



DENTAL BOARD OF CALIFORNIA

MEETING AGENDA

FEBRUARY 7-8, 2019

Embassy Suites by Hilton San Diego La Jolla

4550 La Jolla Village Drive

San Diego, California 92122

(858) 453-0400 (Hotel) or (916) 263-2300 (Board Office)

Members of the Board:

Fran Burton, MSW, Public Member, President

Steven Morrow, DDS, MS, Vice President

Steven Chan, DDS, Secretary

Yvette Chappell-Ingram, MPA, Public
Member

Ross Lai, DDS

Lilia Larin, DDS

Huong Le, DDS, MA

Meredith McKenzie, Public Member

Abigail Medina, Public Member

Rosalinda Olague, RDA, BA

Joanne Pacheco, RDH

Thomas Stewart, DDS

Bruce Witcher, DDS

James Yu, 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 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. To view the Webcast, please visit <https://thedcapage.wordpress.com/webcasts/>.

THURSDAY, FEBRUARY 7, 2019

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

1. Call to Order/Roll Call/Establishment of a Quorum
2. Approval of November 29-30, 2018 Board Meeting Minutes
3. Board President Welcome and Report
4. Report of the Department of Consumer Affairs (DCA) Staffing and Activities
5. Budget Report
 - a. State Dentistry Fund
 - b. State Dental Assisting Fund
6. Discussion and Possible Action Regarding Appointments to the Dental Assisting Council

RECESS TO CONVENE THE DENTAL ASSISTING COUNCIL MEETING – SEE ATTACHED AGENDA

RETURN TO FULL BOARD OPEN SESSION

7. Dental Assisting Council Meeting Report
The Board may take action on any items listed on the attached Dental Assisting Council meeting agenda.
8. Discussion and Possible Action Regarding the Response Received from the State University of Medicine and Pharmacy “Nicolae Testemitanu” of the Republic of Moldova’s Faculty (School) of Dentistry Relating to its Relationship with the University of Moldova USA Inc.
9. Enforcement
 - a. Review of Enforcement Statistics and Trends
 - b. Update on the Attorney General’s Annual Report on Accusations Prosecuted for Department of Consumer Affairs Client Agencies in Compliance with Business and Professions Code Section 312.2 – January 1, 2019
10. Regulations
 - a. Update on Pending Regulatory Packages
 - i. Basic Life Support Equivalency Standards (Cal. Code of Regs., Title 16, Sections 1016 and 1016.2)
 - ii. Continuing Education Requirements (Cal. Code of Regs., Title 16, Sections 1016 and 1017)

- iii. Dental Assisting Comprehensive Rulemaking (Cal. Code of Regs., Title 16, Division 10, Chapter 3)
 - iv. Determination of Radiographs and Placement of Interim Therapeutic Restorations (Cal. Code of Regs., Title 16, Section 1071.1)
 - v. Elective Facial Cosmetic Surgery Permit Application Requirements and Renewal Requirements (Cal. Code of Regs., Title 16, Sections 1044.6, 1044.7, and 1044.8)
 - vi. Mobile Dental Clinic and Portable Dental Unit Registration Requirements (Cal. Code of Regs., Title 16, Section 1049)
 - vii. Citation and Fine (Cal. Code of Regs., Title 16, Sections 1023.2 and 1023.7)
 - viii. Minimum Standards for Infection Control (Cal. Code of Regs., Title 16, Section 1005)
- b. Discussion and Possible Action to Initiate a Rulemaking to Amend California Code of Regulations, Title 16, Sections 1019 and 1020 Relating to Substantial Relationship Criteria and Criteria for Evaluating Rehabilitation
 - c. Discussion and Possible Action to Initiate a Rulemaking to Amend California Code of Regulations, Title 16, Section 1020.4 Relating to the Diversion Evaluation Committee Membership
 - d. Discussion and Possible Action to Initiate a Rulemaking to Amend California Code of Regulations, Title 16, Sections 1031 Relating to the Passing Score for the Dentistry Law and Ethics Examination

RECESS TO CLOSED SESSION

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 is unable to deliberate and take action on all disciplinary matters due to time constraints, it will also meet in closed session on November 30, 2018.

CLOSED SESSION – LICENSING, CERTIFICATION, AND PERMITS COMMITTEE

A. 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).

B. Grant, Deny or Request Further Evaluation for General Anesthesia Permit

Onsite Inspection and Evaluation Failure, pursuant to Title 16 CCR Section 1043.6

The Committee will meet in closed session as authorized by Government Code Section 11126(c)(2) to deliberate whether or not to grant, deny or request further evaluation for a General Anesthesia Permit as it Relates to an Onsite Inspection and Evaluation Failure.

C. Grant, Deny or Request Further Evaluation for Conscious Sedation Permit

Onsite Inspection and Evaluation Failure, pursuant to Title 16 CCR Section 1043.6.

The Committee will meet in closed session as authorized by Government Code Section 11126(c)(2) to deliberate on 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.

RETURN TO FULL BOARD OPEN SESSION

Recess Until Friday, November 30, 2018



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 QUARTERLY BOARD MEETING MINUTES

NOVEMBER 29-30, 2018

Sacramento Marriott of Rancho Cordova
11211 Point East Drive, Rancho Cordova Room
Rancho Cordova, CA 95742

Members Present:

Thomas Stewart, DDS, President
Fran Burton, MSW, Public Member, Vice
President
Yvette Chappell-Ingram, Public Member,
Secretary
Steven Chan, DDS
Ross Lai, DDS
Lilia Larin, DDS
Huong Le, DDS, MA
Meredith McKenzie, Public Member
Abigail Medina, Public Member
Steven Morrow, DDS, MS
Rosalinda Olague, RDA, BA
Joanne Pacheco, RDH
Bruce L. Witcher, DDS
James Yu, DDS, MS

Members Absent:

Wednesday:
None
Thursday:
None

(Ms. McKenzie joined meeting at 2:30 p.m. LCP
Committee Meeting)

Staff Present:

Karen M. Fischer, MPA, Executive Officer
Sarah Wallace, Assistant Executive Officer
Carlos Alvarez, Enforcement Chief
Tina Vallery, Dental Assisting Manager
Melissa Brokken, Associate Governmental Program Analyst
Jocelyn Campos, Associate Governmental Program Analyst
Jeri Westerfeld, Executive Assistant
Spencer Walker, Legal Counsel

Agenda Item 1: Call to Order/Roll Call/Establishment of Quorum

A regular meeting of the Dental Board of California (Board) was called to order by Dr. Stewart, President at 9:00 a.m. on Thursday, November 29, 2018. Ms. Yvette Chappell-Ingram, Board Secretary called the roll and a quorum was established.

Agenda Item 2: Board President Welcome and Report

Dr. Stewart reported that he attended the Dental Hygiene Committee of California (DHCC) meeting on November 16-17, 2018 in Fresno. He congratulated the DHCC on the completion of its sunset review process; and on its newly approved change of moving from a committee to a board which will be effective 1/1/2019. The Committee elected to keep the current officers for the 2019 year: Susan Good, public member - President, Nicolette Moultrie, RDH – Vice President, Edcelyn Pujol, public member – Secretary.

The DHCC approved proposed regulatory packages: CCR § 1105.4 - changes to the appeals process for educational programs; CCR § 1115 – a new regulation that establishes a retired license status; CCR § 1116 – a new regulation relating to the operation of Mobile Dental Hygiene Clinics. The legal counsel for DHCC suggested additional work be completed on the regulatory package CCR § 1109, so it was pulled from the agenda and also pulled from the Board’s agenda. Agenda Item 14 included in Board meeting packed has been withdrawn. It will be brought back to their committee in early 2019.

Dr. Stewart also participated on the panel discussion at the California Dental Association’s House of Delegates for Opioid Addiction on November 9, 2019 in Anaheim. The response to the panel discussion was greatly appreciated, and an article will be published in the CDA UPDATE in January.

Ms. Burton asked for and was granted a point of personal privilege to recognize Dr. Jim Wood, Assembly member and a forensic dentistry expert consultant. Dr. Wood has been assisting with the Camp Wild Fire, as a forensic dentist, odontologist, to help identify remains of fire victims by their dental records. The Board recognizes and commends him on his efforts.

Agenda Item 3: Approval of the August 23-24, 2018 Board Meeting Minutes

M/S (Burton/Chan) to accept minutes with changes.

Dr. Chan requested the correct spelling of Dr. Sobel’s name be reflected in the minutes.

Dr. Morrow requested that “sole” practice be changed to “private” practice on page 3, 2nd paragraph.

There was no public comment.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai	✓				
Larin	✓				
Le	✓				

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
McKenzie				✓	
Medina	✓				
Morrow	✓				
Olague	✓				
Pacheco	✓				
Stewart	✓				
Whitcher	✓				
Yu	✓				

Motion passed, and minutes are approved with changes.

Agenda Item 4: Approval of the October 5, 2018 Board Meeting Minutes
M/S (Whitcher/Le) to accept minutes. There was no public comment.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan			✓		
Chappell-Ingram	✓				
Lai	✓				
Larin	✓				
Le	✓				
McKenzie				✓	
Medina			✓		
Morrow	✓				
Olague	✓				
Pacheco	✓				
Stewart	✓				
Whitcher	✓				
Yu	✓				

There was no public comment.
Motion passed, and minutes are accepted.

Agenda Item 5: Budget Report

Sarah Wallace, Assistant Executive Officer reported on the expenditures for the period of July 1, 2018 to September 30, 2018 of FY 2018-2019. The Board has spent 16% of the Dentistry and 10% of the Dental Assisting Fund appropriations. With the Governor's budget being released in January 2019, staff will be re-evaluating appropriations for FY 2019-2020. There was a brief discussion regarding "fingerprinting". It was explained that this item represents reimbursements for hard card fingerprinting and does not reflect an expenditure. There was no public comment.

Recessed Full Board to Convene to Dental Assisting Council (DAC) Meeting

Please see Dental Assisting Council meeting minutes.
Meeting adjourned at 11:30 a.m.

Recessed for lunch following adjournment of the DAC meeting.

Returned to Full Board Open Session at 1:00 p.m.

Convened to Licensing, Certification, and Permits (LCP) Committee Meeting

Please see LCP meeting minutes.

Meeting adjourned at 1:54 p.m.

Convened to Substance Use Awareness (SUA) Committee

Please see SUA meeting minutes.

Meeting adjourned at 2:44 p.m.

Returned to Full Board Open Session at 3:33 p.m.

Executive Officer Fischer introduced Daniel McGee, Deputy Attorney General (DAG) who is the Board's new DAG liaison to the Attorney General's Office.

Agenda Item 6: Dental Assisting Council Meeting (DAC) Report

Dr. Witcher, acting chair of DAC, gave the report. Roll was called and a quorum established. The minutes of the August 23, 2018 meeting were approved. An update on the Dental Assisting Program and Course applications and the RDA program re-evaluations was received. Additionally, the DAC received reports on examination and licensing statistics. There was discussion regarding the use of an alternative examination resource to administer the registered dental assistant in extended functions (RDAEF) clinical and practical examinations (DAC Agenda Item 6).

The DAC recommends the Board direct staff to work with the Office of Professional Examination Services (OPES) to research potential alternative examination resources to administer the RDAEF clinical and practical examination for licensure in California.

M/S (Burton/Olague) to direct staff to work with the Office of Professional Examination Services (OPES) to research potential alternative examination resources to administer the RDAEF clinical and practical examination for licensure in California.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai	✓				
Larin	✓				
Le	✓				
McKenzie	✓				
Medina	✓				
Morrow	✓				
Olague	✓				
Pacheco	✓				
Stewart	✓				

Whitcher	✓				
Yu	✓				

The motion passed.

Dr. Whitcher reported on DAC Agenda Item 7. The DAC recommended the Board reject the staff recommendation to remove the completion of courses in coronal polishing and pit and fissure sealants as a condition of licensure, and instead require the courses be completed after licensure.

Dr. Le and Ms. Burton feel that this issue is an enforcement action and dentist supervision issue and therefore there is no need to further clarify.

M/S (Burton/Lai) to reject the staff recommendation to remove the completion of courses in coronal polishing and pit and fissure sealants as a condition of licensure, and instead require the courses be completed after licensure.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai	✓				
Larin	✓				
Le	✓				
McKenzie	✓				
Medina	✓				
Morrow	✓				
Olague		✓			
Pacheco	✓				
Stewart	✓				
Whitcher	✓				
Yu	✓				

The motion passed.

Dr. Whitcher reported on DAC Agenda Items 8A and 8B. Item 8A would require a statutory change relating to the use of materials and devices authorized for use in the performance of RDAEF scope of practice. Specifically, an RDAEF may use any material or device approved for use in the performance of a service or procedure within his or her scope of practice under the appropriate level of supervision, if he or she has the appropriate education and training required to use the material or device. The DAC forwarded this item to the Board for consideration.

Dr. Guy Atchison representing the California Academy of General Dentistry spoke in favor of liberating tissue management. However, he wanted to ensure that the scope of practice for non-dentists would Not be expanded to include the use of lasers in tissue management.

M/S (Burton/Olague) moved to seek statutory change, per FADEs proposal, relating to the use of materials and devices authorized for use in the performance of RDAEF scope of practice.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan		✓			
Chappell-Ingram	✓				
Lai		✓			
Larin	✓				
Le		✓			
McKenzie	✓				
Medina	✓				
Morrow	✓				
Olague	✓				
Pacheco		✓			
Stewart	✓				
Whitcher	✓				
Yu		✓			

The motion passed.

Agenda Item 8B would allow RDA and RDAEF programs the ability to keep students enrolled until such time they successfully complete all licensure requirements. The DAC voted to have staff further review this issue and bring additional information back to the DAC at a future meeting.

Dr. Whitcher reported on DAC Agenda Item 9 relating to expanding the scope of practice of RDAEFs who would be interested in getting an additional permit to administer local anesthesia and nitrous oxide. The DAC voted to direct staff to conduct more in-depth surveys of both dentists and a larger sample of RDAEFs to assess their opinions on adding the administration of local anesthesia and nitrous oxide to the RDAEF scope of practice and to form a working group consisting of dentists, hygienists, RDAEFs, and other interested stakeholders to research and evaluate the proposal.

In addition, the DAC recommended that the Board consider exploring the possibility of eliminating the multiple layers of RDAEF certifications by incorporating all of them under one general RDAEF license.

M/S (Chan/Larin) to have this issue placed on a future agenda.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai			✓		
Larin	✓				

Le			✓		
McKenzie	✓				
Medina	✓				
Morrow	✓				
Olague	✓				
Pacheco	✓				
Stewart	✓				
Whitcher	✓				
Yu	✓				

The motion passed.

In closing, Dr. Whitcher reported that DAC members requested that the pass rate for the RDA examination be placed on a future agenda for discussion.

