



**Notice of Meeting and Agenda  
Teleconference Public Board Meeting  
August 14, 2020**

**Members of the Board:**

Thomas Stewart, DDS, President  
Steven Chan, DDS, Vice President  
Joanne Pacheco, RDH, Secretary

Fran Burton, MSW, Public Member  
Alan Felsenfeld, MA, DDS  
Ross Lai, DDS  
Lilia Larin, DDS  
Meredith McKenzie, Public Member

Abigail Medina, Public Member  
Alicia Montell, DDS  
Steven Morrow, DDS, MS  
Rosalinda Olague, RDA, BA  
James Yu, DDS, MS

**DATE & TIME:** August 14, 2020 at 9:00 a.m.

**NOTE:** Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, dated March 17, 2020, a state body may hold a meeting telephonically and the requirement to have a physical location for the meeting or teleconference is suspended.

**INSTRUCTIONS FOR PARTICIPATION:** For all those who wish to participate or observe the meeting, please log on to this website: <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=e155848667712addf7c6fb3ff91585223>

Instructions to connect to the meeting are attached to this agenda. The preferred audio connection is via telephone conference and not the microphone and speakers on your computer. The phone number and access code will be provided as part of your connection to the meeting.

**Important Notices to the Public: The Dental Board of California will hold this meeting via WebEx – instructions above.** The meeting is open to the public and shall meet accessibility requirements, as applicable. 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.

Discussion and action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the President. In the event a quorum of the Board is unable to attend the meeting, or the Board is unable to maintain a quorum once the meeting is called to order, the members present may, at the

President's discretion, continue to discuss items from the agenda and make recommendations to the full Board at a future meeting.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board or prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issues before the Board, but the President may, at his or her discretion, apportion available time among those who wish to speak. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

LUNCH BREAK estimated to occur between Noon and 12:30 – The break will be for thirty minutes.

### **Friday, August 14, 2020**

#### **FULL BOARD MEETING – OPEN SESSION at 9:00 a.m.**

1. Call to Order/Roll Call/Establishment of a Quorum
2. Discussion and Possible Action Regarding May 14, 2020 Dental Board Meeting Minutes
3. 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)).
4. Budget Report
  - a. DCA Pro Rata
  - b. Savings and Reimbursements
  - c. Controlled Substance Utilization Review and Evaluation System (CURES) Fee Increase
  - d. Diversion Program Costs
5. Update Regarding Future Acceptance of WREB Manikin and Patient-Based Examinations
6. Report on the Results of the OPES Review of Alternatives for the RDAEF Clinical and Practical Examinations

7. Discussion and Possible Action Regarding Submission of a Waiver Request to the Director of DCA to Waive Business and Professions Code Sections 1753(a)(4) and 1753.4 and California Code of Regulations, Title 16, Section 1081.2 Pursuant to the Governor's Executive Order N-39-20 Relating to Waiving the Registered Dental Assistant in Extended Functions (RDAEF) Clinical and Practical Examinations
8. Discussion and Possible Action Regarding Submission of a Waiver Request to the Director of DCA to Waive Business and Professions Code Sections 1646.4, 1646.9, 1647.7 and California Code of Regulations, Title 16, Sections 1043.3 to 1043.7, inclusive, Pursuant to the Governor's Executive Order N-39-20 Relating to Postponing the Requirement for On-site Inspection and Evaluations for General Anesthesia and Conscious Sedation Permits
9. Discussion and Possible Action to Reinitiate a Rulemaking to Amend California Code of Regulations, Title 16, Section 1031 Relating to the Passing Score for the Dentistry Law and Ethics Examination
10. Continuing Education
  - a. Discussion and Possible Action Regarding Academy of General Dentistry (AGD) Transcripts for Continuing Education
  - b. Discussion and Possible Action Regarding Continuing Education Providers and Conflict of Interests
  - c. Discussion and Possible Action to Reinitiate a Rulemaking to Amend California Code of Regulations, Title 16, Sections 1016 and 1017 Relating to Continuing Education
11. Legislation
  - a. Discussion and Possible Action Regarding the Following Legislation:
    - i. Assembly Bill 613 (Low) Dentists: clinical laboratories: license examinations
    - ii. Assembly Bill 1998 (Low) Dental Practice Act: unprofessional conduct: patient of record
    - iii. Assembly Bill 2028 (Aguiar-Curry) state agencies: Meetings
    - iv. Assembly Bill 2113: (Low; Coauthors: Carillo, Chiu, Medina, Blanca Rubio, and Gonzalez) Refugees asylees, and immigrants: professional licensing
    - v. Assembly Bill 2520 (Chiu; Coauthor: Senator Leyva) Access to medical records
    - vi. Assembly Bill 2549 (Salas; Coauthor: Gonzalez) Department of Consumer Affairs: temporary licenses
    - vii. Assembly Bill 3045 (Gray and Patterson; Coauthors: Gallagher, Fong, Gipson, Grayson, and Obernolte) Department of Consumer Affairs: boards: veterans: military spouses: licenses

