(28,000)
Travel, Out-of-State	263	0	0	1,922		1,922	(1,922)
Training	6,594	5,334	7,000	4,330	62%	7,000	0
Facilities Operations	413,542	431,263	361,000	413,668	115%	413,668	(52,668)
C & P Services - Interdept.	7,886	7,544	47,000	12,835	27%	12,835	34,165
C & P Services - External	275,983	301,724	193,000	492,497	255%	492,497	(299,497)
DEPARTMENTAL SERVICES:							
OIS Pro Rata	1,081,773	818,250	1,195,000	896,247	75%	1,195,000	0
Admin/Exec	795,161	597,000	822,000	603,747	73%	822,000	0
Interagency Services	0	0	1,000	0	0%	1,000	0
IA w/ OPES	61,551	61,030	0	0	0%	0	0
DOI-ProRata Internal	21,629	16,500	23,000	17,253	75%	23,000	0
Public Affairs Office	51,000	38,250	144,000	108,000	75%	144,000	0
PPRD	0	0	7,000	5,247	75%	7,000	0
INTERAGENCY SERVICES:							
Consolidated Data Center	32,856	23,944	18,000	13,003	72%	23,000	(5,000)
DP Maintenance & Supply	21,802	10,148	11,000	10,625	97%	22,000	(11,000)
Central Admin Svc-ProRata	607,194	455,396	0	0		0	0
EXAMS EXPENSES:							
Exam Supplies	0	0	43,291	0	0%	0	43,291
Exam Freight	0	0	166	0	0%	0	166
Exam Site Rental	0	0	68,586	0	0%	0	68,586
C/P Svcs-External Expert Administration	77,774	65,385	6,709	0	0%	78,000	(71,291)
C/P Svcs-External Expert Examiners	0	0	238,248	0	0%	0	238,248
C/P Svcs-External Subject Matter	46,171	11,554	0	78,059		100,000	(100,000)
Other Items of Expense	7,707	7,273	0	12,154		16,000	(16,000)
Tort Pymts-Punitive	56,427	0	0	0		0	0
ENFORCEMENT:							
Attorney General	1,056,537	818,237	1,578,000	694,946	44%	1,094,000	484,000
Office Admin. Hearings	227,114	190,370	407,000	211,744	52%	318,000	89,000
Court Reporters	11,215	5,958	0	10,414		20,000	(20,000)
Evidence/Witness Fees	371,666	226,585	244,000	169,019	69%	328,000	(84,000)
DOI - Investigative	0	0	0	0	0%	0	0
Vehicle Operations	51,529	25,534	5,000	30,336	607%	61,000	(56,000)
Major Equipment	0	0	0	0	0%	0	0
TOTALS, OE&E	5,726,933	4,406,760	5,755,000	4,272,638	74%	5,868,934	(113,934)
TOTAL EXPENSE	11,186,505	8,470,143	12,886,000	8,442,276	133%	11,512,257	1,373,743
Sched. Reimb. - Fingerprints	(15,365)	(10,098)	(53,000)	(9,604)	18%	(53,000)	0
Sched. Reimb. - Other	(8,000)	(6,120)	(214,000)	(6,346)	3%	(214,000)	0
Unsched. Reimb. - External/Private	(25,313)	(25,313)					0
Unsch Reimb - Finger Print Fees		(336)					0
Probation Monitoring Fee - Variable	(115,886)	(86,051)		(72,196)			0
Unsched. - Investigative Cost Recovery	(362,177)	(249,520)		(327,035)			0
NET APPROPRIATION	10,659,764	8,092,705	12,619,000	8,027,095	64%	11,245,257	1,373,743
SURPLUS/(DEFICIT):							10.9%

3142 - Dental Assisting Program

Analysis of Fund Condition

1/10/2017

(Dollars in Thousands)

2017-18 Governor's Budget

	Actual 2015-16	CY 2016-17	BY 2017-18
BEGINNING BALANCE	\$ 2,840	\$ 2,634	\$ 1,595
Prior Year Adjustment	\$ -9	\$ -	\$ -
Adjusted Beginning Balance	\$ 2,831	\$ 2,634	\$ 1,595
 REVENUES AND TRANSFERS			
Revenues:			
125600 Other regulatory fees	\$ 13	\$ 18	\$ 16
125700 Other regulatory licenses and permits	\$ 456	\$ 278	\$ 368
125800 Renewal fees	\$ 1,297	\$ 1,270	\$ 1,268
125900 Delinquent fees	\$ 76	\$ 69	\$ 65
141200 Sales of documents	\$ 1	\$ -	\$ -
142500 Miscellaneous services to the public	\$ 3	\$ -	\$ -
150300 Income from surplus money investments	\$ 12	\$ 3	\$ 2
160400 Sale of fixed assets	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ 1	\$ -	\$ -
161400 Miscellaneous revenues	\$ 12	\$ -	\$ -
164300 Penalty Assessments	\$ -	\$ -	\$ -
Totals, Revenues	\$ 1,871	\$ 1,638	\$ 1,719
 Totals, Revenues and Transfers	\$ 1,871	\$ 1,638	\$ 1,719
 Totals, Resources	\$ 4,702	\$ 4,272	\$ 3,314
 EXPENDITURES			
Disbursements:			
1110 Program Expenditures (State Operations)	\$ 2,065	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ -	\$ 2,577	\$ 2,487
8880 Financial Information System for CA (State Operations)	\$ 3	\$ 3	\$ 4
9900 Statewide General Administrative Expenditures (Pro Rata)	\$ -	\$ 97	\$ 184
Total Disbursements	\$ 2,068	\$ 2,677	\$ 2,675
 FUND BALANCE			
Reserve for economic uncertainties	\$ 2,634	\$ 1,595	\$ 639
 Months in Reserve	11.8	7.2	3.0

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ONGOING.
- B. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1.
- C. ASSUMES INTEREST RATE AT 0.3%.

**DENTAL ASSISTING PROGRAM - FUND 3142
BUDGET REPORT
FY 2016-17 EXPENDITURE PROJECTION**

FM 9

OBJECT DESCRIPTION	FY 2015-16		FY 2016-17				
	ACTUAL EXPENDITURES	PRIOR YEAR EXPENDITURES	BUDGET STONE	CURRENT YEAR EXPENDITURES	PERCENT SPENT	ACTUALS YEAR END	UNENCUMBERED BALANCE
	(MONTH 13)	3/31/2016	2017-18	3/31/2017			
PERSONNEL SERVICES							
Salary & Wages (Staff)	390,798	286,022	497,000	273,264	55%	451,000	46,000
Temp Help Reg (907)	0	0	0	21,885		23,000	(23,000)
Board Member Per Diem (901, 920)	4,200	1,300	0	2,100		4,200	(4,200)
Overtime	3,466	1,500	0	8,307		12,000	(12,000)
Staff Benefits	257,393	188,709	313,000	209,259	67%	345,365	(32,365)
TOTALS, PERSONNEL SVC	655,857	477,531	810,000	514,815	64%	835,565	(25,565)
OPERATING EXPENSE AND EQUIPMENT							
General Expense	8,400	5,628	36,000	6,706	19%	13,500	22,500
Fingerprint Reports	54	0	8,000	27	0%	27	7,973
Minor Equipment	6,369	6,369	0	0		0	0
Printing	5,573	1,384	20,000	700	4%	4,000	16,000
Communication	30	30	13,000	0	0%	30	12,970
Postage	14,689	16,658	37,000	0	0%	14,000	23,000
Travel In State	43,566	23,098	49,000	25,569	52%	36,000	13,000
Training	0	0	4,000	0	0%	0	4,000
Facilities Operations	82,391	85,300	64,000	45,194	71%	80,000	(16,000)
Utilities	0	0	1,000	0	0%	0	1,000
C & P Services - Interdept.	0	0	288,000	0	0%	0	288,000
C & P Services - External	0	14,000	27,000	27,000	100%	27,000	0
DEPARTMENTAL SERVICES:							
OIS ProRata	579,091	439,500	674,000	505,503	75%	674,000	0
Admin/Exec	134,858	101,250	135,000	99,000	73%	135,000	0
Interagency Services	0	0	73,000	0	0%	0	73,000
IA w/ OPES	0	0	0	31,620		31,620	(31,620)
DOI-ProRata Internal	3,933	3,000	4,000	2,997	75%	4,000	0
Communications ProRata	9,000	6,750	17,000	12,753	75%	17,000	0
PPRD ProRata	0	0	1,000	747	75%	1,000	0
INTERAGENCY SERVICES:							
Consolidated Data Center	0	0	3,000	0	0%	0	3,000
DP Maintenance & Supply	909	909	1,000	0	0%	1,000	0
Statewide ProRata	91,663	68,747	0	0		0	0
EXAMS EXPENSES:							
Exam Supplies	15,232	7,952	3,708	13,832	373%	20,000	(16,292)
Exam Site Rental - State Owned	37,685	37,685	0	44,076		58,000	(58,000)
Exam Site Rental - Non State Owned	37,550	42,560	69,939	30,000	43%	40,000	29,939
C/P Svcs-External Expert Administration	2,983	2,159	30,877	41	0%	3,000	27,877
C/P Svcs-External Expert Examiners	0	0	47,476	0	0%	0	47,476
C/P Svcs-External Subject Matter	209,934	145,745	0	120,702		206,000	(206,000)
Other Items of Expense	0	3,640	0	5,610		5,610	(5,610)
ENFORCEMENT:							
Attorney General	120,885	97,158	173,000	98,838	57%	149,000	24,000
Office Admin. Hearings	0	0	3,000	0	0%	2,000	1,000
Court Reporters	0	0	0	83		200	(200)
Evidence/Witness Fees	5,019	1,725	0	0		5,000	(5,000)
Vehicle Operations	0	0	0	0	0%	0	0
Major Equipment	568	568	0	0	0%	0	0
TOTALS, OE&E	1,410,382	1,111,815	1,783,000	1,070,998	60%	1,526,987	256,013
TOTAL EXPENSE	2,066,239	1,589,346	2,593,000	1,585,813	124%	2,362,552	230,448
Sched. Reimb. - Fingerprints	(948)	(882)	(13,000)	(703)	5%	(1,000)	(12,000)
Sched. Reimb. - Other	(705)	(705)	(3,000)	(470)	16%	(700)	(2,300)
NET APPROPRIATION	2,064,586	1,587,759	2,577,000	1,584,640	61%	2,360,852	216,148
SURPLUS/(DEFICIT):							8.4%



MEMORANDUM

DATE	May 1, 2017
TO	Members of the Dental Board of California
FROM	Sarah Wallace, Assistant Executive Officer Dental Board of California
SUBJECT	Agenda Item 9: Amendments to the Board's Proposed rulemaking to Amend CCRs, Title 16, Sections 1021 and 1022 Relevant to a Fee Increase

Background:

Board Staff is still awaiting direction from DCA Regulation Unit. If modifications need to be completed, this information will be handed out during meeting.