Agenda Item 7: Update regarding the relationship between the State University of Medicine and Pharmacy “Nicolae Testemitanu” of the Republic of Moldova’s Faculty (School) of Dentistry and the University of Moldova USA Inc.

In September 2018 the Board’s Executive Officer received a flyer “Become a Dentist ...while living in Europe”. The flyer indicated that State University of Medicine and Pharmacy “Nicolae Testemitanue” of the Republic of Moldova’s Faculty (School) of Dentistry had an admissions office in Encino, California. On October 15, 2018 a letter was emailed to the Rector of the School requesting clarification of the relationship between the two entities, the University in Moldova and the office in Encino, CA. The terms of this relationship between State University of Medicine and Pharmacy “Nicolae Testemitanue” of the Republic of Moldova’s Faculty (School) of Dentistry and the University of Moldova USA, Inc were never divulged during the site evaluation conducted in October 2016, despite the fact that the registration of the University of Moldova USA Inc occurred in April 2014.

Retired Senator Richard Polanco attended the meeting as the Schools representative and responded to board member questions. There was much discussion and many additional questions were formulated related to the relationship between the School and he University of Moldova USA (UMUSA). Senator Polanco indicated that while he could not answer many of the questions, that he would ensure the questions would be answered. The Board is trying to determine whether there has been a violation of CCR Section 1024.8 relating to a shift in control of decisions relating to the dental education program of the School.

After much discussion, the Board identified twelve to forward to the Rector of the School for a response:

1. In your response of October 30, 2018, you indicated that “it is the University’s practice to contract with entities in certain countries to perform marketing, recruitment, intake of applications, advertise in public social media and do special out reaches to attract students to attend the University.” If it is your common practice to utilize “exclusive entities”, **why was this information not shared with the Board’s Site Evaluation Team during the site visit in October 2016?** In addition to your answer to this question, please provide the following:

- Copies of the Affiliation Agreement (Memorandum of Understanding) between the University and Moldova USA, Inc.
 - List of the other countries with whom the University has an “exclusive entity” or “affiliation agreement”
 - The names of the officers of Moldova USA, Inc.
 - Tax Identification Number for Moldova USA, Inc.
 - A copy of the Federal and State Tax Returns filed in 2017 for Moldova USA, Inc.
 - A copy of the California Secretary of State Registration of a corporation
2. How are the officers of Moldova USA, Inc. compensated?
 3. It appears that Moldova USA, Inc was established two years prior to the Board’s Site Evaluation. Explain the circumstances under which this relationship was formed and why this relationship was not mentioned during the Site visit which was conducted in 2016?
 4. There appears to be a difference in application fees and tuition for attending the University depending on how the student candidate applies for admission. The University’s website indicates that tuition for international students is \$5,000-\$6,000- with an application fee which translates to \$56 USA dollars. However, the Moldova USA, Inc. website indicates that the tuition is \$20,000 per year with a \$150 application fee. Why the difference and who sets the rates?
 5. Why is the application fee and tuition paid directly from the student/candidate to Moldova USA, Inc.?
 6. Does Moldova USA, Inc. recruit students outside of California throughout the United States?
 7. Are students in California and/or the United States required to apply to the University through Moldova USA, Inc. or can they apply to dental school directly with the University?
 8. How many students to date have applied to the University through Moldova USA, Inc.? How many have been denied acceptance?
 9. Who is responsible for the accuracy of information about the University’s dental program that is distributed by and posts to the Moldova USA website?
 10. Are you aware of the disclaimer that appears on the Moldova USA, Inc website and is it true that USMFUSA has the right to modify or change admission standards or requirement at any time without notice and effective immediately?

“USMFUSA reserves the right to modify or change admission standards or requirements at any time without prior notice and effective immediately. The information provided on this sight is for informational purposes only and does not create any agreement or understanding or establish any rights or responsibilities whatsoever between USMFUSA and any student or prospective student.”
 11. The Site Evaluation Team understood that the dental program at the University was five years. However, the Team also understood that international students applying to the program would be required to take a year of Romanian language and a test prior to acceptance and starting the five year program. Please clarify.

12. What does the University do to prevent Moldova USA Inc from using misleading statements on its website and in advertising material?

Ms. Burton asked legal counsel about process. If the Board today determines that there is a violation of CCR 1024.8 relating to “change of control”, could the Board withdraw its approval until such time as the additional questions of the board can be answered by the School. Legal Counsel response was no. The School should be given an opportunity to respond to additional questions. The Board’s continued approval or withdrawal of approval could be taken up at the conclusion of the Schools response to the additional questions.

The Board asked that a representative from the School’s faculty attend the February meeting to be able to respond to any additional questions that might arise from the responses to the questions outlined above.

Agenda Item 8: Discussion and Possible Action Regarding Appointment of New Registered Dental Assistant Extended Functions (RDAEF) Examiners

M/S/C (Whitcher/Larin) to appoint the following RDAEF Examiners: Merlin Lai, DDS, Richard Liebig, DDS and Richard Plasch, DDS

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai	✓				
Larin	✓				
Le	✓				
McKenzie	✓				
Medina				✓	
Morrow	✓				
Olague	✓				
Pacheco	✓				
Stewart	✓				
Whitcher	✓				
Yu	✓				

Agenda Item 9: Discussion and Possible Action Regarding Compliance Issues Related to the Registered Dental Assistant Program Reevaluations and Provisional Approval of Dental Assisting Programs

Board staff requested this item be tabled until a future meeting.

Meeting adjourned at 5:07 p.m.

Convened to Closed Session (Full Board and LCP Committee)

Returned to Full Board Open Session

Recessed Until Friday, November 30, 2018

FRIDAY, NOVEMBER 30, 2018

Agenda Item 10: Call to Order/Roll Call/Establishment of Quorum

A regular meeting of the Dental Board of California (Board) was called to order by Dr. Stewart, President at 9:03 a.m. on Friday, November 30, 2018. Ms. Yvette Chappell-Ingram, Board Secretary called the roll and a quorum was established.

Agenda Item 11: Executive Officer's Report

Ms. Karen Fischer, Executive Officer (EO) reported on meetings she had attended since the last board meeting including the Departments Substance Abuse Coordination Committee, the Directors Quarterly Meeting, The Dental Hygiene Committee of California, and the Diversion Contract meeting. She reported that new phones were installed in the Orange and Sacramento Offices the first week in November. There was little to no disruption in business during the transition to the new equipment. The Board also took delivery of the new desk top computers and we will soon be receiving the new copy equipment. She also updated the Board on the Sunset Review process. Ms. Fischer gave a staffing update outlining the filled and vacant positions. She announced that Daniel McGee has been appointed to serve as the Board's liaison to the Attorney General's office; and that Jeri Westerfeld, the EO's Executive Assistant would be retiring in December.

Agenda Item 12: Report of Department of Consumer Affairs (DCA) Staffing and Activities

Patrick Le, Assistant Deputy Director for Board and Bureau Services at the Department of Consumer Affairs gave the report which included information on the Director's Quarterly Meeting, the Executive Officer salary study, a draft timeline and implementation plan for AB 2138, the Substance Abuse Coordination Committee, and the Board Member Orientation training.

Agenda Item 13: Report of Dental Hygiene Committee of California (DHCC) Activities

Ms. Susan Good, President of the DHCC and Anthony Lum, Executive Officer reported that the Committee will become a Board on January 1, 2019. They reported on the Committee's successful completion of sunset review process. The Board membership will be reconfigured and two former governor appointments will now come from the Legislature. The Committee continues to review dental hygiene programs through site visits. Ms. Good reported that the Committee voted to retain its current officers into the new year. She also reported that the Committee is working on a number of regulatory packages.

Agenda Item 14: Discussion and Possible Action Regarding the DHCC's Proposed Draft Educational Regulatory Language for California Code of Regulations, Title 16, Section

1109 Relating to Radiographic Decision Making and Interim Therapeutic Restoration Courses for the Registered Dental Hygienist (RDH), Registered Dental Hygienists in Alternative Practice (RDHAP), and Registered Dental Hygienists in Extended Functions (RDHEF) – Approval; Curriculum Requirements; Issuance of Approval
DHCC withdrew this item.

Agenda Item 15A: Update on the Portfolio Pathway to Licensure

Daniel Yoon, DBC Analyst gave the report the details of which can be found in the meeting material. Highlights of the report include utilization digital Portfolio forms at each California dental school. Board staff will continue to research how a Portfolio application may be submitted electronically. Board staff anticipates this short-term goal to be completed in time to be used by the California dental schools for the 2018-19 Portfolio candidates. In addition, in 2019, the Board will implement the use of a cloud system, where dental schools can upload digital portfolios. The Portfolio Liaison at the Board will provide a link to the dental school where they are able to access the cloud system.

Board staff is planning to offer informational workshops to help 1st-year, 2nd-year, and any interested dental students become more aware of the unique opportunity available to them through the Portfolio pathway to licensure. Board staff are preparing a presentation that will inform students and encourage them to keep the Portfolio pathway to licensure as a viable licensure option in California. Board staff will contact each dental school and set appointments for these visits. Board staff plan to start these visits in 2019.

Dr. Ross Lai indicated that the California dental schools may not be encouraging students to take the portfolio pathway to licensure.

Dr. Huong Le suggested board staff contact licensees who went through the portfolio process and bring them back to the dental schools from which they graduated to promote the portfolio pathway.

Agenda Item 15B: Western Regional Examination Board (WREB) Report

Dr. Le recognized Dr. Norm Magnuson from WREB. The Dental Examination Review Board (DERB) is part of WREB and meets once a year. Dr. Le reported on the meeting. Dr. Magnuson reported on changes to the WREB exam last year, i.e. using the plastic tooth instead of a natural tooth for endo. The prosthodontics section was added. The biggest change was in the operative section, requiring only one restoration if the candidate passes on the first restoration.

Agenda Item 16A: Review of Enforcement Statistics and Trends

Carlos Alvarez, Enforcement Chief provided this report which is available in the meeting material published on the Board's website. There was no public comment.

Agenda Item 17: Presentation regarding the Diversion Program

Chrystal Williams, Dental Board Manager, gave an overview of the Board's Diversion Program and introduced Dr. Curtis Vixie, Virginia Matthews, RN, BSN, MBA, Program Manager from MAXIMUS and John Olive, Case Manager from MAXIMUS. The detailed presentation can be found on the Board's website.

Agenda Item 18B: 2018 End of Year Legislative Summary Report

Refer to the board meeting material for this information. No action taken.

Agenda Item 18C: Update on Pending Regulatory Packages

Refer to the board meeting material for this information. No action taken.

Agenda Item 18D: Discussion and Possible Action Regarding Legislative Proposals for 2019: Healing Arts Omnibus Bill

Michael Chen, Legislative/Regulatory Analyst, gave this report. Board staff recommends the Board consider directing staff to submit technical amendments to the Dental Practice Act (Business and Professions Code Sections 1600 et seq.) to change any individual references to the RDA "written examination" or the RDA "law and ethics examination" to the "RDA General Written and Law and Ethics Examination" as part of the 2019 Healing Arts Omnibus bill. There was no public comment.

M/S/C (Burton/Chan) to direct staff to submit technical amendments to the Dental Practice Act (Business and Professions Code Sections 1600 et seq.) to change any individual references to the RDA "written examination" or the RDA "law and ethics examination" to the "RDA General Written and Law and Ethics Examination" as part of the 2019 Healing Arts Omnibus bill.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai	✓				
Larin	✓				
Le	✓				
McKenzie	✓				
Medina	✓				
Morrow	✓				
Olague	✓				
Pacheco	✓				
Stewart	✓				
Whitcher	✓				
Yu	✓				

The motion passes.

Agenda Item 18E: Discussion of Prospective Legislative Proposals
None.

Agenda Item 19A: Update on Implementation of SB 501 (Glazer) Dentistry: Anesthesia and Sedation

Jessica Olney, Board Analyst, gave this report. Refer to the board meeting material for this information. No action taken.

Agenda Item 19B: General Anesthesia and Conscious Sedation Evaluation Statistics

Jessica Olney, Board Analyst, gave his report. Refer to the board meeting material for this information. No action taken.

Agenda Item 20: Licensing, Certification, and Permits Committee Report on Closed Session

Dr. Ross Lai, Chair, reported that the Committee met in closed session and considered three applications for issuance of a new dental license to replace a cancelled license. Drs. MAR, KF, and JJ are approved for a new license to replace a cancelled license but first must take and pass the Law and Ethics examination.

Dr. LS was denied renewal of the Conscious Sedation Permit.

The Committee considered nine applications for issuance of a new RDA license to replace a cancelled license. Applicants CH, JK, JL, AM, SO, HR AR and CW were approved but must take the Registered Dental Assistant Combined (RDAC) examination prior to issuance of a new license. Applicant MN was approved without conditions.

M/S/C (Lai/Burton) to accept the Committee report.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai	✓				
Larin	✓				
Le	✓				
McKenzie	✓				
Medina	✓				
Morrow	✓				
Olague	✓				
Pacheco	✓				
Stewart	✓				
Whitcher	✓				
Yu	✓				

Agenda Item 21: Licensing, Certification, and Permits Committee Report

Dr. Ross Lai, Chair of the Committee reported that roll was called and a quorum established. The minutes of February 23, 2017 meeting were approved. Dental licensure and permit statistics were reviewed with no action. There was a robust discussion about requiring faculty licensure for six California dental schools. The Committee voted to recommend the Board direct staff to seek legislation to require a non- California licensed dentist holding a faculty appointment at a California dental school to apply for and obtain from the Dental Board of California either a special permit or a faculty teaching permit.

Dr. Whitcher spoke in favor of the recommendation but does not see it as a high legislative priority this year. Ms. Burton agreed.

M/S/C (Burton/Whitcher) to direct staff to seek legislation to require a non- California licensed dentist holding a faculty appointment at a California dental school to apply for and obtain from the Dental Board of California either a special permit or a faculty teaching permit.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai		✓			
Larin	✓				
Le		✓			
McKenzie			✓		
Medina	✓				
Morrow	✓				
Olague	✓				
Pacheco			✓		
Stewart	✓				
Whitcher	✓				
Yu	✓				

The motion passes.

Agenda Item 22: Substance Use Awareness Committee Report

Dr. Tom Stewart chaired the meeting and reported that the roll was called and a quorum established. The minutes of the August 10, 2017 meeting were approved. Diversion statistics were reviewed and an update regarding the October 23, 2018 meeting of the Statewide Opioid Safety Workgroup was received. There was a discussion about the development of a regulatory proposal to require completion of mandatory continuing education relating to the risks of addiction associated with the use of schedule II drugs as a condition of licensure renewal. The Committee agreed to make the continuing education mandatory. Stakeholders and persons of interest were asked to forward any information that could be considered in the proposed regulatory language to the Executive Officer.

Public Comment

Gayle Mathe, CDA asked for clarification on where the Board stands on the development of the regulations. The Executive Officer responded that the board wanted to move forward with mandatory continuing education relating to risks of addiction associated with the use of schedule II drugs as a condition of licensure renewal per SB 1109.