- viii. Senate Bill: 878 (Jones) Department of Consumer Affairs: license: application: processing timeframes
- ix. Senate Bill 1168 (Morrell) State Agencies: licensing services
- x. Senate Bill 1474 (Glazer, Archuleta, Chang, Dodd, Galgiani, Hill, Leyva, Pan, and Wilk; Coauthor: Low) Business and professions

12. 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)).

**RECESS TO CLOSED SESSION**

**CLOSED SESSION – FULL BOARD**

A. Deliberate and Take Action on Disciplinary Matters

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

B. Discussion Regarding *Sulitzer v. Tippins*, US District Court, Central District of CA, Case No. 2:19-CV-08902

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

**RETURN TO FULL BOARD OPEN SESSION**

13. Adjournment - Upon conclusion of Business

Due to technological limitations, adjournment will not be broadcast. Adjournment will immediately follow closed session, and there will be no other items of business discussed.

The following contains instructions to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

NOTE: The preferred audio connection to our event is via telephone conference and not the microphone and speakers on your computer. Further guidance relevant to the audio connection will be outlined below.

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

Example link:

<https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5>

The screenshot shows a web browser window with the URL <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5>. The page header includes the California Department of Consumer Affairs logo and the text "California Department of Consumer Affairs".

**Event Information: 3/26**

**Event status:** Started

**Date and time:** Thursday, March 26, 2020 10:30 am  
Pacific Daylight Time (San Francisco, GMT-07:00)  
[Change time zone](#)

**Duration:** 1 hour

**Description:**

By joining this event, you are accepting the Cisco Webex [Terms of Service](#) and [Privacy Statement](#).

**Join Event Now**

To join this event, provide the following information.

**First name:**

**Last name:**

**Email address:**

**Event password:**

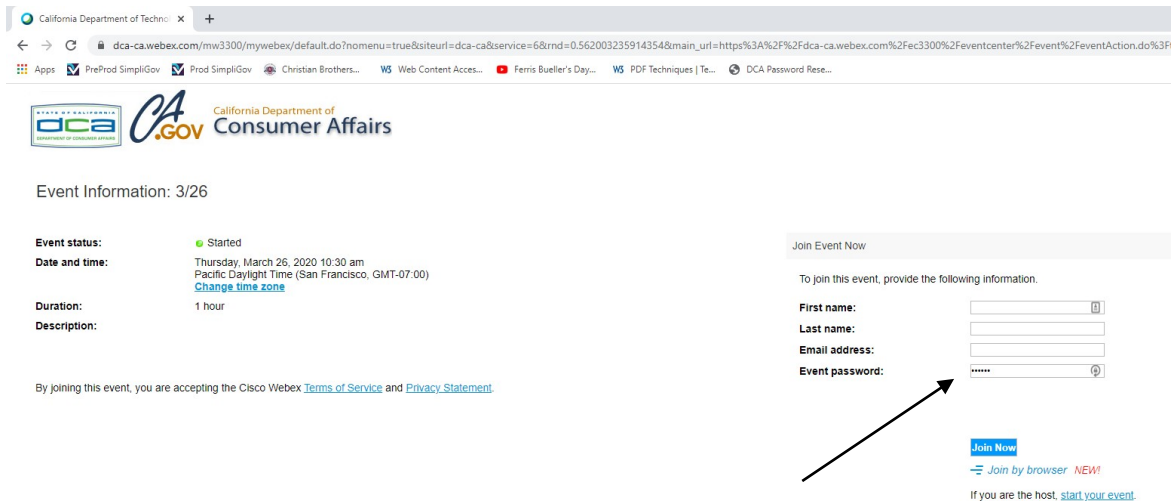
[Join Now](#)

[Join by browser](#) **NEW!**

If you are the host, [start your event](#).