Action Requested:

Discussion and Possible Action if necessary.



MEMORANDUM

DATE	May 2, 2017
TO	Member of the Dental Board of California
FROM	Jorrelle Abutin, Staff Services Analyst Dental Board of California
SUBJECT	Agenda Item 10: Review of Dental Licensure and Permit Statistics

A. Following are statistics of current license/permits by type as of April 11, 2017

Dental License (DDS) Status	Licensee Population
Active	34,009
Inactive	1,985
Retired	1,755
Disabled	8
Renewal in Process	334
Delinquent	5,053
Total Cancelled Since Licensing was required	14,910

*Active: Current and can practice without restrictions (BPC §1625)

Inactive: Current but cannot practice, continuing education not required (CCR §1017.2)

Retired: Current, has practiced over 20 years, eligible for Social Security and can practice with restrictions (BPC §1716.1a)

Disabled: Current with disability but cannot practice (BPC §1716.1b)

Renewal in Process: Renewal fee paid with deficiency (CCR §1017)

Delinquent: Renewal fee not paid within one month after expiration date (BPC §163.5)

Cancelled: Renewal fee not paid 5 years after its expiration and may not be renewed (BPC §1718.3a)

Dental Licenses Issued via Pathway	Total Issued in 2017	Total Issued in 2016	Total Issued in 2015	Total Issued to Date	Date Pathway Implemented
WREB Exam	85	786	747	7,675	January 1, 2006
Licensure by Residency	22	154	162	1,640	January 1, 2007
Licensure by Credential	35	142	116	3,070	July 1, 2002
LBC Clinic Contract	5	9	5	38	July 1, 2002
LBC Faculty Contract	1	6	2	15	July 1, 2002
Portfolio	0	34	7	40	November 5, 2014
Total	148	1,116	1,039		

License/Permit /Certification/Registration Type	Current Active Permits	Delinquent	Total Cancelled Since Permit was Required
Additional Office Permit	2,486	574	6,151
Conscious Sedation	515	46	428
Continuing Education Registered Provider Permit	1,117	661	1,816
Elective Facial Cosmetic Surgery Permit	28	3	N/A
Extramural Facility Registration*	159	N/A	N/A
Fictitious Name Permit	6,588	1,186	5,429
General Anesthesia Permit	853	41	880
Mobile Dental Clinic Permit	36	38	37
Medical General Anesthesia	79	39	161
Oral Conscious Sedation Certification (Adult Only 1,637; Adult & Minors 1,875)	2,461	595	550
Oral & Maxillofacial Surgery Permit	85	8	16
Referral Service Registration*	154	N/A	N/A
Special Permits	41	9	169

*Current population for Extramural Facilities and Referral Services are approximated because they are not automated programs

Active Licensees by County as of March 31, 2017

County	DDS	Population	Population per DDS
Alameda	1,461	1,627,865	1,114
Alpine	0	1,166	N/A
Amador	22	37,707	1,714
Butte	147	224,601	1,528
Calaveras	20	45,207	2,260
Colusa	4	21,948	5,487
Contra Costa	1,080	1,123,429	1,040
Del Norte	14	26,811	1,915
El Dorado	155	183,750	1,185
Fresno	562	984,541	1,752
Glenn	10	28,668	2,867
Humboldt	76	135,116	1,778
Imperial	37	185,831	5,022
Inyo	10	18,650	1,865
Kern	340	886,507	2,607
Kings	63	150,373	2,387
Lake	52	64,306	1,237
Lassen	22	30,780	1,399
Los Angeles	8,331	10,241,335	1,229
Madera	51	155,349	3,046
Marin	326	262,274	805
Mariposa	6	18,159	3,027
Mendocino	58	87,649	1,511
Merced	92	271,579	2,952
Modoc	5	9,638	1,928
Mono	3	13,721	4,574
Monterey	268	437,178	1,631
Napa	107	142,028	1,327
Nevada	80	98,095	1,226
Orange	3,751	3,183,011	849

County	DDS	Population	Population per DDS
Placer	448	373,796	834
Plumas	18	19,879	1,104
Riverside	1,040	2,347,828	2,258
Sacramento	1,079	1,495,297	1,386
San Benito	22	56,648	2,575
San Bernardino	1,306	2,139,570	1,638
San Diego	2,635	3,288,612	1,248
San Francisco	1,237	866,583	701
San Joaquin	365	733,383	2,009
San Luis Obispo	217	277,977	1,281
San Mateo	867	766,041	884
Santa Barbara	327	446,717	1,366
Santa Clara	2,222	1,927,888	868
Santa Cruz	187	275,902	1,475
Shasta	118	178,592	1,513
Sierra	2	3,203	1,602
Siskiyou	21	44,739	2,130
Solano	280	431,489	1,541
Sonoma	405	501,959	1,239
Stanislaus	276	540,214	1,957
Sutter	53	97,308	1,836
Tehama	27	63,934	2,368
Trinity	4	13,667	3,417
Tulare	206	466,339	2,264
Tuolumne	47	54,900	1,168
Ventura	671	856,508	1,276
Yolo	116	214,555	1,850
Yuba	9	74,345	8,261
Out of State/Country	2,764		
TOTAL	34,122	39,255,883	

*Population data obtained from Department of Finance, Demographic Research Unit

*The counties with the highest Population per DDS are:

1. Yuba County (1:8,261)
2. Colusa County (1:5,487)
3. Imperial County (1:5,022)
4. Mono County (1:4,574)
5. Trinity County (1:3,417)

The counties with the lowest Population per DDS are:

1. San Francisco County (1:701)
2. Marin County (1:805)
3. Placer County (1:834)
4. Orange County (1:849)
5. Santa Clara County (1:868)

*The counties with the biggest increase in active license dentists since March 31, 2017 are Monterey, San Joaquin and Stanislaus County with 3 additional dentists each.

*Alpine County has no active dentists in 2017.