Agenda Item 23: Election of 2019 Dental Board of California Officers

Ms. Karen Fischer, Executive Officer, facilitated the election. She opened the floor for nominations for the position of Secretary.

Dr. Steven Morrow nominated Dr. Steven Chan. Dr. Chan accepted the nomination. There were no additional nominations.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai	✓				
Larin	✓				
Le	✓				
McKenzie	✓				
Medina	✓				
Morrow	✓				
Olague	✓				
Pacheco	✓				
Stewart	✓				
Whitcher	✓				
Yu	✓				

Dr. Steve Chan was elected Secretary

Ms. Fischer opened the floor for nominations for the position of Vice President. Dr. Tom Stewart nominated Dr. Steven Morrow. Dr. Morrow accepted the nomination. There were no additional nominations.

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai	✓				
Larin	✓				
Le	✓				
McKenzie	✓				
Medina	✓				
Morrow	✓				
Olague	✓				
Pacheco	✓				
Stewart	✓				

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Whitcher	✓				
Yu	✓				

Dr. Steven Morrow was elected Vice President

Ms. Fischer opened the floor for nominations for the position of President. Dr. Steven Morrow nominated Dr. Tom Stewart to serve another term as Board President. Dr. Stewart accepted the nomination. In addition, Dr. Huong Le nominated Ms. Fran Burton to serve as Board President. Ms. Burton accepted the nomination.

Vote for Dr. Thomas Stewart - President

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton		✓			
Chan	✓				
Chappell-Ingram		✓			
Lai			✓		
Larin	✓				
Le		✓			
McKenzie	✓				
Medina		✓			
Morrow	✓				
Olague		✓			
Pacheco		✓			
Stewart	✓				
Whitcher		✓			
Yu		✓			

Vote for Ms. Fran Burton - President

Board Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Burton	✓				
Chan	✓				
Chappell-Ingram	✓				
Lai	✓				
Larin	✓				
Le	✓				
McKenzie		✓			
Medina	✓				
Morrow		✓			
Olague	✓				
Pacheco	✓				
Stewart	✓				
Whitcher	✓				
Yu	✓				

The officers for 2019 are Ms. Fran Burton, President, Dr. Steven Morrow, Vice President, and Dr. Steven Chan, Secretary.

Agenda Item 24: Public Comment on Items Not on the Agenda
None

Agenda Item 25: Board Member Comments on Items Not on the Agenda

Ms. Fran Burton asked the Board to consider encouraging licensees to go to electronic records for dental offices, based on what happened in the Camp Wildfire.

The meeting adjourned at approximately 2:30 pm.

DRAFT



MEMORANDUM

DATE	January 28, 2019
TO	Members of the Dental Board of California
FROM	Sarah Wallace, Assistant Executive Officer Dental Board of California
SUBJECT	Agenda Item 3: Board President Welcome and Report

Background:

The President of the Dental Board of California will provide a verbal report.

Action Requested:

No action requested.



MEMORANDUM

DATE	January 28, 2019
TO	Members of the Dental Board of California
FROM	Sarah Wallace, Assistant Executive Officer Dental Board of California
SUBJECT	Agenda Item 4: Report of the Department of Consumer Affairs (DCA) Staffing and Activities

Background:

A representative from the Department of Consumer Affairs will provide a verbal report.

Action Requested:

No action requested.



MEMORANDUM

DATE	January 28, 2019
TO	Members of the Dental Board of California
FROM	Steve Long, Budget and Contract Analyst Dental Board of California
SUBJECT	Agenda Item 5: Budget Report

Background:

The Board manages two separate funds: 1) the State Dentistry Fund, and 2) the State Dental Assisting Fund. The funds are not comingled. The following is intended to provide a summary of expenses from July 1, 2018 to October 31, 2018 of Fiscal Year (FY) 2018-19 for both funds.

A. State Dentistry Fund

Summary of Expenditures from July 1, 2018 to October 31, 2018

The Board's appropriation is consistent with the recently released 2019-20 Governor's Proposed Budget. The expenditures in this report are based upon the budget report released by the Department of Consumer Affairs (DCA) in January 2019. This report reflects actual expenditures from July 1, 2018 to October 31, 2018. The Board spent roughly \$4.2 million or 30% of its total Dentistry Fund appropriation for FY 2018-19. Of that amount, approximately \$2.3 million of the expenditures were for Personnel Services and \$1.9 million were for Operating Expense & Equipment (OE&E) for this time period.

Fund Title	Appropriation	Total Expenditures July 1, 2018-October 31, 2018
Dentistry Fund	\$14,142,000	\$4,240,273

Expenditure Projection:

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

Analysis of Fund Condition:

Attachment 1A displays an analysis of the State Dentistry Fund's condition.

B. State Dental Assisting Fund

Summary of Expenditures from July 1, 2018 to October 31, 2018

The Board's appropriation is consistent with the recently released 2019-20 Governor's Proposed Budget. The expenditures in this report are based upon the budget report released by the DCA in January 2019. This report reflects actual expenditures from July 1, 2018 to October 31, 2018. The Board spent roughly \$763,000 or 30% of its total Dental Assisting Fund appropriation for this time period. Of that amount, approximately \$323,000 of the expenditures were for Personnel Services and \$440,000 were for OE&E for this time period.

Fund Title	Appropriation	Total Expenditures July 1, 2018-October 31, 2018
Dental Assisting Fund	\$2,557,000	\$763,424

Expenditure Projection:

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

Analysis of Fund Condition:

Attachment 2A displays the State Dental Assisting Fund's condition.

Action Requested

None.

ATTACHMENT 1

Extraction Report
1/8/2019

DENTAL BOARD - FUND 0741 BUDGET REPORT FY 2018-19 EXPENDITURE PROJECTION

Preliminary FM 04

OBJECT DESCRIPTION	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19				
	ACTUAL EXPENDITURES (MONTH 13)	ACTUAL EXPENDITURES (MONTH 13)	ACTUAL EXPENDITURES (PRELIM 12)	BUDGET STONE 2018-19	CURRENT YEAR EXPENDITURES (PRELIM 04)	PERCENT SPENT	PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE
PERSONNEL SERVICES								
Salary & Wages (Staff)	3,281,479	3,508,370	3,973,427	4,736,000	1,437,259	30%	4,237,614	498,386
Statutory Exempt (EO)	108,581	114,087	119,520	96,000	41,432	43%	124,296	(28,296)
Temp Help (Expert Examiners)	0	0	0	40,000	0	0%	0	40,000
Temp Help Reg (907)	142,959	40,395	67,074	199,000	13,116	7%	88,288	110,712
Temp Help (Exam Proctors)	0	0	0	45,000	0	0%	0	45,000
BL 12-03 Blanket	64,215	51,028	48,620	0	22,445	-	43,829	(43,829)
Board Member Per Diem (901, 920)	16,100	17,300	12,600	46,000	4,000	9%	12,300	33,700
Committee Members (911)	4,200	2,500	1,900	59,000	900	2%	1,700	57,300
Overtime	37,330	14,859	12,839	25,000	420	2%	420	24,580
Staff Benefits	1,804,708	1,992,049	2,343,757	2,775,000	833,172	30%	2,456,523	318,477
TOTALS, PERSONNEL SVC	5,459,572	5,740,588	6,579,737	8,021,000	2,352,744	29%	6,964,970	1,056,030
OPERATING EXPENSE AND EQUIPMENT								
General Expense	90,116	120,685	137,067	60,000	100,781	168%	120,000	(60,000)
Fingerprint Reports	15,894	16,889	11,581	26,000	3,675	14%	14,800	11,200
Minor Equipment	3,699	26,418	102,933	61,000	1,920	0%	61,000	0
Printing	80,185	84,508	112,439	43,000	39,408	92%	93,000	(50,000)
Communication	29,473	32,672	49,485	34,000	7,383	22%	38,000	(4,000)
Postage	62,527	39,697	92,580	60,000	81	0%	65,000	(5,000)
Insurance	8,056	11,115	37,334	2,000	0	0%	33,000	(31,000)
Travel In State	153,609	133,870	75,134	109,000	17,425	16%	121,000	(12,000)
Travel, Out-of-State	263	1,922	0	0	0	-	2,806	(2,806)
Training	6,594	4,216	5,825	8,000	2,616	33%	6,000	2,000
Facilities Operations	413,542	419,804	594,880	361,000	143,435	40%	595,000	(234,000)
C & P Services - Interdept.	7,886	12,835	25,896	77,000	6,181	8%	20,000	57,000
C & P Services - External	275,983	441,760	310,335	389,000	64,429	17%	343,000	46,000
DEPARTMENTAL SERVICES:								
Office of Information Services	1,081,773	1,161,403	1,082,900	1,082,000	367,880	34%	1,082,000	0
Administration Services	795,161	837,743	951,583	1,069,000	363,460	34%	1,069,000	0
Interagency Services	0	0	0	1,000	0	0%	0	1,000
Interagency Services w/ Office of Professional Examination Services	61,551	0	48,360	0	415	-	415	(415)
Division of Investigation - Internal	21,629	21,158	23,001	33,000	11,220	34%	33,000	0
Communications Division	51,000	142,533	60,390	73,000	24,820	34%	73,000	0
Program and Policy Review Division	0	4,577	66,330	73,000	24,820	34%	73,000	0
INTERAGENCY SERVICES:								
Consolidated Data Center	32,856	19,326	39,626	19,000	3,949	21%	31,000	(12,000)
DP Maintenance & Supply	21,802	12,211	14,355	11,000	51	0%	16,000	(5,000)
EXAMS EXPENSES:								
Exam Supplies	0	0	0	43,000	0	0%	0	43,000
Exam Site Rental	0	0	0	69,000	0	0%	0	69,000
C/P Svcs-External Expert Administration	77,774	1,000	0	7,000	0	0%	0	7,000
C/P Svcs-External Expert Examiners	0	0	125,003	238,000	31,945	13%	125,000	113,000
C/P Svcs-External Subject Matter	46,171	105,116	277,658	0	71,775	0%	143,000	(143,000)
Other Items of Expense	7,707	12,154	9,245	0	0	0%	10,000	(10,000)
Tort Pymts-Punitive	56,427	0	0	0	0	0%	0	0
ENFORCEMENT:								
Attorney General	1,056,537	1,090,876	846,620	1,778,000	263,757	15%	1,074,000	704,000
Office Admin. Hearings	227,114	284,403	202,528	407,000	134,530	33%	238,000	169,000
Court Reporters	11,215	14,968	12,072	0	5,183	0%	13,000	(13,000)
Evidence/Witness Fees	371,666	304,211	223,746	244,000	182,213	75%	300,000	(56,000)
DOI - Investigative	0	0	0	6,000	0	0%	0	6,000
Vehicle Operations	51,529	48,556	41,916	5,000	14,177	284%	47,000	(42,000)
Major Equipment	0	23,531	131,660	0	0	-	29,000	(29,000)
TOTALS, OE&E	5,726,933	5,430,157	5,712,481	6,388,000	1,887,529	30%	5,869,021	518,979
TOTAL EXPENSE	11,186,505	11,170,745	12,292,218	14,409,000	4,240,273	29%	12,833,991	1,575,009
Sched. Interdepartmental	0	0	0	0	0	-	0	0
Sched. Reimb. - Fingerprints	(15,365)	(16,366)	(16,660)	(53,000)	(3,871)	7%	(53,000)	0
Sched. Reimb. - Other	(8,000)	(7,756)	(5,875)	(214,000)	(3,290)	2%	(214,000)	0
Unsched. Reimb. - External/Private	(25,313)	0	0	0	0	-	0	0
Unsch Reimb - Finger Print Fees	0	0	0	0	0	-	0	0
Probation Monitoring Fee - Variable	(115,886)	(102,020)	(110,324)	0	(28,280)	-	0	0
Invest Cost Recover FTB Collection	0	0	(4,660)	0	0	-	0	0
Unsched. - DOI ICR Civil Case Only	0	(1,450)	0	0	0	-	0	0
Unsched. - Investigative Cost Recovery	(362,177)	(497,832)	(514,365)	0	(137,624)	-	0	0
NET APPROPRIATION	10,659,764	10,545,321	11,640,334	14,142,000	4,067,208	29%	12,566,991	1,575,009
SURPLUS/(DEFICIT):								11.1%

ATTACHMENT 1A

**0741 - State Dentistry Fund
Analysis of Fund Condition**

Prepared 1.10.2019

(Dollars in Thousands)

2019-20 Governor's Budget

	PY* 2017-18	CY 2018-19	BY 2019-20
BEGINNING BALANCE	\$ 6,389	\$ 5,106	\$ 5,683
Prior Year Adjustment	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 6,389	\$ 5,106	\$ 5,683
REVENUES AND TRANSFERS			
Revenues:			
4121200 Delinquent fees	\$ 124	\$ 167	\$ 170
4127400 Renewal fees	\$ 11,076	\$ 13,009	\$ 13,082
4129200 Other regulatory fees	\$ 64	\$ 113	\$ 117
4129400 Other regulatory licenses and permits	\$ 1,934	\$ 2,266	\$ 2,287
4143500 Miscellaneous services to the public	\$ -	\$ 47	\$ 47
4163000 Income from surplus money investments	\$ 17	\$ 84	\$ 83
4171400 Escheat of unclaimed checks and warrants	\$ 4	\$ 4	\$ 4
4172500 Miscellaneous revenues	\$ 5	\$ 5	\$ 5
Total Revenues	\$ 13,224	\$ 15,695	\$ 15,795
Total Revenues, Transfers, and Other Adjustments	\$ 13,224	\$ 15,695	\$ 15,795
Total Resources	\$ 19,613	\$ 20,801	\$ 21,478
EXPENDITURES			
Disbursements:			
1111 Department of Consumer Affairs Program Expenditures (State Operations)	\$ 13,703	\$ 14,142	\$ 14,785
8880 Financial Information System of California (State Operations)	\$ 17	\$ 1	\$ -4
9892 Supplemental Pension Payments (State Operations)	\$ -	\$ 161	\$ 318
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 787	\$ 814	\$ 842
Total Expenditures and Expenditure Adjustments	\$ 14,507	\$ 15,118	\$ 15,941
FUND BALANCE			
Reserve for economic uncertainties	\$ 5,106	\$ 5,683	\$ 5,537
Months in Reserve	4.1	4.3	4.1

NOTES:

* PY 2017-18 BASED ON BUDGET ACT

ATTACHMENT 2

Extraction Report
1/8/2019

**DENTAL ASSISTING PROGRAM - FUND 3142
BUDGET REPORT
FY 2018-19 EXPENDITURE PROJECTION**

Preliminary FM 04

OBJECT DESCRIPTION	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19				
	ACTUAL EXPENDITURES (MONTH 13)	ACTUAL EXPENDITURES (MONTH 13)	ACTUAL EXPENDITURES (PRELIM 12)	BUDGET STONE 2018-19	CURRENT YEAR EXPENDITURES PRELIM 04	PERCENT SPENT	PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE
PERSONNEL SERVICES								
Salary & Wages (Staff)	390,798	404,432	429,537	537,000	177,131	33%	493,739	43,261
Statutory Exempt (EO)	0	0	0	0	0	0%	0	0
Temp Help (Expert Examiners)	0	0	0	0	0	0%	0	0
Temp Help (Consultants)	0	0	0	0	0	0%	0	0
Temp Help Reg (907)	0	33,448	38,903	0	23,668	0%	84,128	(84,128)
Temp Help (Exam Proctors)	0	0	0	0	0	0%	0	0
Board Member Per Diem (901, 920)	4,200	2,600	600	0	400	-	2,500	(2,500)
Overtime	3,466	12,255	9,508	0	0	-	8,500	(8,500)
Staff Benefits	257,393	292,318	311,350	350,000	122,329	35%	340,982	9,018
TOTALS, PERSONNEL SVC	655,857	745,053	789,897	887,000	323,528	36%	929,849	(42,849)
OPERATING EXPENSE AND EQUIPMENT								
General Expense	8,400	8,988	9,122	36,000	0	0%	9,000	27,000
Fingerprint Reports	54	27	77	8,000	0	0%	100	7,900
Minor Equipment	6,369	0	0	0	5,366	-	6,000	(6,000)
Printing	5,573	3,893	60	20,000	0	0%	4,000	16,000
Communication	30	0	0	13,000	294	2%	500	12,500
Postage	14,689	0	1	37,000	0	0%	14,000	23,000
Insurance	0	11	3,274	0	0	-	3,600	(3,600)
Travel In State	43,566	36,037	14,975	49,000	5,115	10%	39,800	9,200
Travel, Out-of-State	0	0	0	0	0	-	0	0
Training	0	36	0	4,000	0	0%	500	3,500
Facilities Operations	82,391	45,737	72,335	64,000	41,668	65%	77,000	(13,000)
Utilities	0	0	0	1,000	0	0%	0	1,000
C & P Services - Interdept.	0	0	0	288,000	0	0%	0	288,000
C & P Services - External	0	25,000	46,601	32,000	27,000	84%	33,000	(1,000)
DEPARTMENTAL SERVICES:								
Office of Information Services	579,091	655,397	568,400	530,000	180,200	34%	530,000	0
Administration Services	134,858	137,466	157,348	175,000	59,500	34%	175,000	0
Interagency Services	0	0	0	73,000	0	0%	0	73,000
Interagency Services w/ Office of Professional Examination Services	0	39,728	64,415	0	13,162	-	41,840	(41,840)
Division of Investigation - Internal	3,933	3,680	3,286	5,000	1,700	34%	5,000	0
Communications Division	9,000	16,372	8,820	11,000	3,740	34%	11,000	0
Program and Policy Review Division	0	654	7,840	8,000	2,720	34%	8,000	0
INTERAGENCY SERVICES:								
Consolidated Data Center	0	0	0	3,000	0	0%	0	3,000
Information Technology	909	0	720	1,000	1,440	144%	2,000	(1,000)
Statewide ProRata	91,663	0	0	0	0	0%	0	0
EXAMS EXPENSES:								
Exam Supplies	15,232	13,832	0	4,000	0	0%	14,500	(10,500)
Exam Site Rental - State Owned	37,685	56,756	0	0	0	-	57,000	(57,000)
Exam Site Rental - Non State Owned	37,550	30,000	0	70,000	0	0%	34,000	36,000
C/P Svcs-External Expert Administration	2,983	200	0	31,000	4,799	15%	5,000	26,000
C/P Svcs-External Expert Examiners	0	0	0	47,000	0	0%	0	47,000
C/P Svcs-External Expert Examiners	0	0	0	0	0	-	0	0
C/P Svcs-External Subject Matter	209,934	136,891	96,975	0	57,194	-	174,000	(174,000)
Other Items of Expense	0	5,610	0	0	8,448	-	8,448	(8,448)
ENFORCEMENT:								
Attorney General	120,885	137,406	144,981	173,000	27,553	16%	148,500	24,500
Office Admin. Hearings	0	0	0	3,000	0	0%	0	3,000
Court Reporters	0	83	0	0	0	-	0	0
Evidence/Witness Fees	5,019	0	7,628	0	0	-	8,000	(8,000)
Vehicle Operations	0	0	20	0	0	-	0	0
Major Equipment	568	0	0	0	0	-	0	0
TOTALS, OE&E	1,410,382	1,353,804	1,206,876	1,686,000	439,897	26%	1,409,788	276,212
TOTAL EXPENSE	2,066,239	2,098,857	1,996,773	2,573,000	763,424	30%	2,339,637	233,363
Sched. Reimb. - Fingerprints	(948)	(1,323)	(622)	(13,000)	(83)	1%	(1,100)	(1,100)
Sched. Reimb. - Other	(705)	(705)	0	(3,000)	0	0%	(700)	(700)
NET APPROPRIATION	2,064,586	2,096,829	1,996,151	2,557,000	763,341	30%	2,337,837	231,563
SURPLUS/(DEFICIT):								9.1%

ATTACHMENT 2A

**3142 - State Dental Assistant Fund
Analysis of Fund Condition**

Prepared 1.10.2019

(Dollars in Thousands)

2019-20 Governor's Budget

	PY* 2017-18	CY 2018-19	BY 2019-20
BEGINNING BALANCE	\$ 2,120	\$ 1,413	\$ 1,110
Prior Year Adjustment	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 2,120	\$ 1,413	\$ 1,110
REVENUES AND TRANSFERS			
Revenues:			
4121200 Delinquent fees	\$ 79	\$ 90	\$ 88
4127400 Renewal fees	\$ 1,540	\$ 1,830	\$ 1,827
4129200 Other regulatory fees	\$ 27	\$ 28	\$ 26
4129400 Other regulatory licenses and permits	\$ 371	\$ 507	\$ 547
4143500 Miscellaneous services to the public	\$ 1	\$ 1	\$ 1
4163000 Income from surplus money investments	\$ 4	\$ 16	\$ 12
4172500 Miscellaneous revenues	\$ 1	\$ 1	\$ 1
Total Revenues	\$ 2,023	\$ 2,473	\$ 2,502
Total Revenues, Transfers, and Other Adjustments	\$ 2,023	\$ 2,473	\$ 2,502
Total Resources	\$ 4,143	\$ 3,886	\$ 3,612
EXPENDITURES			
Disbursements:			
1111 Department of Consumer Affairs Program Expenditures (State Operations)	\$ 2,542	\$ 2,557	\$ 2,486
8880 Financial Information System for California (State Operations)	\$ 4	\$ -	\$ -1
9892 Supplemental Pension Payments (State Operations)	\$ -	\$ 17	\$ 33
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 184	\$ 202	\$ 148
Total Expenditures and Expenditure Adjustments	\$ 2,730	\$ 2,776	\$ 2,666
FUND BALANCE			
Reserve for economic uncertainties	\$ 1,413	\$ 1,110	\$ 946
Months in Reserve	6.1	5.0	4.2

NOTES:

* PY 2017-18 BASED ON BUDGET ACT



MEMORANDUM

DATE	January 28, 2019
TO	Members of the Dental Board of California
FROM	Sarah Wallace, Assistant Executive Officer Dental Board of California
SUBJECT	Agenda Item 6: Discussion and Possible Action Regarding Appointments to the Dental Assisting Council

Background:

The Dental Assisting Council (Council) considers all matters relating to dental assistants in California and makes appropriate recommendations to the Dental Board of California (Board) and the standing Committees of the Board. The Council meets quarterly in conjunction with the Board meeting and at other times as deemed necessary. The Council is composed of the Registered Dental Assistant (RDA) member of the Board, another member of the Board, two members who are employed as faculty members of a RDA educational program approved by the Board, and three members, one of which shall be a registered dental assistant in extended functions (RDAEF), who shall be employed clinically in private dental practice or public safety net or dental health care clinics. Council members are appointed by the Board and serve at the Board's pleasure. The Council will have the following vacancy beginning in March 2019: one (1) member who is employed as a faculty member of a RDA educational program approved by the Board.

In May 2018, the Board appointed Cindy Friel Ovard, RDA, to fill the vacancy of one member who is employed as a faculty member of a RDA educational program approved by the Board. The term for the position in which Ms. Ovard was appointed expires in March 2019. Therefore, Board staff recommends Ms. Ovard be reappointed to the same position for a term of four (4) years expiring in March 2023.

Action Requested:

After review and discussion, Board staff requests a motion to reappoint Ms. Ovard to the Dental Assisting Council for a term of four (4) years expiring in March 2023.



**DENTAL BOARD OF CALIFORNIA
DENTAL ASSISTING COUNCIL MEETING AGENDA
FEBRUARY 7, 2019**

Upon Conclusion of Agenda Item 6

Embassy Suites by Hilton San Diego La Jolla
4550 La Jolla Village Drive
San Diego, California 92122

(858) 453-0400 (Hotel) or (916) 263-2300 (Board Office)

Members of the Dental Assisting Council:

Anne Contreras, RDA,
Pamela Davis-Washington, RDA
Cindy Ovard, RDA
Pamela Peacock, RDA

Jennifer Rodriguez, RDAEF
Rosalinda Olague, RDA
Bruce Whitcher, DDS

Public comments will be taken on agenda items at the time the specific item is raised. The Council may take action on any item listed on the agenda, unless listed as informational only. 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 Council Chair. For verification of the meeting, call (916) 263-2300 or access the Board's website at www.dbc.ca.gov. This Committee 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. To view the Webcast, please visit <https://thedcapage.wordpress.com/webcasts/>.

1. Call to Order/Roll Call/Establishment of a Quorum
2. Approval of November 29, 2018 Dental Assisting Council Meeting Minutes
3. Election of Dental Assisting Council Chair and Vice Chair
4. Update on Dental Assisting Program and Course Applications and RDA Program Re-evaluations
5. Update on Dental Assisting Examination Statistics
 - A. Registered Dental Assistant (RDA) General Written Examination

- B. Registered Dental Assistant (RDA) Law and Ethics Examination
 - C. Registered Dental Assistant (RDA) General Written and Law and Ethics Examination
 - D. Registered Dental Assistant in Extended Functions (RDAEF) Clinical and Practical Examinations
 - E. Registered Dental Assistant in Extended Functions (RDAEF) General Written Examination
 - F. Orthodontic Assistant (OA) Written Examination
 - G. Dental Sedation Assistant (DSA) Written Examination
6. Update on Dental Assisting Licensing Statistics
- H. Registered Dental Assistant (RDA)
 - I. Registered Dental Assistant in Extended Functions (RDAEF)
 - J. Orthodontic Assistant (OA)
 - K. Dental Sedation Assistant (DSA)
7. Update on the Development of the Dental Assisting Comprehensive Rulemaking Proposal
8. Public Comment on Items Not on the Agenda
- The Council 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)).
9. Future Agenda Items
- Stakeholders are encouraged to propose items for possible consideration by the Committee at a future meeting.
10. Council Member Comments on Items Not on the Agenda
- The Council may not discuss or take action on any matter raised during the Council 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)).
11. Adjournment



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
 DENTAL ASSISTING COUNCIL MINUTES
 NOVEMBER 29, 2018**

Sacramento Marriott of Rancho Cordova
 11211 Point East Drive, Rancho Cordova Room
 Rancho Cordova, CA 95742

Members Present:

Anne Contreras, RDA
 Pamela Davis-Washington, RDA
 Cindy Ovard, RDA
 Pamela Peacock, RDA
 Jennifer Rodriguez, RDAEF
 Rosalinda Olague, RDA
 Bruce Whitcher, DDS

Members Absent:

(Arrived at 9:50 a.m.)
 (Arrived at 9:50 a.m.)

Agenda Item 1: Call to Order/Roll Call/Establishment of Quorum

A regular meeting of the Dental Assisting Council (Council) was called to order by Dr. Whitcher, appointed as interim chair by Dr. Stewart President of the Dental Board of California, at 9:22 a.m. on Thursday, November 29, 2018. Recognizing a large Council agenda, Dr. Whitcher asked that public comment be limited to three minutes on all agenda items. Staff called roll and a quorum was established.

Agenda Item 2: Approval of the August 23, 2018 Dental Assisting Council Meeting Minutes

Motion/Second/Call (M/S/C) Olague/Ovard motion to approve minutes, without any changes. There was no public comment.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras				✓	
Davis-Washington				✓	
Olague	✓				
Ovard	✓				
Peacock	✓				
Rodriguez			✓		
Whitcher	✓				

Motion passed, and minutes approved.

Agenda Item 3: Update on Dental Assisting Program and Course Applications and RDA Program Re-evaluations

Tina Vallery, Manager of the Dental Assisting Unit reported that there have been 48 Dental Assisting Program/Course curriculum applications approved and 11 site visits

conducted in 2018. Staff provided an overview of all the tables in the Board material packets.

As of November 2018, 45 RDA program re-evaluation notices have been sent out and staff has received responses from 37 programs. Eight programs have notified the Board that they have closed and 11 programs have submitted their applications and curriculum for review and have outstanding deficiencies. There was no public comment.

Agenda Item 4: Update on Dental Assisting Examination Statistics

Ms. Vallery reported that the Board packet provides the written examination pass and fail statistics for candidates who took the written examinations from October 2017 to September 2018.

Ms. Fischer stated that the programs who have the higher rate of fails in the written examination will probably receive priority for the Re-evaluation of program curriculum.

Ms. Ovard commented that we not only look at the school pass/fail rate, but that the examination/questions be evaluated.

Ms. Fischer stated that the Office of Professional Examination Services (OPES) has already completed an evaluation of the examination and it was found to be psychometrically sound.

Public Comment:

Cara Miyasaki, representative of Foothill College, stated student population has changed and there are many who are English as a second language (ESL) candidates.

Agenda Item 5: Update on Dental Assisting Licensing Statistics

Ms. Vallery reported that the packet provides current license and permit status statistics by type as of October 31, 2018. This information is provided by county and includes the ratio of RDAs to DDS for that county. There was no public comment.

Agenda Item 6: Discussion and Possible Action Regarding the Use of an Alternative Examination Resource to Administer the Registered Dental Assistant in Extended Functions (RDAEF) Clinical and Practical Examinations

M/S/C (Olague/Ovard) to recommend to the Board that it approve staff's request to research potential alternatives to administer the RDAEF exams.

The RDAEF Clinical and Practical Examinations are given approximately 8 times a year and are testing approximately 25 candidates per exam.

Board staff is concerned that the administration of the RDAEF examination is becoming increasingly difficult to sustain due to the limited pool of Board Examiners, increasing number of Board-approved RDAEF programs, increasing costs for site rentals, and limited locations to offer the examination.