2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.

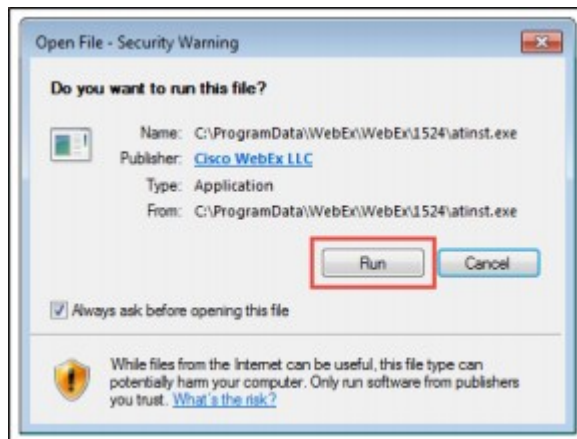
NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.



3. Click the 'Join Now' button.

NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



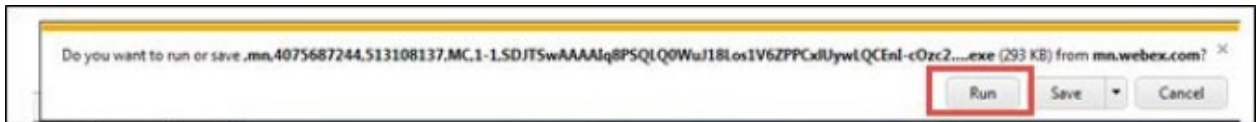
Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

# Starting Webex...



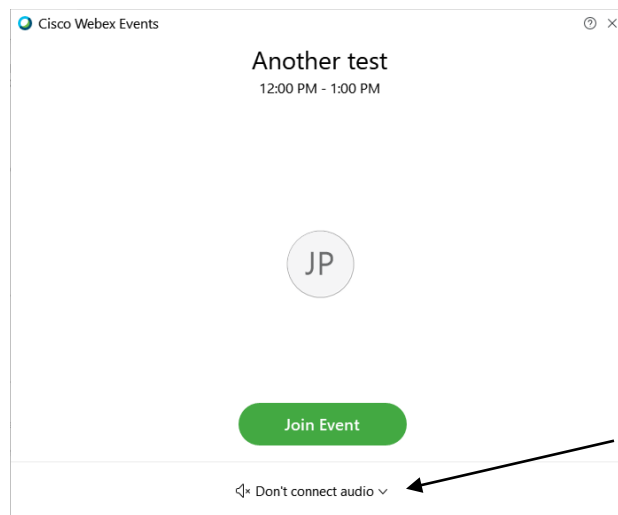
Still having trouble? [Run a temporary application](#) to join this meeting immediately.

5. To bypass step 4, click 'Run a temporary application'.
6. A dialog box will appear at the bottom of the page, click 'Run'.

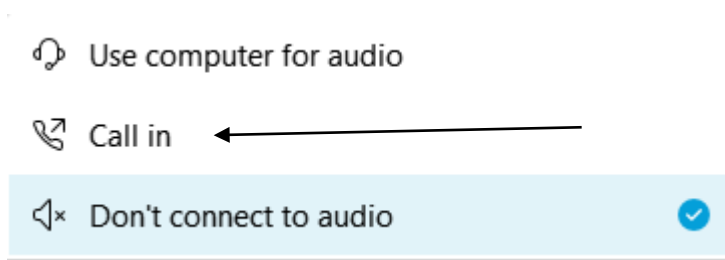


The temporary software will run, and the meeting window will open.