B. Following are monthly dental statistics by pathway as of March 31, 2017

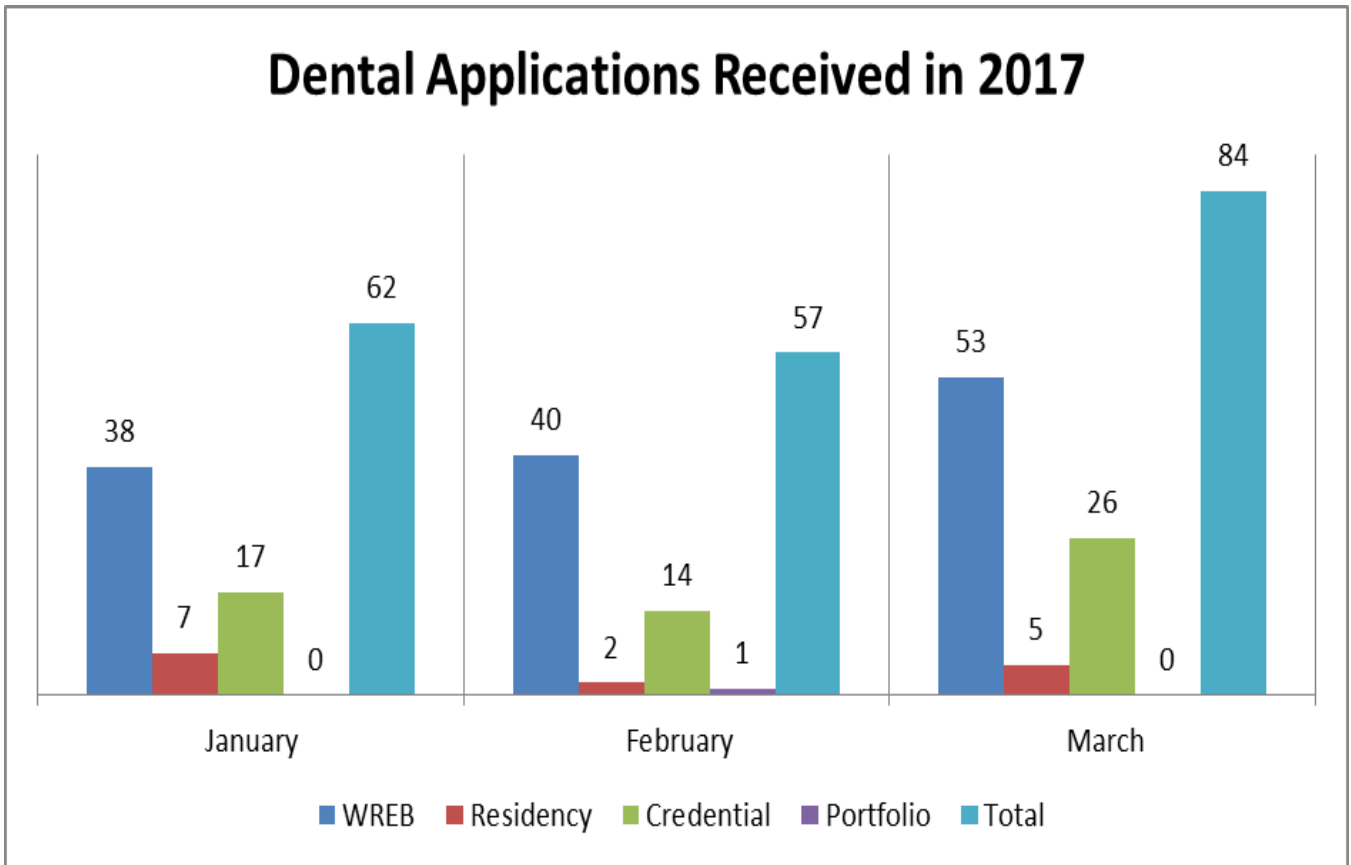
Dental Applications Received by Month (2017)													Total Apps: 203
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
WREB	38	40	53										131
Residency	7	2	5										14
Credential	17	14	26										57
Portfolio	0	1	0										1
Total	62	57	84										203
Dental Applications Approved by Month (2017)													% of All Apps: 47.3
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
WREB	26	22	9										57
Residency	6	10	1										17
Credential	10	11	1										22
Portfolio	0	0	0										0
Total	42	43	11										96
Dental Licenses Issued by Month (2017)													% of All Apps: 70.0
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
WREB	34	29	22										85
Residency	6	9	7										22
Credential	10	13	12										35
Portfolio	0	0	0										0
Total	50	51	41										142
Cancelled Dental Applications by Month (2017)													% of All Apps: 3.0
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
WREB	1	2	3										6
Residency	0	0	0										0
Credential	0	0	0										0
Portfolio	0	0	0										0
Total	1	2	3	0	0	0	0	0	0	0	0	0	6
Withdrawn Dental Applications by Month (2017)													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
WREB	1	2	4										7
Residency	1	0	0										1
Credential	0	1	1										2
Portfolio	0	0	0										0
Total	2	3	5	0	0	0	0	0	0	0	0	0	10
Denied Dental Applications by Month (2017)													% of All Apps: 3.4
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
WREB	0	0	0										0
Residency	0	0	0										0
Credential	1	3	3										7
Portfolio	0	0	0										0
Total	1	3	3	0	0	0	0	0	0	0	0	0	7

*Deficient Applications by pathway: WREB – 104, Residency – 20, Credential – 51, Portfolio – 1, **Total – 176**

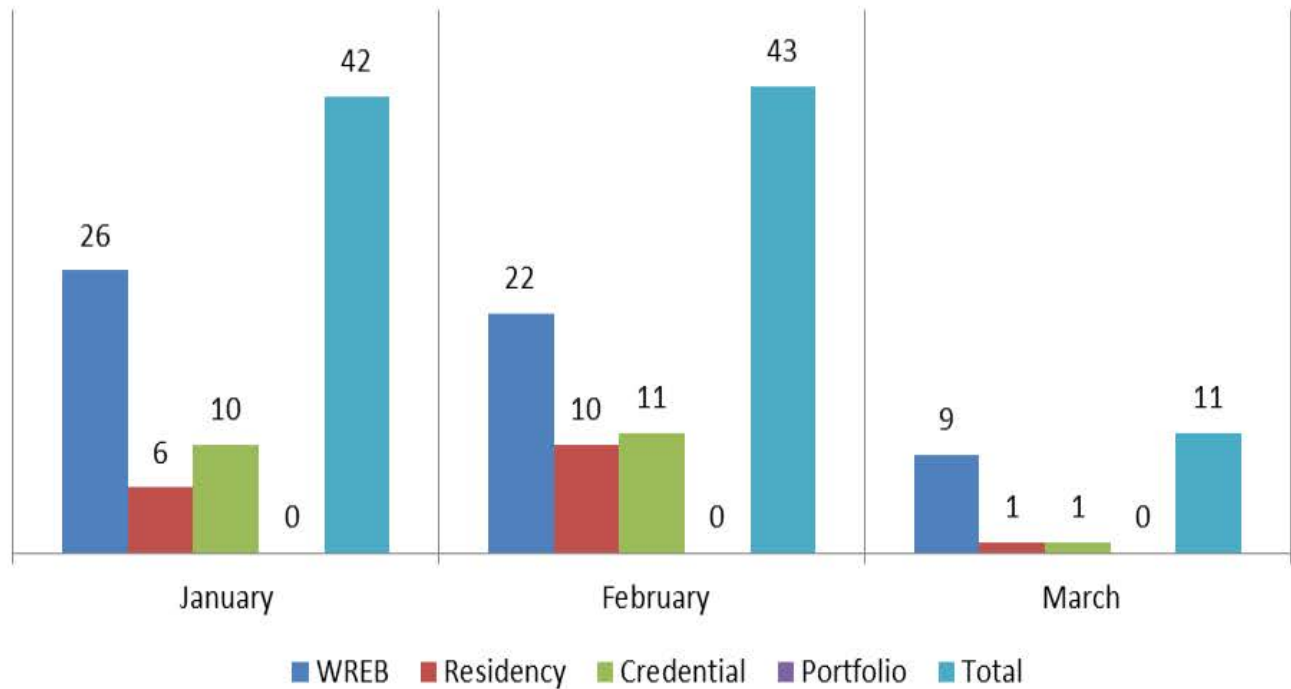
Application Definitions

Received	Application submitted in physical form or digitally through Breeze system.
Approved	Application for eligibility of licensure processed with all required documentation.
License Issued	Application processed with required documentation and paid prorated fee for initial license.
Cancelled	Board requests staff to remove application (i.e. duplicate).
Withdrawn	Applicant requests Board to remove application
Denied	Applicant fails to provide requirements for licensure (BPC 1635.5)
Deficient	Application processed lacking one or more requirements

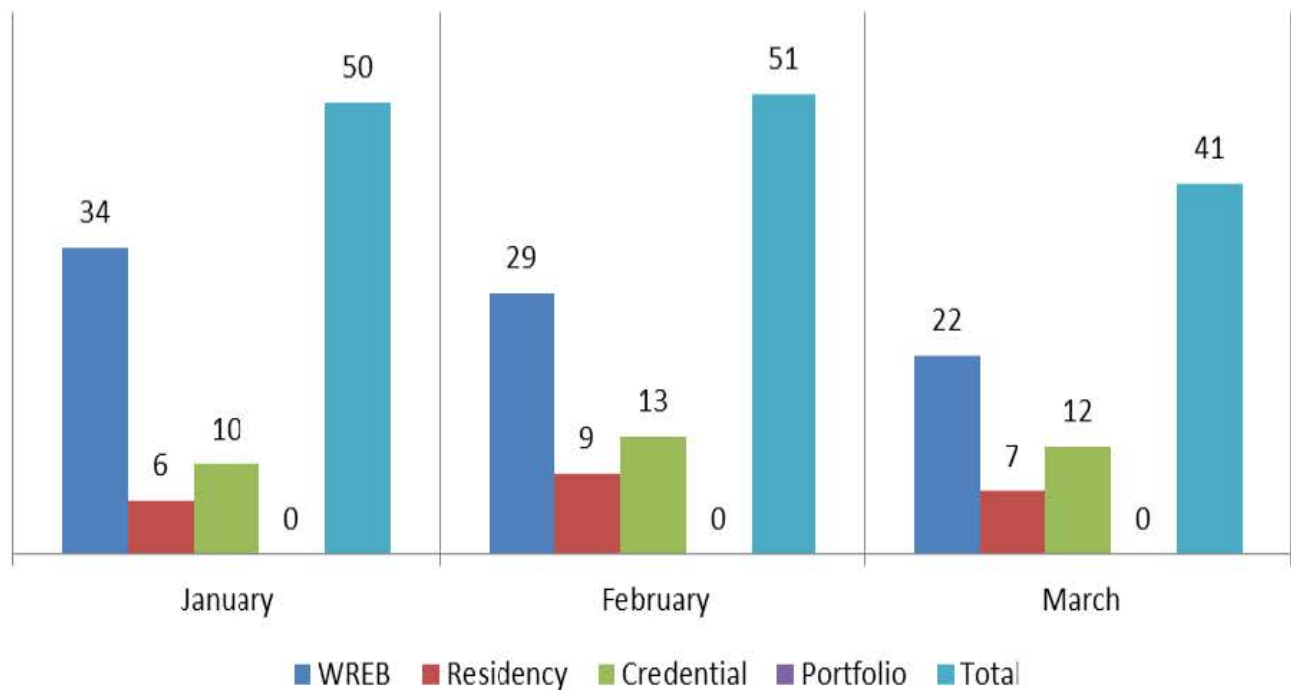
C. Following are graphs of monthly Dental statistics as of March 31, 2017