Board staff is aware that there may be alternative examination resources available that could offer RDAEF examinations to meet the needs of candidates. Board staff is requesting the Council's approval to research alternative examination resources, including regional testing vendors, to assist in the administration of the RDAEF clinical and practical examinations.

Once the research is complete, the findings would be presented to the Council and the Board for consideration and possible action.

Public Comment:

Joan Greenfield, representing RDAEF Association, supports looking at the options however has concerns that regional examination won't ensure that the high standards of current exam are preserved. She also requested that Dr. Richard Frieden, the Board's Chief Examiner continue to be involved in discussions relating to any changes to the administration of the RDAEF examination.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras				✓	
Davis-Washington				✓	
Olague	✓				
Ovard	✓				
Peacock	✓				
Rodriguez	✓				
Whitcher	✓				

Motioned passed and recommendation will be forwarded to the Board.

Agenda Item 7: Discussion and Possible Action Regarding the Development of a Legislative Proposal Relating to the Requirements for Certification in Coronal Polishing and Pit and Fissure Sealants in the RDA Profession

Sarah Wallace, Assistant Executive Officer presented this agenda item. Currently, evidence of successful completion of a board-approved course in coronal polishing is required as a condition of licensure. Additionally, evidence of successful completion of a board-approved course in pit and fissure sealants is required prior to the first expiration of her license.

It has been reported to the Board that the completion and issuance of certificates in coronal polish and pit and fissure sealants prior to licensure may be creating some confusion in dental offices. The fact that unlicensed dental assistants are being issued certificates in coronal polishing and pit and fissure sealants prior to licensure is reportedly giving the dental assistants' and their employer dentists the impression that they are able to perform these duties prior to licensure.

To ensure the public health and safety of the consumers of the State of California, Board staff is asking the Council to discuss and possibly consider making a recommendation to remove the completion of courses in coronal polishing and pit and

fissure sealants as a condition of licensure, and instead require the courses be completed after licensure.

As such, a RDA would be required to enroll in a board-approved coronal polish and pit and fissure sealants course and demonstrate as a condition of enrollment that they are licensed in California. Licensee's would be required to obtain these certifications and provide evidence of successful completion in the application of coronal polish and pit and fissure sealants prior to the first expiration date of his or her license that requires the completion of continuing education as a condition of renewal.

Discussion. Some Council members feel it is up to the employing dentist to know whether their auxiliaries are qualified to perform these duties. They feel it could increase the chance of newly graduated registered dental assistants working out of scope because the dentist would assume because they are now licensed they already have these courses.

Also, there was a concern that if these two courses are removed from the RDA educational programs, it would make them a dental assistant program and would do a disservice to the students enrolled in the RDA programs

Ms. Olague would like to see further research done to get a clearer picture of how often dental assistants are completing these tasks. Other members did not feel further research was necessary.

Ms. Anne Contreras and Ms. Pamela Davis-Washington joined the meeting.

M/S/C (Ovard/Rodriguez) to recommend to the Board it reject the staff recommendation to research whether coronal polish and pit and fissure sealants should be required after licensure.

Public Comment:

Joan Greenfield, representative of the RDAEF Association, is opposed to this recommendation and feels this is an enforcement issue. She thinks dental offices should be noticed.

Cara Miyasaki, representative of Dental Assisting Educators Group and Foothill College is opposed to staff's recommendation. She stated the cost of taking stand-alone classes after licensure would be more-costly because no longer part of education program.

Claudia Pohl, California Dental Assistants Association (CDAA), is not in support of staff's recommendation.

Dr. Guy Acheson, California Academy of General Dentistry (CAGD), suggested that the Board and Council do more to educate dentists about their responsibilities regarding scope of practice for dental assistants and RDAs.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras	✓				
Davis-Washington	✓				
Olague		✓			
Ovard	✓				
Peacock	✓				
Rodriguez	✓				
Whitcher	✓				

Agenda Item 8A: Discussion and Possible Action Regarding Proposed Statutory Changes as Requested by the Foundation for Allied Dental Education (FADE) relating to Addition of Statutory Provision relating to the Use of Materials and Devices Authorized for Use in the Performance of RDAEF Scope of Practice.
M/S/C (Ovard/Olague) to forward this proposal to the Board.

Ms. LaDonna Drury-Klein, representative of FADE, reported that in 2016 FADE (along with two other stakeholder organizations) were asked to formulate reports of inconsistencies between regulations and statutes. FADE is proposing the addition of statutory provisions relating to the use of materials and devices authorized for use in the performance of RDAEF Scope of Practice. As materials and techniques associated with advanced restorative procedures emerge, the RDAEF should be allowed to utilize such materials and techniques when it pertains to the existing scope of practice.

“Proposed: B&P Section 1753.8 A registered dental assistant in extended functions, licensed on or after January 1, 2010 may use any material or device approved for use in the performance of a service or procedure within his or her scope of practice under the appropriate level of supervision, if he or she has the appropriate education and training required to use the material or device.”

According to Ms. Drury-Klein, these changes would give the Board statutory authority to promulgate regulations regarding materials and devices pertinent to their duties; and to define the education and training requirements.

Dr. Whitcher stated that it would be up to the Board to determine whether or not this issue would be included in the sunset review process or to introduce the issue in separate legislation. Dr. Whitcher went on to question the proposed language “approved for use” and asked, approved by whom? Ms. Drury-Klein responded that the FDA had restrictions for use. She wants to ensure that any device used is not used off label. Dr Whitcher indicated that he didn’t believe that the proposed language supports that comment. He questioned whether or not the Board could clarify these questions in regulations; and stated that education and training would need to be determined by the Board through the regulatory process.

Cindy Ovard, DAC member asked who would define “appropriate education and training”? The Board would define this through regulations.

Public Comment:

Gayle Mathe, California Dental Association (CDA), recommends that staff review the Dental Assisting Comprehensive Rulemaking package to see if this is consistent with proposed regulatory package.

Claudia Pohl, California Dental Assistants Association (CDAA), is in support but wanted to know why we would not also include in the Dental Assisting Comprehensive Rulemaking package. Ms. Fischer stated we must have statutory authority before we can put into regulations.

Maureen Titus, RDA educator and Dental Hygienist, would like Board to consider when making change to devices that it is important to also consider education. She feels the proposed language is too broad.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras	✓				
Davis-Washington	✓				
Olague	✓				
Ovard	✓				
Peacock	✓				
Rodriguez	✓				
Whitcher	✓				

This motion passes and should be taken to the Board for consideration.

Agenda Item 8B: Discussion and Possible Action Regarding Amendments to BPC Sections §1752.1 and 1753 to Allow RDA and RDAEF Programs the Ability to Keep Students Enrolled Until Such Time They successfully complete All Licensure Requirements

M/S/C (Olague/Peacock) motioned to have staff further review and bring this back to the Council at a future meeting.

Ms. LaDonna Drury-Klein, representative of FADE, stated again there is discrepancies between statutes and education regulations. This introduces an alternative pathway for RDAEF students whose program has not graduated them from the educational program to sit for clinical/practical examination.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras	✓				
Davis-Washington	✓				
Olague	✓				
Ovard	✓				
Peacock	✓				
Rodriguez	✓				
Whitcher	✓				

Motion passes and will be referred to staff for further review.

Agenda Item 9: Discussion and Possible action Regarding the Scope of Practice for the RDAEF2 as submitted by Joan Greenfield, representative of RDAEF Association and J Productions Dental Seminar's Inc.

Ms. Greenfield would like to note that she is not representing J Productions Dental Seminar's Inc but is a representative of RDAEF Association.

At its August 2018 meeting, the DAC heard a presentation from Joan Greenfield, RDAEF, MS, regarding a proposal to add the administration of local anesthesia and nitrous oxide to the scope of practice of registered dental assistants in extended functions (RDAEF). At the end of the presentation, the Council tabled the item and requested additional information. Ms. Greenfield prepared the attached meeting materials for the Council's consideration in response to the information requested at the August meeting and summarized this information to the Council at the meeting.

Ms. Greenfield provided the DAC members with additional information regarding the number of local anesthesia training hours in various dental hygiene programs.

Dr. Witcher questioned the need for this scope of practice change based on the Office of Professional Examination Services (OPES) occupational analysis of the RDAEF profession. In terms of duties RDAEFs perform, restorations are list as 46 on a list of 65 duties. What is the need?

DAC member Jennifer Rodriguez expressed concern about the need. How many offices are conducting quadrant dentistry? DAC member Anne Contreras asked if there was a list of dentists who would support this proposal. DAC member Pamela Peacock expressed concerns with safety regarding this proposal. Ms. Rodriguez would like to further discuss the education and training requirements.

DAC member Rosalinda Olague suggested the DAC consider the OPES recommendation to form a working group consisting of dentists, hygienists, RDAEFs, and other interested stakeholders to research and evaluate this proposal.

Executive Office Fischer commented that if the Board pursues this proposal, she would recommend that the DAC and Board do so with a broader goal of streamlining the scope for RDAEFs. In conjunction with additional surveys and a working group, OPES suggests that the Board.

M/S (Olague/Rodriguez) to direct staff to conduct more in-depth surveys of both dentists and a larger sample of RDAEFs to assess their opinions on adding the administration of local anesthesia and nitrous oxide to the RDAEF scope of practice and to form a working group consisting of dentists, hygienists, RDAEFs, and other interested stakeholders to research and evaluate the proposal; and to recommend that the Board consider exploring the possibility of eliminating the multiple layers of RDAEF certifications by incorporating all of them under one general RDAEF license.

Public Comment was limited to 3 minutes.

Susie with Dental Specialties Institute, RDAEF, has been practicing for 35 years. Recommends a permit be added for the RDAEF2 to conduct the duties of this proposal.

Ms. Drury-Klein representing FADE asked that the motion be repeated. She feels that consideration of eliminating the multiple layers of the RDAEF certifications by incorporating all of them under one general RDAEF license should be a recommendation coming out of the working group.

Dr. Simkins, a dentist from Antioch. Supports the proposal because she performs quadrant dentistry. There is a need for RDAEFs to perform the proposed duties.

Dr. Russell, a dentist from Angels Camp in a multispecialty practice sees a huge benefit for RDAEFs to be able to perform the proposed duties. Define the RDAEF program to include these additional duties.

Maureen Titus, CDHA before moving forward with this proposal the DAC and Board should require scientific information upon which to base its recommendations. Requests that scientific surveys be conducted.

Ms. Jordan, RDAEF2 supports the proposal.

Ms. D. Desert, RDAEF2 supports the proposal. She would like to be part of the focus group.

Ms. K. Eachus, RDAEF2 supports the proposal. Suggests that the DAC look into how the RDAEF is used in the dental office.

Claudia Pohl, CDAA supports the establishment of a working group to review the issue and that scientific data be used in determining the next steps.

Council Member:	Aye:	Nay:	Abstain:	Absent:	Recusal:
Contreras	✓				
Davis-Washington	✓				
Olague	✓				
Ovard	✓				
Peacock	✓				
Rodriguez	✓				
Whitcher	✓				

The motion passes.

Agenda Item 10: Public Comment on Items Not on the Agenda
None

Agenda Item 11: Future Agenda Items

Cindy Ovard asked that the RDA pass/fail rate be discussed at a future meeting.

Agenda Item 12: Board and Council Members Comments on Items not on the Agenda
None

Agenda Item 13: Adjournment

Meeting adjourned



MEMORANDUM

DATE	January 28, 2019
TO	Members of the Dental Assisting Council Dental Board of California
FROM	Sarah Wallace, Assistant Executive Officer Dental Board of California
SUBJECT	DAC Agenda Item 3: Election of Dental Assisting Council Chair and Vice Chair

Background:

The Dental Assisting Council members will elect a Chairperson and a Vice-Chairperson for 2019.

Roles and Responsibilities

Chair

- In consultation with the Executive Officer and the Board President, develops the Dental Assisting Council agenda.
- Calls the Council meeting to order, takes roll and establishes a quorum.
- Facilitates Council meetings.
- Recommends to the Board President, Council subcommittees to work on issues as appropriate.
- Reports activities of the Council to the full Board.

Vice-Chair

- In the absence of the presiding Chair, fulfills the Chairs responsibilities.



MEMORANDUM

DATE	January 18, 2019
TO	Members of the Dental Assisting Council
FROM	Laura Fisher, Lead Educational Program Coordinator
SUBJECT	DAC Agenda Item 4: Update on Dental Assisting Program and Course Applications and RDA Program Re-Evaluations

Update on RDA Program Re-Evaluations

The Dental Board of California (Board) has the authority to audit programs and courses to ensure compliance with regulations in the event the Board deems it necessary.

California Code of Regulations (CCR), section 1070 (a)(2), states:

The Board may approve, provisionally approve, or deny approval of any program or course for which an application to the Board for approval is required. All Registered Dental Assistant (RDA) and Registered Dental Assistant in Extended Functions (RDAEF) programs and dental assisting educational courses shall be re-evaluated approximately every seven years, but may be subject to re-evaluation and inspection by the Board at any time to review and investigate compliance with this Article and the Dental Practice Act (Act). Re-evaluation may include a site visit or written documentation that ensures compliance with all regulations. Results of re-evaluation shall be reported to the Board or its designee for final consideration and continuance of program or course approval, provisional approval or denial of approval.

The RDA programs were chosen based on the findings of the Law and Ethics and the RDA Written Examination statistics; the overall students pass/fail percentage and the year the program was given full approval. It was decided that 50 RDA programs required a re-evaluation of their curriculum.

A strategic timeframe was set forth to effectively request, re-evaluate, and monitor the evaluation process. On February 6, 2018 the first (5) five re-evaluation letters were mailed out and thereafter another (5) five will be mailed out on the first week of each month.

Upon the receipt of letter, the programs will have (6) six weeks to return the enclosed applications and all exhibits to the Board. We have found that most program directors have requested extensions due to the extensive amount of paperwork required for the evaluation.

Once the Board receives the program's response, applications and attachments, the evaluation process may take between 60 to 90 days to conclude and a site visit may be conducted. The process time mainly depends on the program's compliance with regulations.

Program and course providers seeking first-time approval take precedence over the re-evaluation applications as their processing times are defined in CCR, section 1069. Permit Reform Act:

Name of Program	Maximum period of time in which the Board will notify applicant that application is complete or deficient and what specific information is required.	Maximum period of time after the filing of a complete application in which the Board will notify applicant of a permit decision.	Actual Processing Times		
			Based on Prior Two Years		
			Minimum	Median	Maximum
RDA Educational Programs					
	120 days	150 days	64 days	219 days	370 days
RDA Coronal Polish and/or Ultrasonic Scaler Course					
	90 days	120 days	67 days	102 days	191 days
RDAEF Educational Programs					
	90 days	120 days	60 days	90 days	150 days

Board staff, with the assistance of a head subject matter expert, conducted yearly training on application and curriculum review on January 17-18, 2019. Training included eight evaluators, with three being new. Subject matter experts and site evaluators must attend yearly training in order to participate the following year. Staff will be mailing additional homework to participants to monitor how well they review the application, exhibits and curriculum on their own.

