



August 13th, 2024

The Honorable Angelique Ashby
Chair, Senate Business & Professions Committee
1021 O Street, Room 3320
Sacramento, CA 95814

Dr. Alan Felsenfeld, M.A., DDS,
President, Dental Board of California
2005 Evergreen Street, Suite 1550
Sacramento, CA 95815

Subject: SB 1453–Critical Amendments to Orthodontic Assistant Permit Requirements

Dear Chairperson Ashby & President Felsenfeld:

First, we'd like to thank you and your staff for all of your work on SB 1453 this year. We've appreciated the opportunity to weigh in on this process, both in the Legislature and at the Dental Board. After receiving the *proposed* amended language yesterday, our members continue to have substantial concerns about the work experience requirement for the OAP permit, further compounded by the addition of an ultrasonic scaler course, which is not currently used in orthodontic practice.

We are pleased with the DBC's proposed removal of the 6-month RDA work requirement before an OA application can be submitted. This is a substantial improvement to the process. We also acknowledge the DBC's flexibility in reducing the proposed 12-month work experience requirement to 6 months. However, for this legislation to improve workforce conditions, critical changes must be made to this bill regarding the current *proposed* 6-month OA work experience requirements for obtaining an Orthodontic Assistant Permit (OAP).

While we maintain that no work experience should be required, we hope to demonstrate that reducing the work requirement to three (3) months can achieve the same goal, particularly in the context of the administrative processing times and the actual scope of duties for orthodontic assistants compared to RDA's.

Extended Processing Times: Our primary concern lies in the lengthy processing times by the Dental Board, which significantly delays the integration of new orthodontic assistants into the workforce. After fulfilling the proposed six-month work requirement, applicants face an additional two to three months—or longer in cases of application issues—before receiving their permits. Fingerprinting alone creates a nearly 90-day

delay. If a six-month work requirement is implemented, these delays can extend the total time to nearly a year before a candidate can begin working. Such extended timelines are not only inefficient but also deter potential candidates from entering the field during critical workforce shortages.

Comparison of Duties with RDAs: It is important to highlight that the scope of duties for orthodontic assistants is notably less extensive than that of RDAs. Given this reduced scope, the rationale for requiring a lengthy work experience period for OAPs compared to RDAs appears disproportionate. Orthodontic assistants are tasked with a more focused set of responsibilities, which can be efficiently mastered in a shorter period. Additionally, all of the work orthodontic assistants perform is reversible.

Proposal for Reduced Work Experience Requirement: Given these considerations, while we believe that there should be no work experience requirement, we propose reducing the work experience requirement for orthodontic assistants to three months. This reduction would not only align more closely with the actual demands of the role but also enable quicker turnaround times for filling essential positions within our practices. A three-month period is a reasonable compromise that allows for adequate training and assessment without unnecessarily prolonging the pathway to employment. Additionally, by the time all administrative processing is complete, orthodontic assistants would have six months of work experience before licensure, meeting the goals of the Dental Board.

Removal of the Ultrasonic Scaling Course Requirement: Additionally, it is essential to remove the ultrasonic scaling course from the OAP requirements. Our board and general membership confirm that ultrasonic scalers are rarely used in current orthodontic practices, where high-speed handpieces are preferred for removing composites or excess materials. Additionally, we have observed numerous instances where an assistant's application for the permit is denied due to the lack of an ultrasonic scaling certification. This requirement poses a significant logistical challenge, particularly when such courses are scarce in our local area. For example, in Sacramento, the availability of these courses is limited, and often, we find ourselves in a position where doctors must send applicants to the Bay Area to fulfill this requirement. This not only adds unnecessary complexity and expense to the process but also represents an outdated practice that is no longer prevalent in modern orthodontic care. The requirement for ultrasonic scaling training becomes yet another barrier to entry into the profession, deterring potential candidates and complicating our staffing processes.

Workforce Implications: We are experiencing a notable scarcity of applicants for orthodontic assistant positions. Put simply, these positions are already hard to fill. Reducing the work experience requirement and removing unnecessary training hurdles like the ultrasonic scaling course would improve our ability to recruit staff and encourage more individuals to pursue this career path, alleviating some of the current pressures on our practices.

In conclusion, adjusting the work experience requirement to three months and removing the ultrasonic scaling course is necessary to optimize the training and integration process for orthodontic assistants. These adjustments would help address the urgent workforce needs in our specialty, ensuring that we can continue to provide high-quality orthodontic care efficiently and effectively.

We appreciate your consideration of this proposal and look forward to your support in making these necessary amendments. SB 1453 is poised to be a transformational piece of legislation for the Orthodontic profession, all the more so with our proposed amendments.

Thank you both for your service to the orthodontic profession and the patients we serve.

Our proposed amendments are attached to this letter.

Please contact our lobbyist, Caliph Assagai, at caliph@californiapolicysolutions.com or (916) 761-4860 with any questions or concerns. He can connect you with the appropriate person within our organization.

We look forward to speaking with you soon.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sheldon Salin', with a large, stylized flourish at the end.

Sheldon Salin, DMD MS

President

California Association of Orthodontists

SEC. 50. Section 1750.2 of the Business and Professions Code is amended to read:

1750.2. (a) The board may issue an orthodontic assistant permit to a person who files a completed application, pays the applicable fee, and provides evidence, satisfactory to the board, of the following eligibility requirements:

(1) Current, active, and valid licensure as a registered dental assistant or registered dental assistant in extended functions, or completion of at least ~~+2~~ 3 months of verifiable work experience as a dental assistant.

(2) Successful completion, within two years before the date the application is received by the board, of a two-hour board-approved course in the Dental Practice Act and an eight-hour board-approved course in infection control. ~~and within five years before the date the application is received by the board, of a board-approved course in ultrasonic sealing.~~

(3) Current certification in basic life support issued by American Red Cross, American Heart Association, American Safety and Health Institute, American Dental Association's Continuing Education Recognition Program, or Academy of General Dentistry's Program Approval for Continuing Education.

(4) Successful completion of a board-approved orthodontic assistant course, ~~which may commence after the completion of six months of work experience as a dental assistant.~~

(5) A full set of fingerprints for purposes of conducting a criminal history record check.

(6) Passage of a written examination administered by the board after completion of all of the other requirements of this subdivision. The written examination shall encompass the knowledge, skills, and abilities necessary to competently perform the duties specified in Section 1750.3.