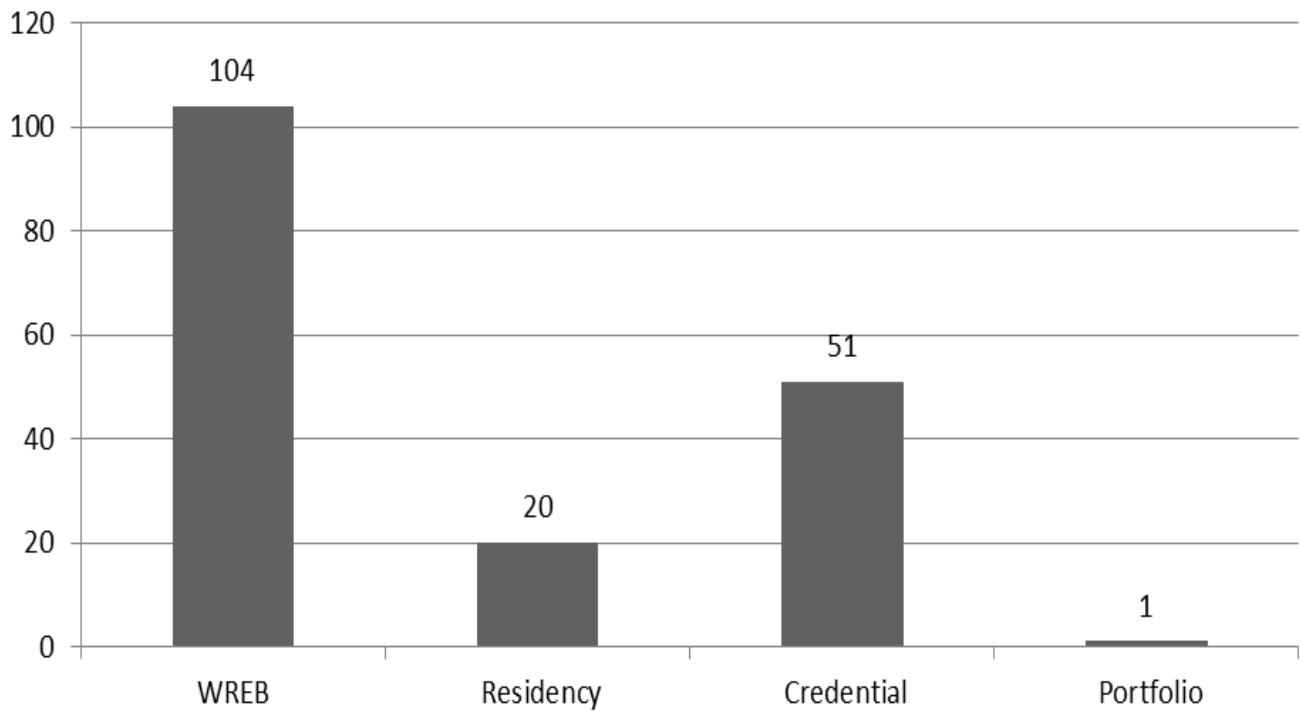
Dental Applications Approved in 2017



Dental Licenses Issued in 2017

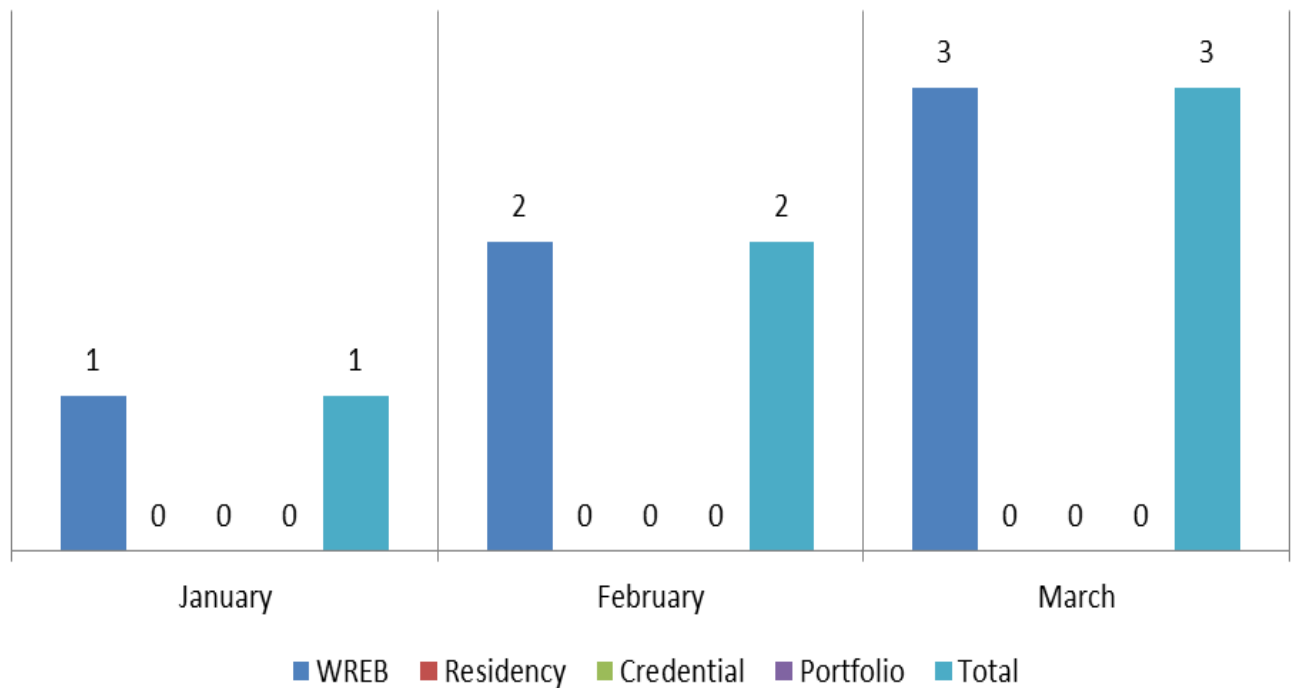


Deficient Applications as of March 31, 2017



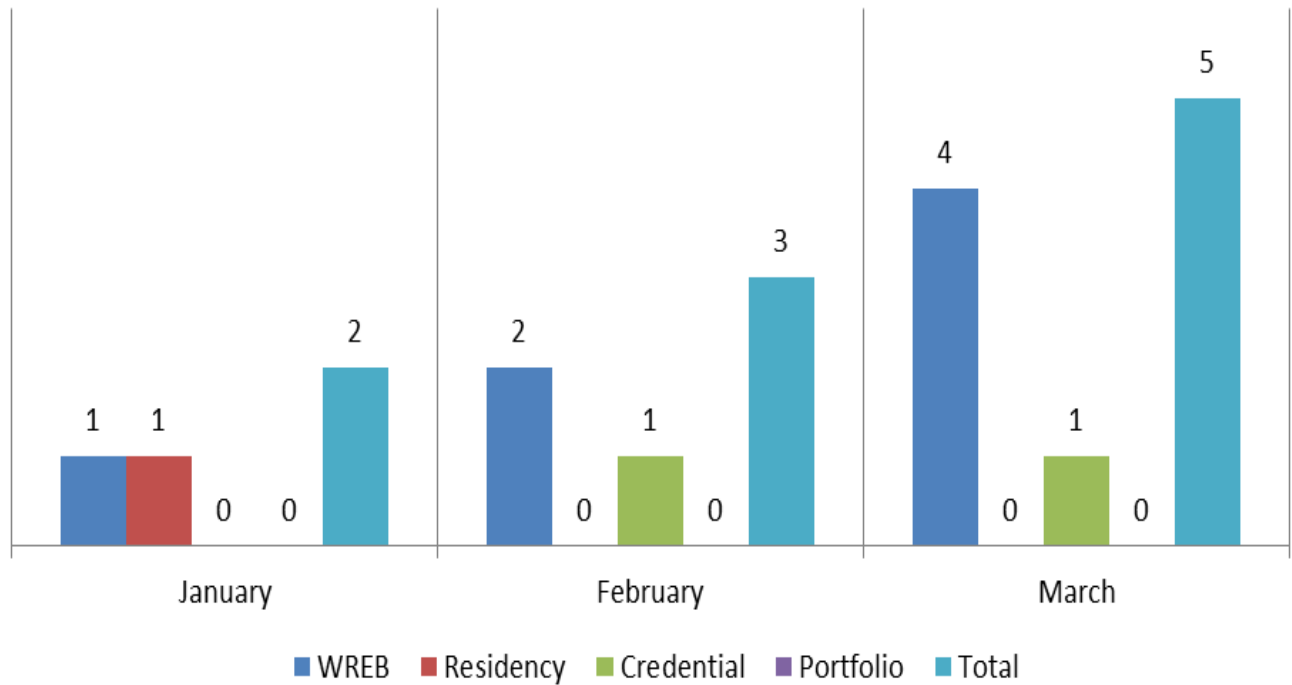
**Deficient.* Pending with one or more requirements missing in application