Schedule and Status of Programs under Re-Evaluation

Program Name:	Date Letter Mailed:	Status:
San Joaquin Valley College - Visalia	February 6, 2018	Approved 9/24/18
San Joaquin Valley College - Bakersfield		Approved 9/24/18
Grossmont Health Occupations Center		Deficient 11/26/18: Admin, Program Director, Emergency Management, Infection Control/Hazardous Waste Disposal Protocols, Facilities and Resources, Program Content, Extramural Clinical Instruction, Radiation Safety Instruction, Coronal Polish Instruction, Pit & Fissure Sealants Instruction.
Contra Costa College		Closed
San Joaquin Valley College - Fresno		Approved 9/24/18
Hacienda La Puente Adult School	March 5, 2018	Approval Pending: Notifying the Board of part-time faculty hire.
Carrington College - San Leandro		Deficient 12/18/18: Facilities and Resources, Program Content.

Allan Hancock College	March 5, 2018	Deficient 1/8/19: Admin, Infection Control, Program Content, Extramural Clinical Instruction, Radiation Safety Instruction, Coronal Polish Instruction, Pit & Fissure Sealants Instruction.
College of the Redwoods		Deficient 10/18/18: Admin, Program Director, Faculty, Faculty/Student Ratios, Facilities and Resources, Program Content, Extramural Clinical Instruction, Radiation Safety, Coronal Polish, Pit & Fissure Sealants.
Pima Medical Institute - Chula Vista		In Review Process 1/18/19
Shasta/Trinity Regional Occupational Program	April 2, 2018	Closed – They will not be continuing their RDA program.
Butte County Regional Occupational Program		Letter postponed until 11/18
Concorde Career College - San Diego		Deficient 8/22/18: Admin, Length of Program, Faculty/Student Ratios, Facilities and Resources, Program Content, Extramural Clinical Instruction, Radiation Safety, Coronal Polish, Pit & Fissure Sealants.
Concorde Career College - North Hollywood		In Review Process 1/8/19
Concorde Career College - San Bernardino		Deficient 12/28/18: Length of Program, Program Content.
Concorde Career College - Garden Grove		Approved 12/13/18
Riverside County Office of Education	May 7, 2018	Approved 8/13/18
Brightwood College - Stockton		Closed
Anthem College		Closed
San Bernardino County Regional Occupational Program - Hesperia	June 12, 2018	In Review Process 10/4/18
North Orange County Regional Occupational Program		In Review Process 10/5/18
United Education Institute - Chula Vista		Approved 9/14/18
Southern California Regional Occupational Center	July 23, 2018	No Response – Spoke with PD, Never Received. Will Send 2/2019
United Education Institute - Ontario		Approved 12/6/18
United Education Institute - Huntington Park		Deficient 10/18/18: Faculty, Emergency Management, Infection Control/Hazardous Waste Disposal
Brightwood College – Sacramento		Closed

Brightwood College - Bakersfield	August 27, 2018	Closed
Brightwood College - Modesto		Closed
InterCoast College - El Cajon		Closed
Chaffey College		Deficient 1/15/19: Program Director, Faculty, Emergency Management, Length of Program, Facilities and Resources, Program Content, Extramural Clinical Instruction, Radiation Safety, Coronal Polish, Pit & Fissure Sealants.
Mt. Diablo/Loma Vista Adult Center		In Review Process 12/1/18
Eden Regional Occupational Program		In Review Process 11/2/18
Baldy View Regional Occupational Program		In Review Process 11/2/18
American Career College - Anaheim	September 7, 2018	In Review Process 1/2/19
Blake Austin College		In Review Process 12/1/18
Carrington College - San Jose		In Review Process 12/5/18
Brightwood College - Clovis		Closed
Tri-Cities Regional Occupational Program		Extension Requested 12/10/18
Carrington College - Antioch	Closed	
Carrington College - Sacramento	October 30, 2018	Received at the Board 1/18/19
Brightwood College - Palm Springs		Closed
Brightwood College - San Diego		Closed
Carrington College - Citrus Heights		Received at the Board 1/18/19
Brightwood College - Riverside		Closed
Moreno Valley College		Re-Evaluation Notice Sent
American Career College - Ontario	November 27, 2018	Re-Evaluation Notice Sent
Milan Institute - Indio		Re-Evaluation Notice Sent
Milan Institute - Visalia		Re-Evaluation Notice Sent
Carrington College - Stockton		Re-Evaluation Notice Sent
Brightwood College - Vista		Closed
Butte County Regional Occupational Program		Re-Evaluation Notice Sent
Reedley College		Re-Evaluation Notice Sent
The Valley School for Dental Assisting	January 9, 2019	Re-Evaluation Notice Sent
College of Alameda		Re-Evaluation Notice Sent
Monterey Peninsula College		Re-Evaluation Notice Sent
San Jose City College		Re-Evaluation Notice Sent
Carrington Career College - Pleasant Hill		Re-Evaluation Notice Sent

Dental Assisting Program and Course Applications

Table 1 identifies the total number of DA Program/Course curriculum applications approved in 2018. Table 2 lists the number of RDA and RDAEF Program site visits conducted in 2018. Table 3 lists the DA Program and Course application status in 2018. Table 4 provides the total number of approved DA programs and courses. Table 5 identifies approved DA program or course providers by name and type of program. Table 6 identifies the DA approved program and course trends for 2018.

Table 1 Total DA Program and Course Applications Approved in 2018											
	RDA Programs	RDAEF Programs	RDAEF-ITR	Radiation Safety Course	Coronal Polish Course	Pit & Fissure Sealant	Ultrasonic Scaler	Infection Control	Ortho Assistant	Dental Sedation Assistant	Grand Total
Course Totals	6	3	2	6	5	6	2	9	11	6	56

Table 2 Total RDA and RDAEF Program Site Visits in 2018					
	RDA Programs		RDAEF Programs		Grand Total
	Provisional	Full	Provisional	Full	
Totals	6	11	3	1	21

Table 3 DA Program & Course Application Status 2018					
Program or Course	Approved	Denied	Curriculum Approved-Pending Site Visit	In the Review Process	Deficient
RDA Program/Curriculum	6	0	1	0	0
RDAEF Program/Curriculum	3	0	0	0	0
RDAEF-ITR	2	0	N/A	0	0
Radiation Safety	6	0	N/A	1	5
Coronal Polish	5	0	N/A	2	3
Pit & Fissure Sealant	6	0	N/A	1	3
Ultrasonic Scaler	2	0	N/A	0	0

**Table 3
DA Program & Course Application Status 2018 - Cont'd**

Program or Course	Approved	Denied	Curriculum Approved-Pending Site Visit	In the Review Process	Deficient
Infection Control	9	0	N/A	1	3
OA Permit	11	0	N/A	0	1
DSA Permit	6	0	N/A	1	2
Total Applications	56	0	1	6	17

**Table 4
Total Approved DA Programs and Courses**

RDA Programs	RDAEF Programs	RDAEF-ITR Programs	Radiation Safety Course	Coronal Polish Course	Pit and Fissure Sealants Course	Ultrasonic Scaler Course	Infection Control Course	Orthodontic Assistant Course	Dental Sedation Assistant Course
88	11	4	141	90	123	32	117	154	29

**Table 5
Approved DA Program & Course by Name**

Provider	Approval Date	RDA Program	RDAEF Program	RDAEF-ITR	X-Ray	CP	P/F	US	IC	DSA	OA
Weideman Pediatric Dentistry & Orthodontics	1/14/18										X
Dental Career Institute	1/19/18	X									
Gold Coast Dental Academy	1/27/18		X								
Central Calif. Dental Academy	2/8/18						X				
Gurnick Academy of Medical Arts	2/14/18								X		
Gurnick Academy of Medical Arts	2/14/18					X					
Palo Alto Orthodontics	2/25/18										X
Wheeler and Seul Oral Surgery	2/25/18									X	

**Table 5
Approved DA Program & Course by Name - Cont'd**

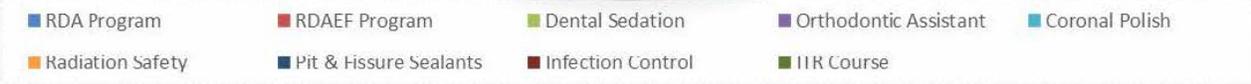
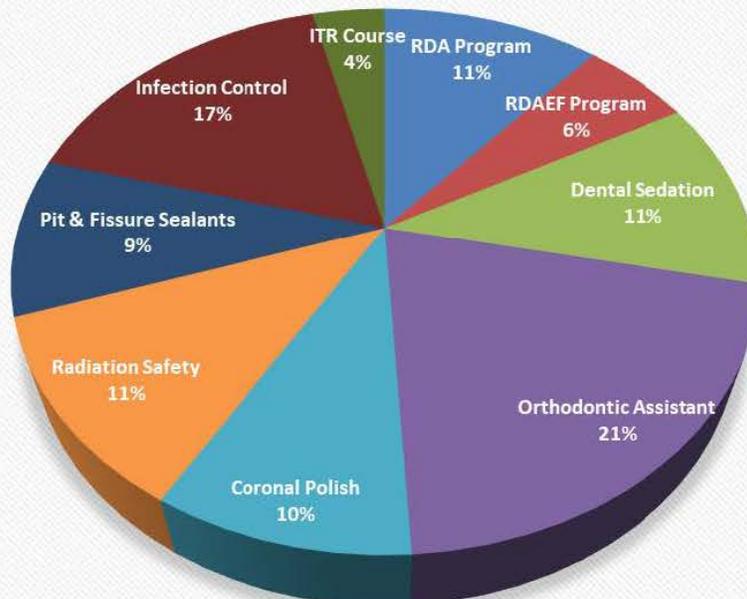
Provider	Approval Date	RDA Program	RDAEF Program	RDAEF-ITR	X-Ray	CP	P/F	US	IC	DSA	OA
Dental Specialties Institute	2/28/18		X								
West Los Angeles College	3/3/18	X									
California Healing Arts College	3/7/18					X					
Ralph Callender III, DDS	3/16/18										X
WDS - Bakersfield	3/19/18										X
Dental Educators	3/26/18								X		
Kairos College	3/28/18	X									
Silicon Valley Orthodontics	4/3/18										X
So. Cal. Ortho. Assisting School	4/3/18							X			
Ordemy	4/3/18						X				
So. Cal. Ortho. Assisting School	4/5/18										X
University of the Pacific	4/10/18				X						
Dental Career Institute	4/16/18									X	
Dental Specialties Institute	4/23/18									X	
Dental Career Institute	4/23/18			X							
L.A. School of Dental Assisting	4/23/18						X				
Tzu Chi Dental Institute	4/23/18								X		
Jin Kim, DDS	4/23/18				X						
Howard Healthcare Academy	4/26/18									X	
Healthcare Skills Development Institute	4/30/18								X		
Matthew Molitor, DDS	5/3/18										X
George Maranon, DDS	5/8/18									X	
S. Cal. Ortho. Assisting School	5/17/18								X		
Frontier Dental	5/18/18					X					
Frontier Dental	5/21/18				X						
Esthetic Partners Dental Group	5/23/18							X			
Frontier Dental	6/4/18						X				

**Table 5
Approved DA Program & Course by Name - Cont'd**

Provider	Approval Date	RDA Program	RDAEF Program	RDAEF-ITR	X-Ray	CP	P/F	US	IC	DSA	OA
Dental Educators	6/5/18						X				
Dental Specialties Institute	6/5/18			X							
Monterey Bay Orthodontics	6/25/18										X
Marla Rocha	6/25/18					X					
Norwalk-La Mirada Adult School	6/29/18								X		
CBD College	7/11/18	X									
RDA4U	8/14/18					X					
Pima Medical Institute	8/15/18	X									
Ordemy	8/25/18		X								
Chapa-De Indian Health Program	8/31/18										X
Tzu Chi Dental Institute	9/8/18				X						
J. Alex Tomaich, DDS, Inc	10/12/18									X	
RDA4U	10/15/18				X						
National Career College, Inc	10/15/18				X						
American Dental Academy	11/9/18						X				
High Desert Medical College	11/9/18								X		
WDS - Rancho Cordova	11/9/18										X
HealthCare Career College	11/26/18								X		
Frontier Dental	12/5/18								X		
Samra Low Orthodontics	12/10/18										X
Cal. Institute of Dental Education	12/13/18	X									
INDIVIDUAL PROGRAM/COURSE TOTALS		6	3	2	6	5	6	2	9	6	11
TOTAL APPROVALS = 56											

Table 6
Trend in Approved Programs and Courses for 2018

*Data excludes programs and courses that are at 0%





MEMORANDUM

DATE	January 16, 2019
TO	Members of the Dental Assisting Council
FROM	Nancy James, Examination/Permit Program Coordinator Dental Board of California
SUBJECT	DAC Agenda Item 5: Update on Dental Assisting Examination Statistics

Background:

The following table provides the written examination pass and fail statistics for candidates who took the examinations from January 2018 to December 2018.

Written Examination Statistics:

January 2018 – December 2018 - All Candidates

Written Exam	Total Candidates Tested	# of Examinee Passed	# of Examinee Failed	% Candidates Passed	% Candidates Failed
RDA Combined	2550	1412	1138	55%	45%
RDAEF	161	97	64	60%	40%
Orthodontic Assistant	610	292	318	48%	52%
Dental Sedation Assistant	5	4	1	80%	20%

As of January 2018, Board Staff has been able to extract the First Time and Repeat test takers, by examination type, from BreEze. The following tables provide the written examination pass and fail statistics by First Time and Repeat candidates that took examinations from January 2018 to December 2018.

Written Examination Statistics:

January 2018 – December 2018 - First Time Candidates

Written Exam	Total Candidates Tested	# of Examinee Passed	# of Examinee Failed	% Candidates Passed	% Candidates Failed
RDA Combined	1903	1063	840	56%	44%
RDAEF	95	69	26	73%	27%
Orthodontic Assistant	300	189	111	63%	37%
Dental Sedation Assistant	5	4	1	80%	20%

Written Examination Statistics:

January 2018 – December 2018 - Repeat Candidates

Written Exam	Total Candidates Tested	# of Examinee Passed	# of Examinee Failed	% Candidates Passed	% Candidates Failed
RDA Combined	644	349	295	54%	46%
RDAEF	66	28	38	42%	58%
Orthodontic Assistant	316	107	209	34%	66%
Dental Sedation Assistant	N/A	N/A	N/A	N/A	N/A

The following table provides the RDAEF clinical and practical examination statistics for the months of February 2018 to November 2018.