7. Click the audio menu below the green 'Join Event' button.



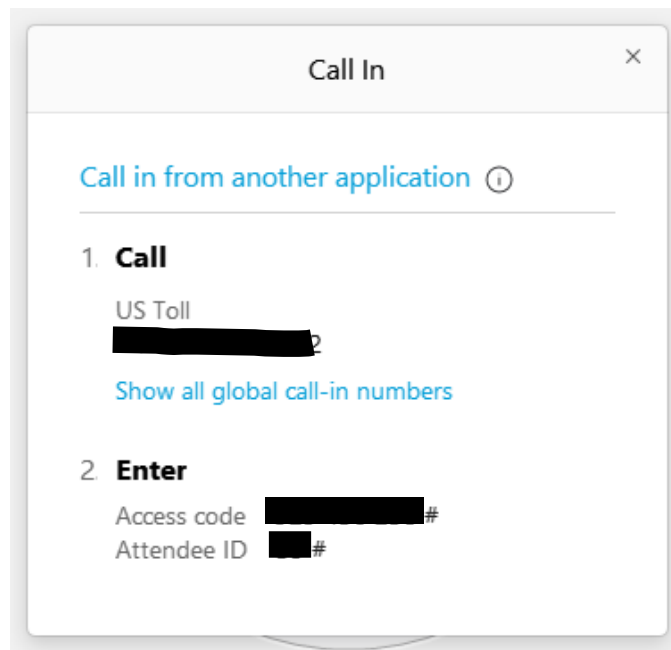
8. When the audio menu appears click 'Call in'.



9. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



10. Call into the audio conference with the details provided.

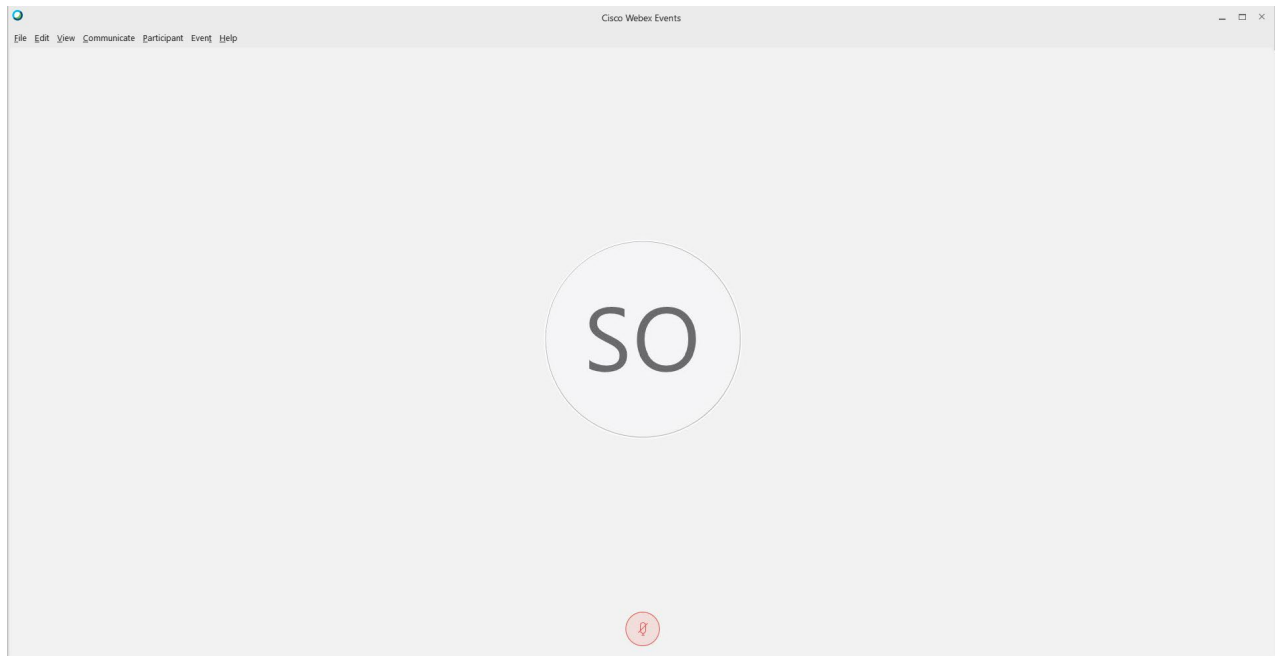


NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.



Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

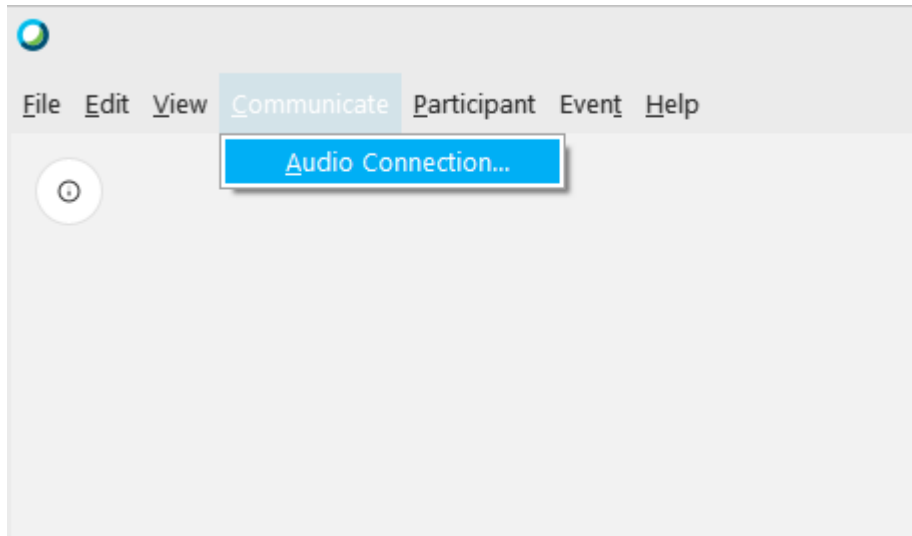
Congratulations!



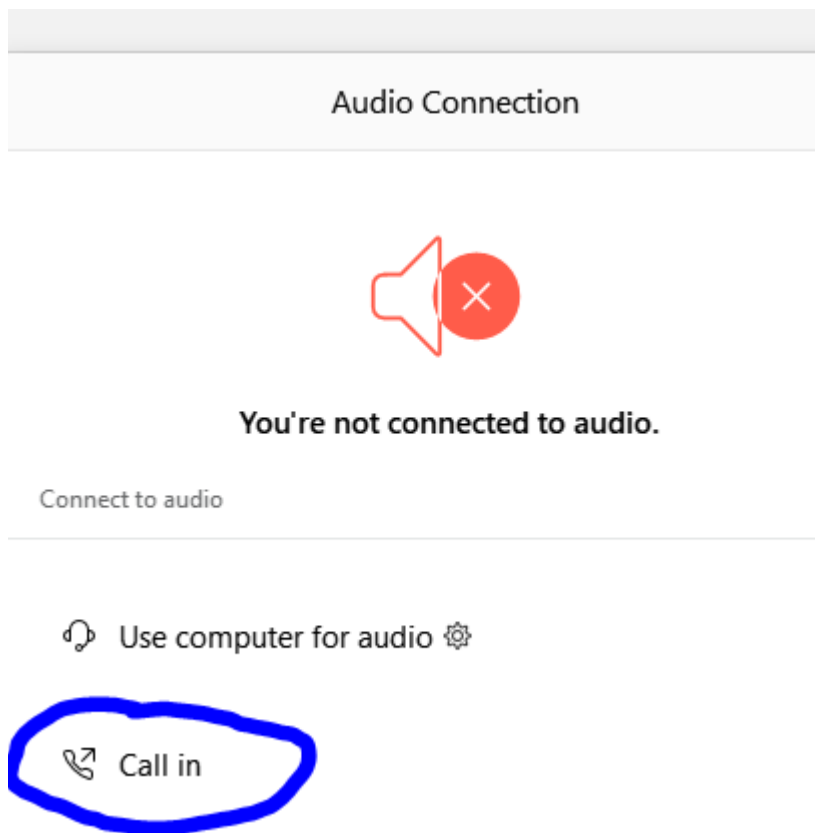
NOTE: Your audio line is muted and can only be unmuted by the event host.

If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

Select 'Communicate' and 'Audio Connection' from top left of your screen.