Cancelled Dental Applications in 2017

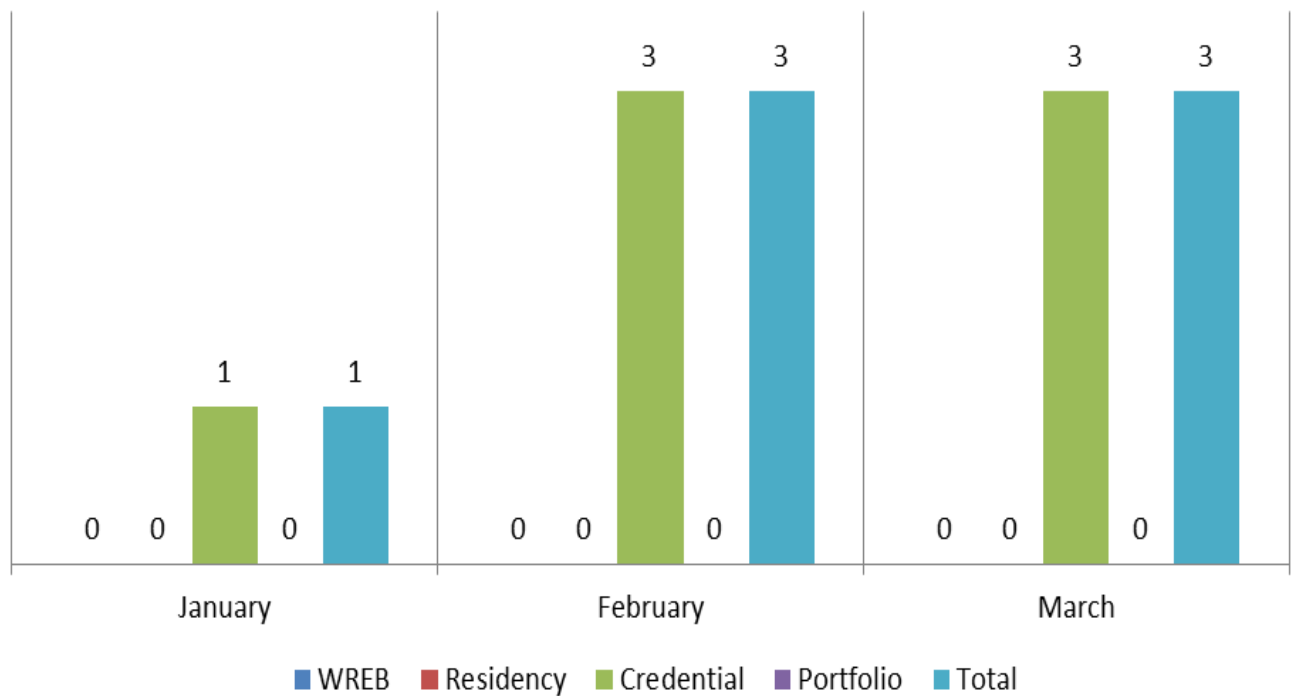


*Only WREB applications were cancelled in 2017.

Withdrawn Dental Applications in 2017



Denied Dental Applications in 2017



*Only Credential applications received denials in 2017.



MEMORANDUM

DATE	April 27, 2017
TO	Members of the Dental Board of California
FROM	Zachary Raske, Budget Analyst Dental Board of California
SUBJECT	Agenda Item 11: LCP Committee Report on Closed Session

Dr. Lai, Chair of the Licensing, Certification, and Permits will give a verbal report.

Action Requested:

Discussion and Possible Action regarding LCP Committee's recommendations.



MEMORANDUM

DATE	April 27, 2017
TO	Dental Board Members
FROM	Carlos Alvarez, Enforcement Chief
SUBJECT	Agenda Item # 12: Enforcement Statistics and Trends

The following are the Enforcement Division statistics for the third quarter (January 1, 2017 to March 31, 2017) of Fiscal Year 2016-2017. Trends over the last three fiscal years and the last three quarters are included, along with Charts 1-3 for reference.

Complaints & Compliance

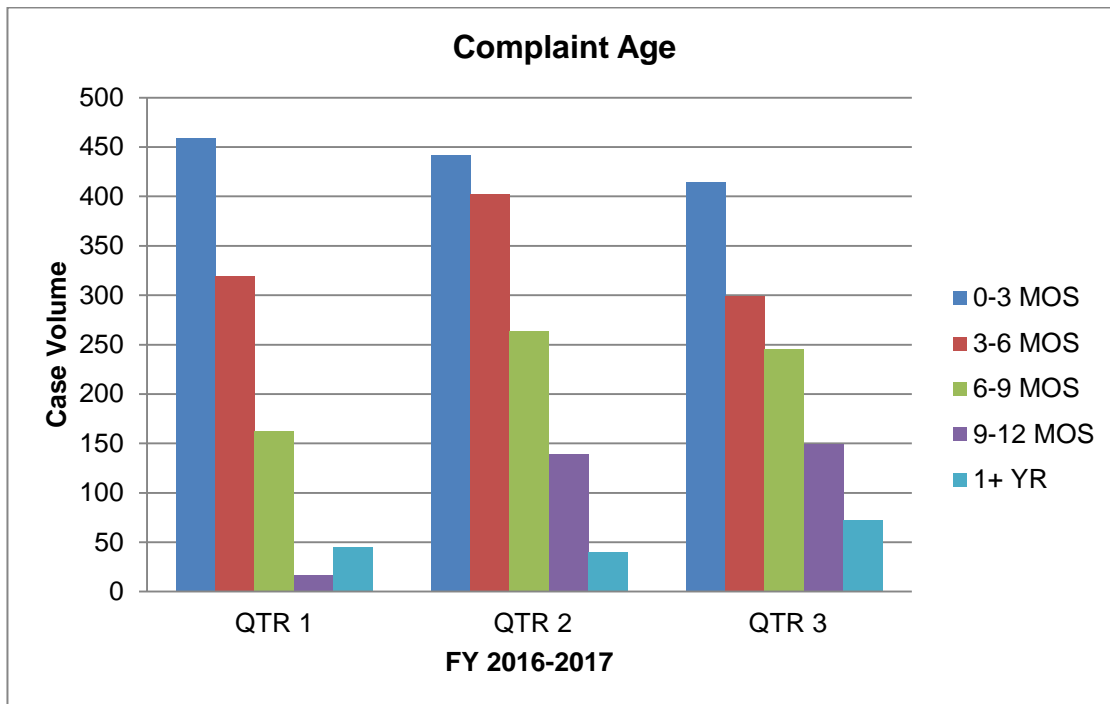
Complaints Received

The total number of complaints received during the third quarter was **803**, averaging 268 complaints per month (see [Chart 2](#)).

Complaint Cases Open: 1,182

The average caseload per Consumer Services Analyst (CSA) during the third quarter was **238** complaints.

Complaint Age	FY 2016-2017			
	Q1 Cases	Q2 Cases	Q3 Cases	Q3 %
0 – 3 Months	459	442	415	35%
3 – 6 Months	319	402	299	25%
6 – 9 Months	163	264	246	21%
9 – 12 Months	17	139	149	13%
1+ Year	45	40	73	6%
Total	1003	1287	1182	100%



Complaint Cases Closed:

The total number of complaint cases closed during quarter three was **534**, averaging 178 per month.

For quarter three, a complaint took an average of **145** days to close. Chart 1 displays the average complaint closure age over the previous three fiscal years through the current quarter.

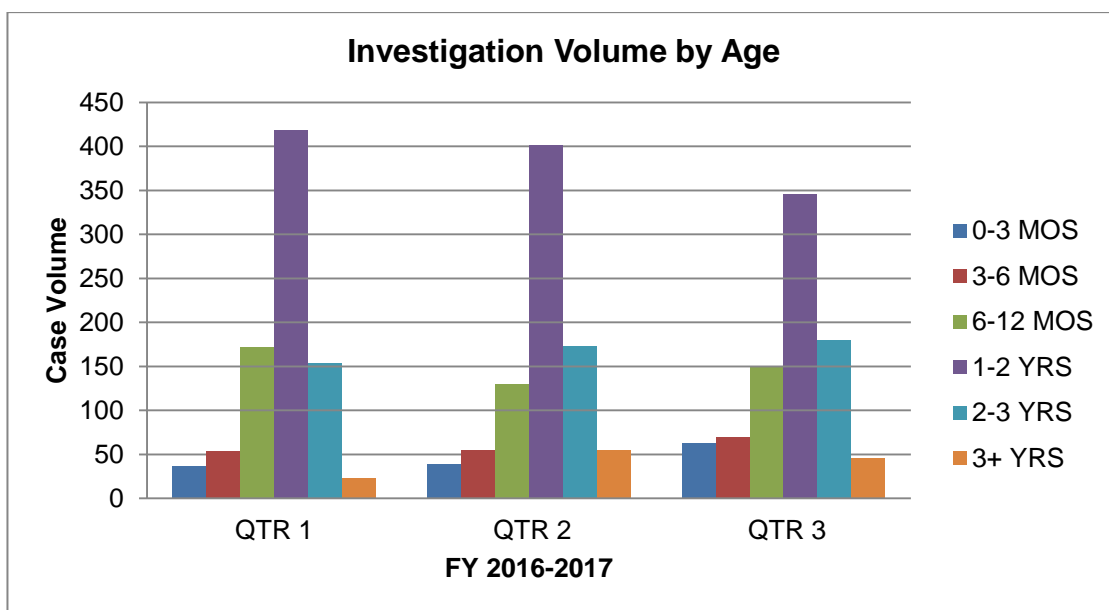
Investigations

Investigation Cases Open: 853

At the end of quarter three, there were approximately **853** open investigative cases and **46** open inspection cases.

For this quarter, the average caseload was 42 per Investigator, 45 per Special Investigator, and 28 for Enforcement Analysts.

Investigation Age	FY 2016-2017			
Months Open	Q1 Cases	Q2 Cases	Q3 Cases	Q3 %
0 – 3 Months	36	39	63	7%
3 – 6 Months	53	55	70	8%
6 - 12 Months	172	130	149	17%
1 – 2 Years	418	401	346	41%
2-3 Years	153	173	180	21%
3+ Years	23	55	45	5%
Total	855	853	853	100%



Comparing this third quarter to the last, the number of cases aged one to two years has decreased by six percent (from 401 to 346) and the number of cases aged over three years has decreased by one percent (from 55 to 45).

Investigation Cases Closed:

The total number of investigation cases closed, filed with the Office of the Attorney General (OAG), or filed with the District/City Attorney during the third quarter is **260** (an average of **87** per month).

The average number of days an investigation took to complete an investigation during the third quarter was **426** days (see [Chart 1](#)).

Administrative and Disciplinary Action:

A total of **18 citations** were issued during the third quarter, an increase from the total of four that were issued in the second quarter.