RDAEF Clinical/Practical Examination Statistics:

February 2018 – November 2018 - All Candidates

Clinical Exam Date/Site	Total Candidates Tested	% Candidates Passed	% Candidates Failed
RDAEF – Feb 2018- FADE	2	50%	50%
RDAEF – May 2018- UCSF/UCLA	73	71%	29%
RDAEF – Aug 2018- UCLA/UCSF	34	59%	41%
RDAEF – Oct 2018-UCLA	31	35%	65%
RDAEF – Nov 2018-UCSF	8	100%	0%
Total for Year	148	69%	31%

Practical Exam Date/Site	Total Candidates Tested	% Candidates Passed	% Candidates Failed
RDAEF – Feb 2018- FADE	5	100%	0%
RDAEF – May 2018- UCSF/ UCLA	77	79%	21%
RDAEF – Aug 2018- UCLA/ UCSF	27	81%	19%
RDAEF – Oct 2018-UCLA	27	54%	46%
RDAEF – Nov 2018-UCSF	10	50%	50%
Total for Year	146	75%	25%

The following tables provide the clinical and practical examination pass and fail statistics by First Time and Repeat candidates, for candidates that took examinations from February 2018 – November 2018.

RDAEF Clinical/Practical Examination Statistics:

February 2018 – November 2018 - First Time Candidates

Clinical Exam	Total Candidates Tested	% Candidates Passed	% Candidates Failed
RDAEF	109	64%	36%
Total for Year	109	64%	36%

Practical Exam	Total Candidates Tested	% Candidates Passed	% Candidates Failed
RDAEF	111	77%	23%
Total for Year	111	77%	23%

RDAEF Clinical/Practical Examination Statistics:

February 2018 – November 2018 - Repeat Candidates

Clinical Exam	Total Candidates Tested	% Candidates Passed	% Candidates Failed
RDAEF	39	56%	44%
Total for Year	39	56%	44%

Practical Exam	Total Candidates Tested	% Candidates Passed	% Candidates Failed
RDAEF	35	63%	37%
Total for Year	35	63%	37%

Action Requested:

No action requested at this time.

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

Program	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Total	YTD First Time Testers	YTD Repeat Testers
4D College - Victorville (914)	N/A	N/A	0%	0%							
									0	0	0
									0	0	0
Allan Hancock (508)	N/A	92%	100%	71%	50%	N/A	0%	N/A	81%	86%	50%
		11	4	5	1		0		21	19	2
		1	0	2	1		1		5	3	2
American Career - Anaheim (896)	N/A	100%	50%	0%	0%	0%	0%	67%	30%	29%	33%
		2	2	0	0	0	0	2	6	4	2
		0	2	5	2	3	1	1	14	10	4
American Career - Long Beach (997)	N/A	100%	N/A	56%	N/A	0%	N/A	0%	50%	50%	0%
		1		1		0		0	2	2	0
		0		0		1		1	2	2	0
American Career - Los Angeles (867)	N/A	20%	50%	56%	0%	33%	67%	67%	47%	39%	67%
		1	4	5	0	1	2	2	15	9	6
		4	4	4	1	2	1	1	17	14	3
American Career - Ontario (905)	N/A	50%	N/A	100%	100%	25%	50%	67%	60%	58%	67%
		1		3	1	1	1	2	9	7	2
		1		0	0	3	1	1	6	5	1
Anthem College (503)	N/A	0%	N/A	N/A	100%	100%	N/A	N/A	67%	67%	0%
		0			1	1			2	2	0
		1			0	0			1	1	0
Bakersfield College	N/A	N/A	0%	0%							
									0	0	0
									0	0	0
Baldy View Regional Occupational Program (590)	N/A	0%	0%	100%	N/A	N/A	0%	100%	50%	50%	0%
		0	0	2			0	1	3	3	0
		1	1	0			1	0	3	3	0
Blake Austin College (897)	N/A	67%	100%	67%	50%	80%	100%	67%	72%	75%	50%
		2	1	2	1	4	1	2	13	12	1
		1	0	1	1	1	0	1	5	4	1
Brightwood - Bakersfield (884)	N/A	50%	0%	0%	50%	100%	67%	50%	41%	40%	43%
		1	0	0	2	3	2	1	9	6	3
		1	5	3	2	0	1	1	13	9	4
Brightwood - Clovis (885)	0%	50%	0%	100%	60%	N/A	100%	100%	75%	80%	63%
	0	3	0	5	3		4	6	21	16	5
	1	3	1	0	2		0	0	7	4	3
Brightwood - Modesto (499)/(890)	N/A	43%	33%	50%	50%	25%	83%	75%	51%	41%	80%

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

	pass		3	2	2	3	1	5	3	19
	fail		4	4	2	3	3	1	1	18
Brightwood - Palm Springs (901)		N/A	100%	100%	0%	50%	33%	50%	50%	50%
	pass		1	1	0	1	1	2	1	7
	fail		0	0	1	1	2	2	1	7
Brightwood - Riverside (898)		N/A	100%	0%	N/A	100%	100%	100%	100%	86%
	pass		1	0		1	1	2	1	6
	fail		0	1		0	0	0	0	1
Brightwood - Sacramento (888)		N/A	40%	100%	50%	80%	86%	50%	63%	68%
	pass		2	3	1	4	6	2	5	23
	fail		3	0	1	1	1	2	3	11
Brightwood - San Diego (899)		N/A	0%	100%	0%	N/A	50%	N/A	100%	45%
	pass		0	1	0		3		1	5
	fail		1	0	2		3		0	6
Brightwood - Stockton (611)		N/A	50%	N/A	0%	N/A	0%	100%	N/A	50%
	pass		1		0		0	2		3
	fail		1		1		1	0		3
Brightwood - Vista (900)		N/A	100%	100%	0%	40%	40%	100%	100%	63%
	pass		1	3	0	2	2	1	3	12
	fail		0	0	1	3	3	0	0	7
Butte County Regional Occupational Program (605)		N/A	67%	89%	100%	100%	100%	N/A	N/A	89%
	pass		2	8	4	1	1			16
	fail		1	1	0	0	0			2
Cabrillo College (001)		N/A								
	pass									0
	fail									0
California Dental Certifications - San Diego (993)		N/A	N/A	N/A	N/A	N/A	0%	N/A	N/A	0%
	pass						0			0
	fail						1			1
CA College of Vocational Careers (878)		N/A								
	pass									0
	fail									0
Carrington - Antioch (886)		N/A	100%	N/A	N/A	N/A	N/A	N/A	N/A	100%
	pass		1							1
	fail		0							0
Carrington - Citrus Heights (882)		100%	60%	100%	100%	100%	100%	0%	60%	76%
	pass		1	3	1	1	4	3	0	16
	fail		0	2	0	0	0	0	1	5
Carrington - Emeryville (904)		N/A								
	pass									0
	fail									0

11	8
16	2
44%	60%
4	3
5	2
83%	100%
5	1
1	0
70%	57%
19	4
8	3
45%	0%
5	0
6	0
60%	0%
3	0
2	1
67%	0%
12	0
6	1
88%	100%
14	2
2	0
0%	0%
0	0
0	0
0%	0%
0	0
0	0
100%	0%
1	0
0	0
79%	50%
15	1
4	1
0%	0%
0	0
0	0

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

Carrington - Pleasant Hill (868)	N/A	100%	100%	50%	67%	67%	100%	100%	83%
pass		3	2	1	2	2	3	2	15
fail		0	0	1	1	1	0	0	3
Carrington - Pomona (908)	N/A	N/A	N/A	N/A	N/A	N/A	50%	N/A	50%
pass							1		1
fail							1		1
Carrington - Sacramento (436)	N/A	53%	45%	69%	53%	40%	73%	69%	58%
pass		8	5	9	8	4	8	9	51
fail		7	6	4	7	6	3	4	37
Carrington - San Jose (876)	N/A	50%	50%	50%	N/A	25%	50%	67%	47%
pass		1	2	2		1	1	2	9
fail		1	2	2		3	1	1	10
Carrington - San Leandro (609)	N/A	0%	0%	17%	45%	56%	50%	36%	32%
pass		0	0	2	5	5	1	4	17
fail		4	4	10	6	4	1	7	36
Carrington - Stockton (902)	N/A	100%	40%	33%	43%	50%	40%	75%	48%
pass		1	2	1	3	2	2	3	14
fail		0	3	2	4	2	3	1	15
Cerritos College (511)	N/A	N/A	0%	N/A	50%	67%	100%	N/A	63%
pass			0		1	2	2		5
fail			1		1	1	0		3
Chabot College (513)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
pass									0
fail									0
Chaffey College (514)	N/A	100%	0%	100%	50%	N/A	100%	N/A	57%
pass		1	0	1	1		1		4
fail		0	2	0	1		0		3
Charter College - Canyon Country (401)	N/A	100%	0%	0%	67%	100%	100%	100%	75%
pass		1	0	0	2	2	2	2	9
fail		0	1	1	1	0	0	0	3
Citrus College (515)	N/A	N/A	100%	100%	60%	80%	100%	N/A	77%
pass			1	1	3	4	1		10
fail			0	0	2	1	0		3
City College of San Francisco (534)	N/A	100%	100%	89%	100%	N/A	N/A	100%	94%
pass		1	2	8	5			1	17
fail		0	0	1	0			0	1
College of Alameda (506)	N/A	N/A	67%	100%	N/A	50%	100%	100%	77%
pass			2	3		2	1	2	10
fail			1	0		2	0	0	3
College of Marin (523)	N/A	N/A	100%	75%	100%	33%	100%	100%	81%

83%	0%
15	0
3	0
0%	100%
0	1
1	0
53%	68%
30	21
27	10
47%	50%
7	2
8	2
23%	50%
8	9
27	9
40%	67%
8	6
12	3
67%	50%
4	1
2	1
0%	0%
0	0
0	0
50%	67%
2	2
2	1
75%	0%
9	0
3	0
75%	100%
9	1
3	0
94%	100%
16	1
1	0
73%	100%
8	2
3	0
75%	100%

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

	pass			1	6	4	1	2	3	17
	fail			0	2	0	2	0	0	4
College of San Mateo (536)		N/A	N/A	75%	N/A	33%	50%	N/A	N/A	55%
	pass			3		1	2			6
	fail			1		2	2			5
College of the Redwoods (838)		N/A	100%	100%	N/A	50%	N/A	N/A	67%	79%
	pass		4	3		2			2	11
	fail		0	0		2			1	3
Concorde Career - Garden Grove (425)		N/A	100%	20%	100%	67%	33%	25%	100%	50%
	pass		2	2	5	2	1	1	1	14
	fail		0	8	0	1	2	3	0	14
Concorde Career - North Hollywood (435)		N/A	0%	0%	N/A	0%	33%	0%	50%	14%
	pass		0	0		0	1	0	1	2
	fail		2	2		3	2	2	1	12
Concorde Career - San Bernardino (430)		100%	0%	20%	46%	38%	44%	56%	56%	45%
	pass	1	0	1	6	3	4	5	5	25
	fail	0	2	4	7	5	5	4	4	31
Concorde Career - San Diego (421)		N/A	67%	50%	56%	50%	86%	50%	57%	60%
	pass		2	4	5	2	6	1	4	24
	fail		1	4	4	2	1	1	3	16
Concorde Career - San Jose (400)		N/A	N/A							
	pass									0
	fail									0
Contra Costa (745)		N/A	N/A							
	pass									0
	fail									0
Cypress College (518)		N/A	N/A	33%	100%	100%	100%	100%	N/A	75%
	pass			1	1	1	1	2		6
	fail			2	0	0	0	0		2
Diablo Valley College (516)		N/A	N/A	88%	75%	100%	0%	N/A	N/A	79%
	pass			7	3	1	0			11
	fail			1	1	0	1			3
East Los Angeles Occupational Center (855)		N/A	N/A							
	pass									0
	fail									0
Eden Area Regional Occupational Program (608) (856)		N/A	100%	N/A	N/A	0%	25%	20%	100%	40%
	pass		2			0	1	1	2	6
	fail		0			2	3	4	0	9
Everest - Alhambra (406)		N/A	0%	0%						
	pass								0	0
	fail								1	1

12	5
4	0
56%	50%
5	1
4	1
85%	0%
11	0
2	1
69%	33%
9	5
4	10
10%	25%
1	1
9	3
35%	69%
14	11
26	5
56%	69%
15	9
12	4
0%	0%
0	0
0	0
0%	0%
0	0
0	0
71%	100%
5	1
2	0
77%	100%
10	1
3	0
0%	0%
0	0
0	0
33%	67%
4	2
8	1
0%	0%
0	0
1	0

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

Everest - Anaheim (403)/(600)	N/A	N/A	N/A	N/A	0%	N/A	N/A	0%	0%
pass					0			0	0
fail					1			1	2
Everest - City of Industry (875)	N/A	100%	N/A	50%	0%	50%	N/A	N/A	43%
pass		1		1	0	1			3
fail		0		1	2	1			4
Everest - Gardena (870)	N/A	100%	N/A	N/A	N/A	0%	N/A	0%	25%
pass		1				0		0	1
fail		0				2		1	3
Everest - Los Angeles (410)	N/A	N/A	N/A	100%	N/A	N/A	0%	100%	100%
pass				1				1	2
fail				0				0	0
Everest - Ontario (501)	N/A	100%	100%	N/A	67%	25%	100%	0%	64%
pass		1	2		2	1	3	0	9
fail		0	0		1	3	0	1	5
Everest - Reseda (404)	N/A	0%	33%	60%	N/A	0%	N/A	N/A	40%
pass		0	1	3		0			4
fail		1	2	2		1			6
Everest - San Bernardino (881)	N/A	N/A	N/A	N/A	N/A	0%	N/A	N/A	0%
pass						0			0
fail						1			1
Everest - San Francisco (407)	N/A	N/A	100%	0%	0%	67%	100%	50%	54%
pass			2	0	0	2	1	2	7
fail			0	1	2	1	0	2	6
Everest - San Jose (408)	N/A	0%	0%	100%	100%	100%	N/A	N/A	56%
pass		0	0	1	1	3			5
fail		2	2	0	0	0			4
Everest - Torrance (409)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
pass									0
fail									0
Everest - W Los Angeles (874)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
pass									0
fail									0
Foothill College (517)	N/A	0%	100%	100%	75%	80%	0%	100%	73%
pass		0	1	2	3	4	0	1	11
fail		1	0	0	1	1	1	0	4
Galen - Fresno (413)	N/A	50%	50%	100%	N/A	N/A	N/A	100%	63%
pass		1	2	1				1	5
fail		1	2	0				0	3
Galen - Modesto (497)	N/A	N/A	N/A	N/A	N/A	N/A	50%	N/A	50%

0%	0%
0	0
2	0
33%	100%
2	1
4	0
25%	0%
1	0
3	0
100%	0%
2	0
0	0
67%	50%
8	1
4	1
43%	33%
3	1
4	2
0%	0%
0	0
1	0
38%	80%
3	4
5	1
33%	100%
2	3
4	0
0%	0%
0	0
0	0
0%	0%
0	0
0	0
73%	0%
11	0
4	0
75%	100%
3	2
1	0
0%	100%