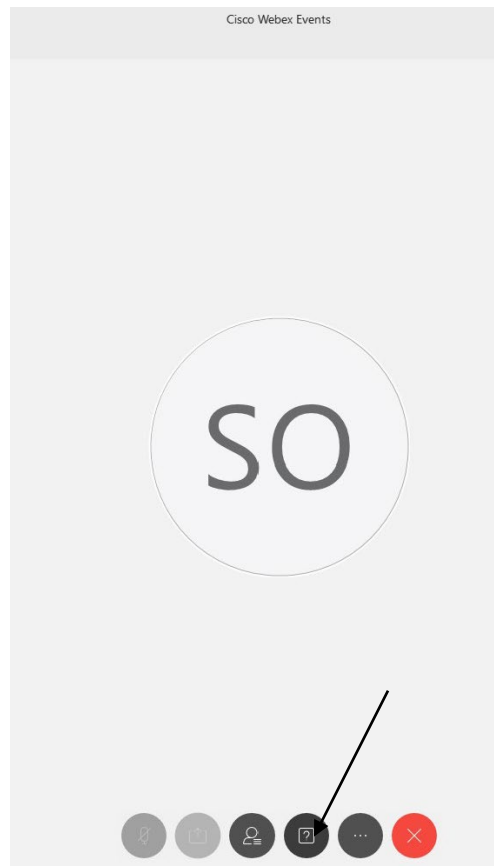
The 'Call In' information can be displayed by selecting 'Call in' then 'View'



You will then be presented the dial in information for you to call in from any phone.

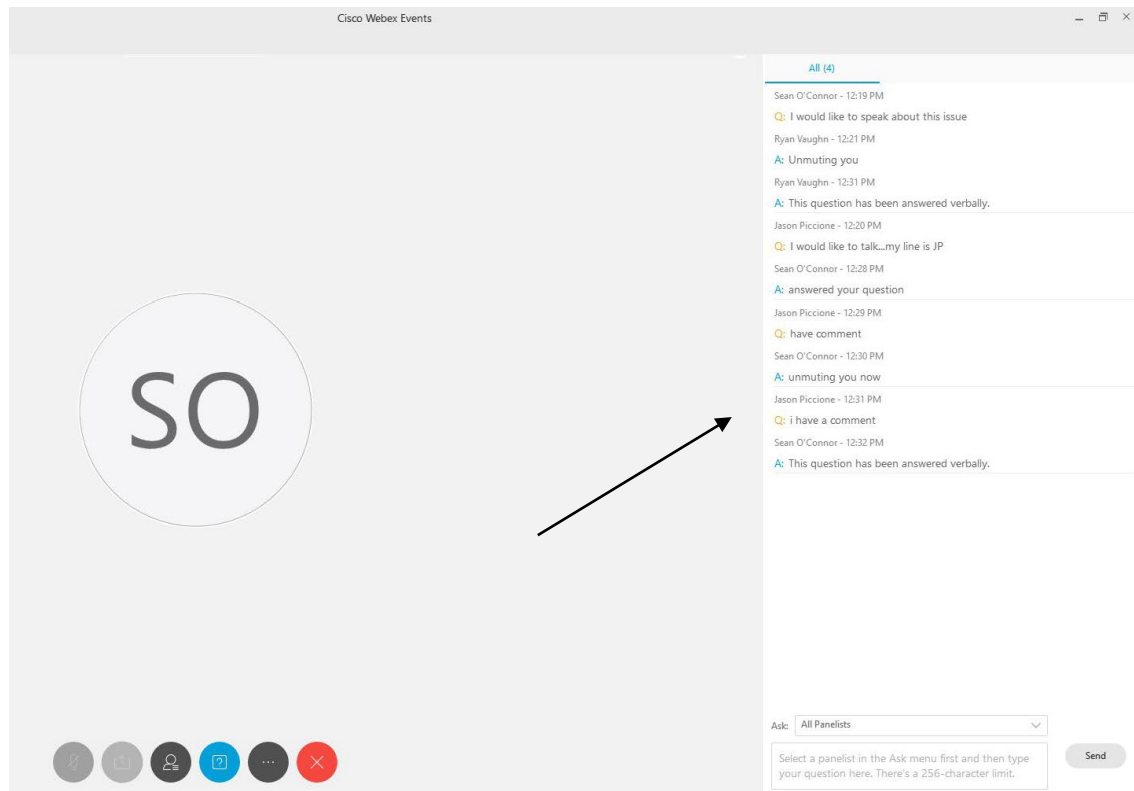
## Participating During a Public Comment Period

At certain times during the event, the facilitator may call for public comment. If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.



This will bring up the 'Q and A' chat box.

NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.



To request time to speak during a public comment period, make sure the 'Ask' menu is set to 'All panelists' and type 'I would like to make a public comment'.

Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

NOTE: Your line will be muted at the end of the allotted public comment duration. You will be notified when you have 10 seconds remaining.