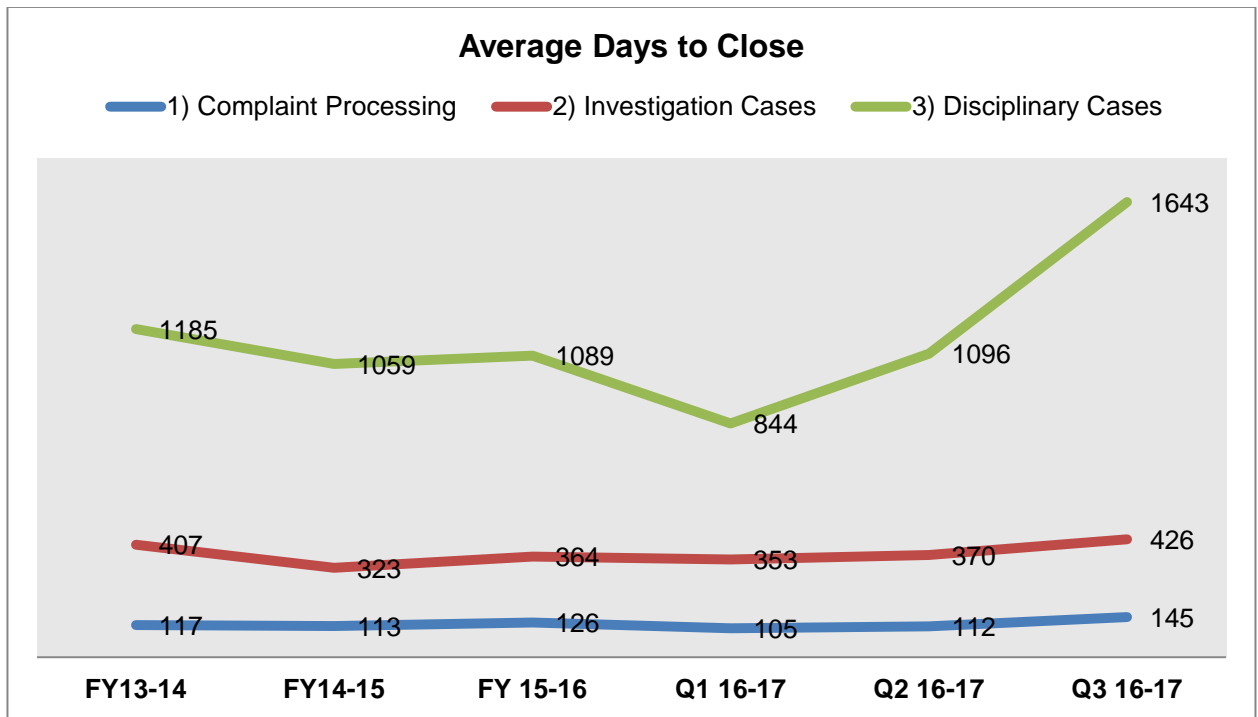
A total of **32 accusations** were filed during the third quarter, an increase from the total of 25 that were filed during the second quarter.

A total of **46 cases were referred to the OAG** with a total of **126** cases pending at the end of the third quarter.

There were approximately **271 open probation cases** at the end of the third quarter. The three-month average for a disciplinary case to be completed was **1,643** days.

Chart 1 below displays the average closure age over the last three fiscal years through the current quarter for complaint, investigation, and disciplinary cases.

Chart 1:



Average Days to Close	FY13-14	FY14-15	FY 15-16	Q1 16-17	Q2 16-17	Q3 16-17
1) Complaint Processing	117	113	126	105	112	145
2) Investigation Cases	407	323	364	353	370	426
3) Disciplinary Cases	1185	1059	1089	844	1096	1643

Chart 2:

ENFORCEMENT STATISTICS	FY 13-14	FY 14-15	FY 15-16	FY 2016-2017		
				Q1	Q2	Q3
COMPLAINTS						
Total Intake Received	3671	4180	3528*	898	797	824
<i>Complaints Received</i>	3021	3557	3078*	782	751	803
<i>Convictions/Arrests Received</i>	650	623	450*	116	46	21
Total Complaints Closed	2855	2762	1981*	640	576	534
Pending at end of period	1022	989	804	1003	1287	1190
INVESTIGATIONS						
Cases Opened	659	1426	908*	170	211	233
Cases Closed	955	1195	1434*	226	226	211
Referred to AG	71	188	50*	51	57	46
Referred for Criminal	28	20	89*	0	4	3
Pending at end of period	809	1082	884	855	853	853
Citations Issued						
Citations Issued	83	48	46*	7	4	18
Office of the Attorney General						
Cases Pending at AG	172	189	210	277	118	126
Administrative Actions:						
Accusation	71	70	17	24	25	32
Statement of Issues	18	4	3	2	3	3
Petition to Revoke Probation	8	3	1	1	1	1
Licensee Disciplinary Actions:						
Revocation	33	21	3	6	6	4
Probation	54	38	11	19	18	16
Suspension/Probation	0	0	0	0	0	0
License Surrendered	15	9	2	6	8	6
Public Reprimand	12	11	3	9	6	8
Other Action (e.g. exam required, education course, etc.)	3	11	1	5	1	1
Accusation Withdrawn	1	3	2	1	2	3
Accusation Declined	0	2	1	4	0	0
Accusation Dismissed	1	0	1	0	0	2
Total, Licensee Discipline	119	95	24	50	70	40
Other Legal Actions:						
Interim Suspension Order Issued	0	0	0	0	1	1
PC 23 Order Issued	2	3	0	0	1	1

*FY15-16 Numbers updated due to previous Breeze conversion.

Complaint Allegations:

Charts 3a and 3b below provide the number and type of allegations made for all complaints received for the current quarter, along with their corresponding percentages.

Chart 3a:

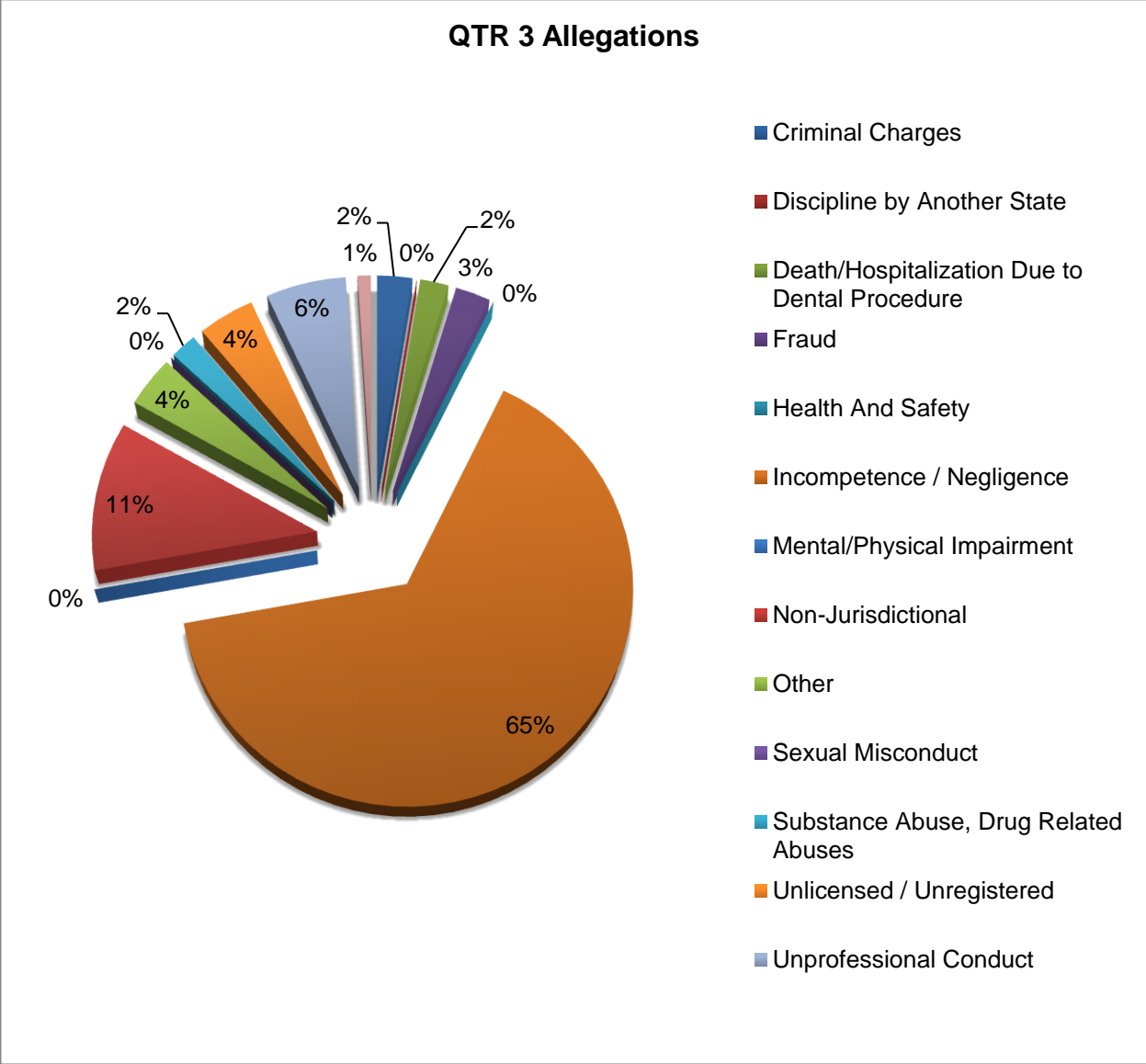


Chart 3b:

ALLEGATIONS	FISCAL YEAR COUNTS					2016-17			
	2011-12	2012-13	2013-14	2014-15	2015-16*	Q1 Jul-Sep	Q2 Oct-Dec	Q3 Jan-Mar	Q3 %
Criminal Charges	854	1137	650	669	353	121	46	21	3%
Discipline by Another State	25	16	10	11	10	2	0	0	<1%
Death/Hospitalization Due to Dental Procedure	NA	NA	NA	NA	NA	NA	NA	17	2%
Fraud	123	124	218	389	214	59	40	21	3%
Health And Safety	NA	NA	NA	NA	NA	2	3	3	<1%
Incompetence / Negligence	1540	1459	1795	2218	1454	555	487	531	64%
Mental/Physical Impairment	NA	NA	NA	NA	NA	1	2	0	0%
Non-Jurisdictional	251	217	235	266	198	114	109	91	11%
Other	266	295	163	332	114	32	23	31	4%
Sexual Misconduct	13	14	16	20	6	2	2	3	<1%
Substance Abuse, Drug Related Abuses	NA	NA	NA	NA	NA	5	4	16	2%
Unlicensed / Unregistered	111	124	201	227	125	45	35	34	4%
Unprofessional Conduct	205	219	244	250	143	41	38	48	6%
Unsafe/Unsanitary Conditions	79	92	99	110	32	13	8	8	1%
Total	3467	3737	3631	4492	2649	992	797	824	100%



MEMORANDUM

DATE	April 27, 2017
TO	Members of the Dental Board of California
FROM	Carlos Alvarez, Enforcement Chief Dental Board of California
SUBJECT	Agenda Item 13: Review of Fiscal Year 2016-17 First Quarter Performance Measures from the Department of Consumer Affairs

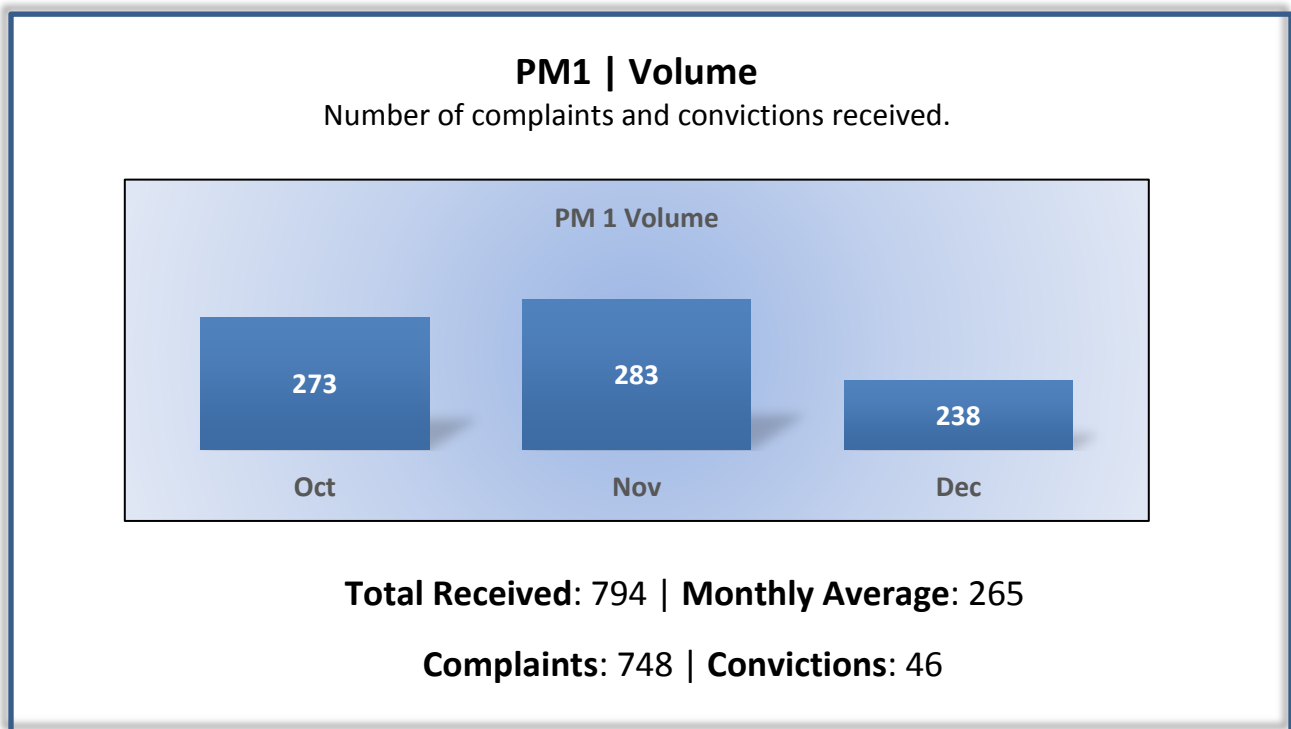
Performance measures are linked directly to an agency's mission, vision and strategic objectives/initiatives. Data is collected quarterly and reported on the Department's website at: http://www.dca.ca.gov/about_dca/cpei/index.shtml. Quarter 2 (October - December 2016) will be reviewed. See attached charts for further details.

Dental Board of California

Enforcement Performance Measures

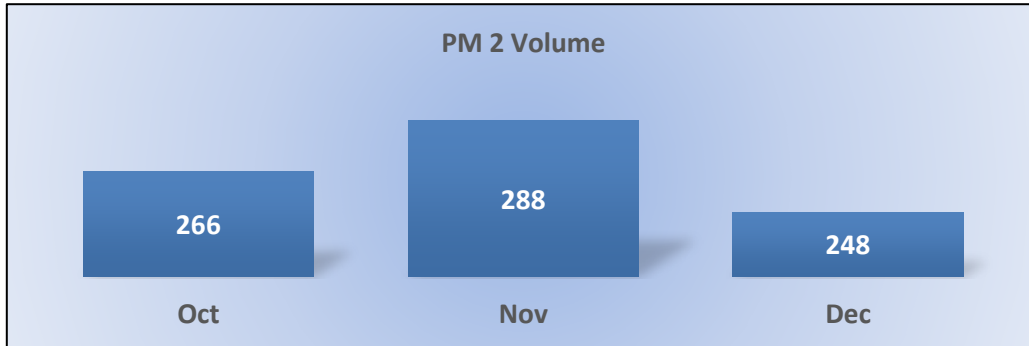
Q2 Report (October - December 2016)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.



PM2 | Intake – Volume

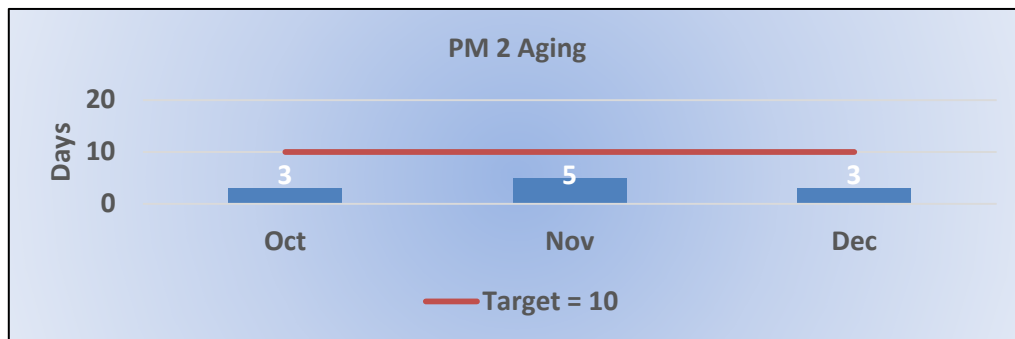
Number of complaints closed or assigned to an investigator.



Total: 802 | Monthly Average: 267

PM2 | Intake – Cycle Time

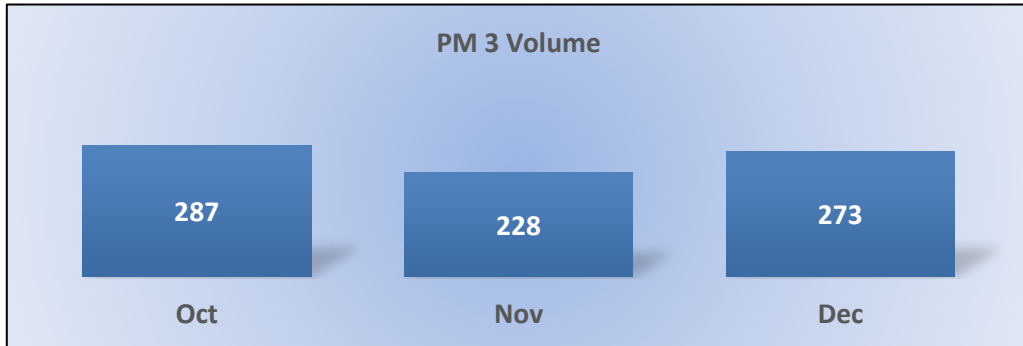
Average number of days from complaint receipt, to the date the complaint was closed or assigned to an investigator.



Target Average: 10 Days | Actual Average: 4 Days

PM3 | Investigations – Volume

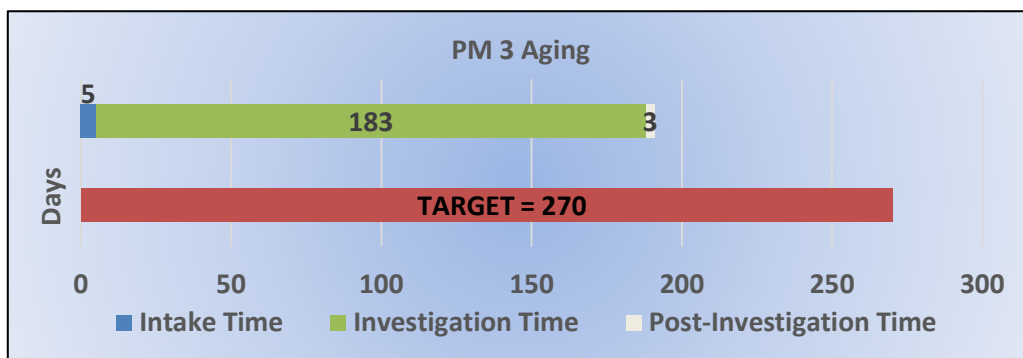
Number of investigations closed (not including cases transmitted to the Attorney General).



Total: 788 | Monthly Average: 263

PM3 | Investigations – Cycle Time¹

Average number of days to complete the entire enforcement process for cases not transmitted to the Attorney General. (Includes intake and investigation.)

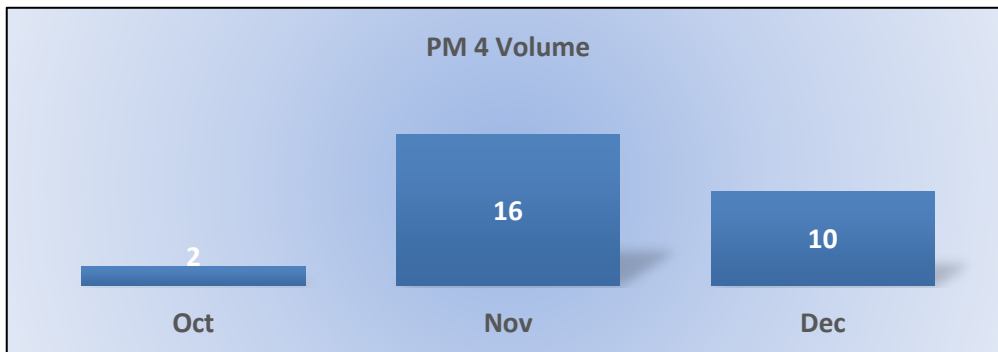


Target Average: 270 Days | Actual Average: 191 Days

¹ Due to rounding, there might be small discrepancies between the PM3 "Actual Average", and the sum of the individual case stages (i.e., Intake time + Investigation time + Post-Investigation time).

PM4 | Formal Discipline – Volume

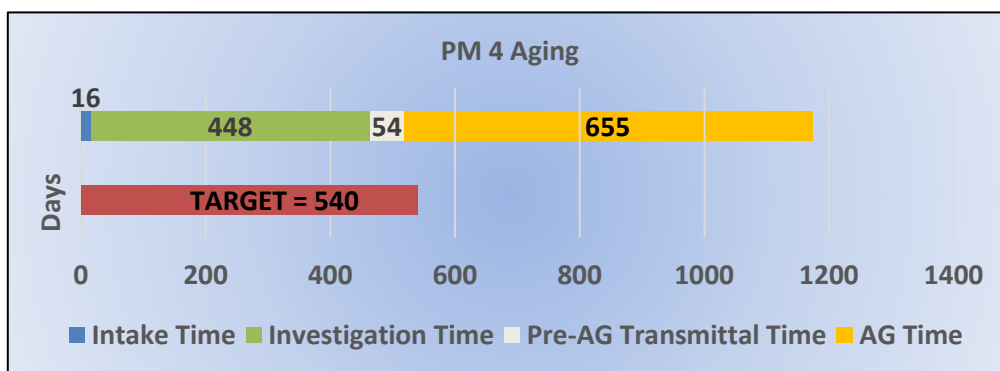
Cases closed after transmission to the Attorney General for formal disciplinary action. This includes formal discipline, and closures without formal discipline (e.g., withdrawals, dismissals, etc.).



Total: 28 | Monthly Average: 9

PM4 | Formal Discipline – Cycle Time²

Average number of days to close cases after transmission to the Attorney General for formal disciplinary action. This includes formal discipline, and closures without formal discipline (e.g., withdrawals, dismissals, etc.).

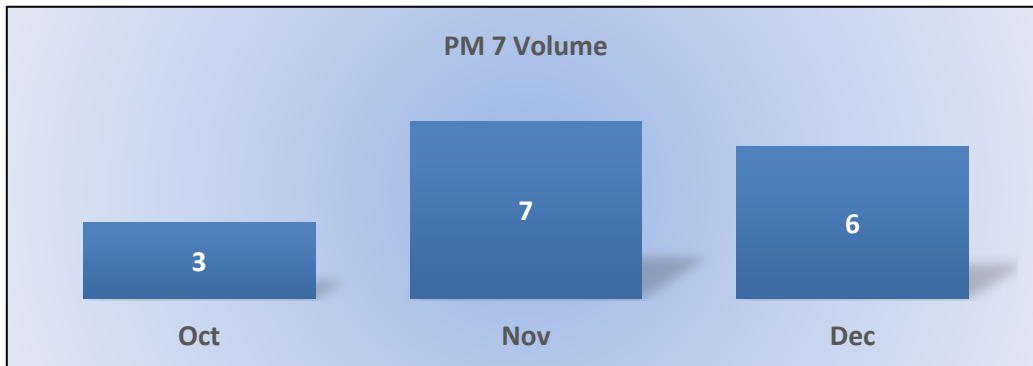


Target Average: 540 Days | Actual Average: 1,170 Days

² Due to rounding, there might be small discrepancies between the PM4 "Actual Average", and the sum of the individual case stages (i.e., Intake time + Investigation time + Pre-AG Transmittal time + AG time).

PM7 | Probation Intake – Volume

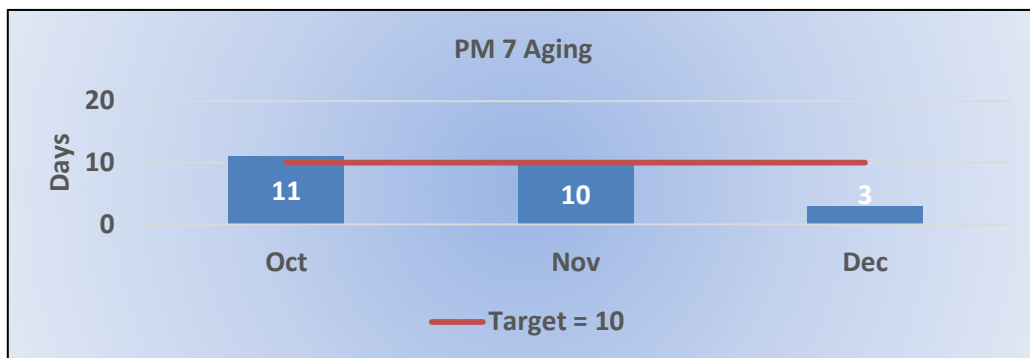
Number of new probation cases.



Total: 16

PM7 | Probation Intake – Cycle Time

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 10 Days | Actual Average: 7 Days

PM8 | Probation Violation Response – Volume

Number of probation violation cases.

The Board did not have any probation violations this quarter.

PM8 | Probation Violation Response – Cycle Time

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not have any probation violations this quarter.



MEMORANDUM

DATE	May 1, 2017
TO	Members of the Dental Board of California
FROM	Sarah Wallace, Assistant Executive Officer Dental Board of California
SUBJECT	Agenda Item 14 - Update on Proposed Changes to Minimum Standards for Infection Control (Cal. Code of Regs., Title 16, Section 1005)

Background:

Pursuant to Business and Professions Code Section 1680(ad) the knowing failure to protect patients by failing to follow the infection control guidelines of the Dental Board of California (Board), thereby risking transmission of bloodborne infectious diseases, is deemed unprofessional conduct.

The Board is responsible to review the infection control guidelines, if necessary, on an annual basis and proposed changes are required to be reviewed by the Dental Hygiene Committee of California (DHCC) to establish a consensus. California Code of Regulations, Title 16, Section 1005 specifies the minimum standards for infection control for the Board and the DHCC and were last updated in August of 2011.

While the Board has maintained compliance with the annual review of the regulations, it has not deemed it necessary to revise the regulations until this last year when the Centers for Disease Control updated its *Summary of Infection Prevention Practices in Dental Settings: Basic Expectations for Safe Care* in October 2016.

A subcommittee of one Board member and one DHCC member met in February 2017 to review potential amendments to Cal. Code of Regs, Title 16, Section 1005 to maintain consistency with the CDC guidelines. Board staff began drafting proposed language with the hope that the rulemaking could be initiated in May 2017.

However, Assembly Bill 1277 (Daly) was introduced in 2017 and is currently moving through the legislative process. This bill requires the Board, consistent with and in addition to the federal Centers for Disease Control and Prevention recommendations for procedural water quality, to amend the regulations on the minimum standards for infection control to require water or other methods used for irrigation to be sterile or contain recognized disinfecting or antibacterial properties when performing dental procedures that expose dental pulp. It also specifies that until December 31, 2018, the adoption and readoption of the regulation above are deemed to be an emergency necessary for the immediate preservation of public peace, health and safety, or general

welfare purposes and the DBC is exempt from the requirement that it describe facts showing the need for immediate action and from review of the emergency regulations by the OAL and requires the Board to adopt final regulations on or before December 31, 2018.

Because AB 1277 provides additional authority for the scope of the Board's minimum standards for infection control, the initiation of the proposed amendments consistent with the revised CDC guidelines and the addition of the requirements set forth in AB 1277 will be presented to the Board a future meeting once the new bill is set to become law. This will eliminate the potential for duplication of work and maintain consistency in the development of the regulations

Action Requested:

No action requested.