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

	pass								1		1
	fail								1		1
Galen - Visalia (445)		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	pass										0
	fail										0
Grossmont Community College - El Cajon (519)		N/A	100%	100%	71%	17%	80%	100%	50%		71%
	pass		3	1	5	1	4	7	1		22
	fail		0	0	2	5	1	0	1		9
Hacienda La Puente (776)		N/A	N/A	N/A	N/A	N/A	0%	0%	0%		0%
	pass							0	0	0	0
	fail							1	2	1	4
Heald - Concord (891)		N/A	N/A	N/A	N/A	0%	100%	N/A	100%		67%
	pass					0	1		1		2
	fail					1	0		0		1
Heald - Hayward (889)		N/A	N/A	0%	100%	N/A	N/A	100%	N/A		75%
	pass			0	2			1			3
	fail			1	0			0			1
Heald - Roseville (911)		N/A	N/A	N/A	N/A	N/A	50%	N/A	N/A		50%
	pass							1			1
	fail							1			1
Heald - Salida (910)		N/A	N/A	100%	0%	N/A	N/A	N/A	N/A		50%
	pass			1	0						1
	fail			0	1						1
Heald - Stockton (887)		N/A	N/A	N/A	0%	100%	100%	N/A	N/A		67%
	pass				0	1	1				2
	fail				1	0	0				1
Intercoast College - El Cajon (883)		N/A	N/A	N/A	N/A	0%	N/A	100%	0%		33%
	pass					0		1	0		1
	fail					1		0	1		2
Intercoast College - Riverside (923)		N/A	100%	N/A	N/A	N/A	N/A	N/A	N/A		100%
	pass		1								1
	fail		0								0
Milan Institute - Merced (928)		N/A	100%	0%	N/A	0%	100%	67%	67%		50%
			1	0		0	1	2	2		6
			0	2		2	0	1	1		6
Milan Institute - Palm Desert/Indio (906)		N/A	50%	100%	50%	0%	0%	N/A	100%		45%
	pass		2	1	1	0	0		1		5
	fail		2	0	1	2	1		0		6
Milan Institute - Visalia (907)		N/A	33%	60%	0%	50%	0%	0%	100%		35%
	pass		1	3	0	2	0	0	1		7
	fail		2	2	4	2	2	1	0		13

0	1
1	0
0%	0%
0	0
0	0
63%	100%
15	7
9	0
0%	0%
0	0
2	2
50%	100%
1	1
1	0
67%	100%
2	1
1	0
0%	50%
0	1
0	1
50%	0%
1	0
1	0
50%	100%
1	1
1	0
0%	100%
0	1
2	0
100%	0%
1	0
0	0
50%	50%
5	1
5	1
40%	100%
4	1
6	0
36%	33%
5	2
9	4

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

Modesto Junior College (526)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
pass									0
fail									0
Monterey Peninsula (527)	N/A	100%	67%	80%	100%	0%	50%	100%	71%
pass		1	2	4	1	0	1	1	10
fail		0	1	1	0	1	1	0	4
Moreno Valley College (903)	N/A	N/A	100%	75%	100%	N/A	0%	0%	69%
pass			2	6	1		0	0	9
fail			0	2	0		1	1	4
Mt. Diablo/Loma Vista (500)	N/A	100%	100%	50%	100%	100%	100%	N/A	92%
pass		2	2	1	3	2	2		12
fail		0	0	1	0	0	0		1
National Education Center (604)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
pass									0
fail									0
North Orange County Regional Occupational Program (495)	N/A	N/A	100%	50%	100%	N/A	100%	50%	75%
pass			2	1	1		1	1	6
fail			0	1	0		0	1	2
North-West College - Pomona (420)	N/A	N/A	N/A	N/A	N/A	N/A	100%	N/A	100%
pass							1		1
fail							0		0
North-West College - West Covina (419)	N/A	50%	0%	0%	N/A	67%	0%	50%	40%
pass		1	0	0		2	0	1	4
fail		1	1	1		1	1	1	6
Orange Coast (528)	N/A	100%	100%	50%	0%	75%	100%	N/A	76%
pass		1	5	2	0	3	2		13
fail		0	0	2	1	1	0		4
Palomar College (721)	N/A	N/A	100%	100%	100%	N/A	N/A	N/A	100%
pass			6	10	1				17
fail			0	0	0				0
Pasadena City College (529)	N/A	N/A	100%	100%	100%	67%	100%	100%	92%
pass			1	1	3	2	3	1	11
fail			0	0	0	1	0	0	1
Pima Medical Center- Chula Vista (871)	N/A	100%	0%	0%	33%	0%	75%	100%	38%
pass		1	0	0	1	0	6	2	10
fail		0	4	5	2	3	2	0	16
Reedley College (530)	N/A	0%	75%	40%	50%	67%	100%	0%	59%
pass		0	6	2	2	2	1	0	13
fail		0	2	3	2	1	0	1	9
Riverside County Office of Education (921)	N/A	N/A	0%	50%	100%	100%	N/A	N/A	60%

0%	0%
0	0
0	0
90%	25%
9	1
1	3
75%	0%
9	0
3	1
92%	100%
11	1
1	0
0%	0%
0	0
0	0
75%	0%
6	0
2	0
0%	100%
0	1
0	0
25%	100%
2	2
6	0
73%	100%
11	2
4	0
100%	0%
17	0
0	0
92%	0%
11	0
1	0
40%	36%
6	4
9	7
69%	44%
9	4
4	5
33%	100%

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

	pass			0	1	1	1		3
	fail			1	1	0	0		2
Riverside County Regional Occupational Program (498)	N/A	0%	N/A	67%	80%	0%	67%	N/A	63%
	pass		0	4	4	0	2		10
	fail		1	2	1	1	1		6
Sacramento City College (532)	N/A	N/A	100%	94%	100%	100%	100%	0%	93%
	pass		4	15	4	1	1	0	25
	fail		0	1	0	0	0	1	2
San Bernardino County Regional Occupational Program - Hesperia (454)	N/A	N/A	33%	71%	60%	33%	100%	100%	60%
	pass		2	5	3	1	3	1	15
	fail		4	2	2	2	0	0	10
San Bernardino County Regional Occupational Program - Morongo USD (913)	N/A	N/A	100%	N/A	N/A	N/A	N/A	N/A	100%
	pass		1						1
	fail		0						0
San Diego Mesa College (533)	N/A	N/A	100%	100%	N/A	N/A	100%	100%	100%
	pass		2	3			1	1	7
	fail		0	0			0	0	0
San Joaquin Valley College - Bakersfield (601)	N/A	0%	100%	0%	100%	N/A	100%	N/A	57%
	pass		0	1	0	1	2		4
	fail		1	0	2	0	0		3
San Joaquin Valley College - Fresno (602)	N/A	50%	50%	67%	0%	33%	67%	100%	58%
	pass		3	3	2	0	2	6	18
	fail		3	3	1	1	4	0	13
San Joaquin Valley College - Rancho Cordova (880)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	pass								0
	fail								0
San Joaquin Valley College - Temecula (919)	N/A	0%	60%	80%	75%	88%	75%	67%	74%
	pass		0	3	8	3	7	6	29
	fail		1	2	2	1	1	2	10
San Joaquin Valley College - Visalia (446)	N/A	50%	100%	100%	67%	100%	50%	67%	76%
	pass		1	3	2	2	2	1	13
	fail		1	0	0	1	0	1	4
San Jose City College (535)	100%	67%	100%	N/A	100%	50%	50%	N/A	73%
	pass	1	2	1		2	1	1	8
	fail	0	1	0		0	1	1	3
Santa Barbara City College (537)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	pass								0
	fail								0
Santa Rosa Junior College (538)	N/A	0%	N/A	N/A	N/A	100%	86%	N/A	85%
	pass		0			5	6		11
	fail		1			0	1		2

1	2
2	0
64%	60%
7	3
4	2
92%	100%
24	1
2	0
56%	71%
10	5
8	2
100%	0%
1	0
0	0
100%	0%
7	0
0	0
50%	100%
3	1
3	0
57%	60%
12	6
9	4
0%	0%
0	0
0	0
72%	86%
23	6
9	1
87%	0%
13	0
2	2
75%	67%
6	2
2	1
0%	0%
0	0
0	0
85%	0%
11	0
2	0

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

Shasta/Trinity Regional Occupational Program (455)	N/A	N/A	60%	100%	100%	N/A	N/A	N/A	70%
pass		1	3	1	2				7
fail		1	2	0	0				3
Simi Valley Adult School (866)	N/A	0%	100%	100%	50%	50%	0%	0%	36%
pass		0	2	1	1	1	0	0	5
fail		3	0	0	1	1	2	2	9
Southern California Regional Occupational Center - Torrance (612)	N/A	N/A	100%	75%	50%	0%	33%	N/A	56%
pass			2	3	3	0	1		9
fail			0	1	3	1	2		7
Southland College (428)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
pass									0
fail									0
The FADE Institute, Inc. (999)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
pass									0
fail									0
The Valley School of Dental Assisting (920)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
pass									0
fail									0
Tri Cities Regional Occupational Program (877)	N/A	N/A	N/A	N/A	N/A	100%	N/A	N/A	100%
pass						1			1
fail						0			0
United Education Institute - Anaheim (916)	N/A	N/A	0%	67%	N/A	100%	50%	100%	60%
pass			0	2		1	1	2	6
fail			2	1		0	1	0	4
United Education Institute - Bakersfield (926)	N/A	20%	0%	50%	100%	33%	100%	50%	48%
pass		1	0	3	3	1	1	1	10
fail		4	1	3	0	2	0	1	11
United Education Institute - Chula Vista (879)	N/A	50%	17%	0%	67%	0%	75%	100%	45%
pass		1	1	0	2	0	3	2	9
fail		1	5	1	1	2	1	0	11
United Education Institute - El Monte (909)	N/A	0%	0%	100%	33%	25%	0%	50%	21%
pass		0	0	1	1	1	0	1	4
fail		4	2	0	2	3	3	1	15
United Education Institute - Encino (453)	N/A	33%	40%	33%	33%	50%	50%	50%	39%
pass		2	2	1	2	1	2	1	11
fail		4	3	2	4	1	2	1	17
United Education Institute - Fresno (927)	N/A	0%	50%	0%	14%	25%	33%	50%	30%
pass		0	1	0	1	1	1	4	8
fail		1	1	2	6	3	2	4	19
United Education Institute - Gardena (915)	N/A	0%	N/A	N/A	100%	0%	50%	N/A	50%

70%	0%
7	0
3	0
40%	25%
4	1
6	3
57%	50%
8	1
6	1
0%	0%
0	0
0	0
0%	0%
0	0
0	0
0%	0%
0	0
0	0
100%	0%
1	0
0	0
50%	75%
3	3
3	1
33%	83%
5	5
10	1
29%	83%
4	5
10	1
21%	25%
3	1
11	3
43%	29%
9	2
12	5
31%	29%
4	4
9	10
40%	100%

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

	pass		0		2	0	1		3	
	fail		1		0	1	1		3	
United Education Institute - Huntington Park (448)		N/A	100%	0%	83%	33%	20%	36%	25%	40%
	pass		2	0	5	1	1	4	1	14
	fail		0	4	1	2	4	7	3	21
United Education Institute - Los Angeles (449)		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	pass									0
	fail									0
United Education Institute - Ontario (450)		N/A	N/A	0%	0%	100%	100%	0%	0%	20%
	pass			0	0	1	1	0	0	2
	fail			3	2	0	0	2	1	8
United Education Institute - Riverside (927)		0%	50%	50%	50%	60%	25%	25%	33%	39%
	pass	0	1	2	3	3	1	2	1	13
	fail	1	1	2	3	2	3	6	2	20
United Education Institute - San Diego (451)		N/A	N/A	N/A	N/A	N/A	N/A	100%	N/A	100%
	pass							1		1
	fail							0		0
United Education Institute - San Marcos (918)		N/A	0%	33%	100%	67%	25%	100%	0%	38%
	pass		0	1	1	2	1	1	0	6
	fail		2	2	0	1	3	0	2	10
United Education Institute - Stockton (925)		N/A	N/A	50%	0%	100%	100%	100%	100%	75%
	pass			1	0	1	1	2	1	6
	fail			1	1	0	0	0	0	2
United Education Institute - Van Nuys (453)		N/A	N/A	N/A	N/A	N/A	N/A	0%	0%	N/A
	pass									0
	fail									0
Unitek - Concord (994)		N/A	0%	N/A	0%	0%	50%	N/A	50%	22%
	pass		0		0	0	1		1	2
	fail		2		2	1	1		1	7
Unitek - Sacramento (924)		N/A	N/A	0%	100%	100%	0%	N/A	N/A	75%
	pass			0	1	2	0			3
	fail			1	0	0	0			1
Unitek - San Jose (995)		N/A	N/A	0%	0%	N/A	N/A	0%	0%	0%
	pass				0			0	0	0
	fail				1			1	1	3
West Los Angeles College (1001)		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%
							1			1
							0			0
National (ADA) Out of State		N/A	N/A	100%	N/A	0%	33%	100%	100%	50%
	pass			1		0	1	1	1	4
	fail			0		2	2	0	0	4

2	1
3	0
50%	18%
12	2
12	9
0%	0%
0	0
0	0
13%	50%
1	1
7	1
40%	38%
8	5
12	8
100%	0%
1	0
0	0
33%	50%
4	2
8	2
71%	100%
5	1
2	0
0%	0%
0	0
0	0
0%	33%
0	2
3	4
67%	100%
2	1
1	0
0%	0%
0	0
2	1
100%	0%
1	0
0	0
50%	50%
2	2
2	2

RDA GENERAL AND LAW AND ETHICS WRITTEN EXAMINATION SCHOOL STATISTICS

Work Experience	50%	51%	48%	45%	48%	50%	61%	55%	51%
pass	1	44	41	57	58	63	62	51	377
fail	1	43	44	71	64	62	40	42	367
Mixed Education and Work Experience	100%	53%	43%	52%	56%	50%	55%	67%	54%
pass	1	8	6	11	9	12	12	10	69
fail	0	7	8	10	7	12	10	5	59
PERCENT PASS	63%	52%	53%	57%	53%	52%	61%	61%	55%
TOTAL PASS	5	147	191	259	208	208	212	182	1,412
TOTAL FAIL	3	135	171	199	184	195	133	118	1,138

51%	50%
273	104
265	102
59%	40%
55	14
38	21
56%	54%
1,063	349
841	294

*The totals for the First Time and Repeat Test Takers only includes those that tested in 2018

RDAEF WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Total
Central California Dental Academy (011)	N/A	100%	N/A	100%									
pass											1		1
fail											0		0
Dental Care Institute (007)	N/A	0%	N/A	N/A	N/A	0%							
pass									0				0
fail									2				2
Dental Career Institute (008)	N/A	33%	50%	N/A	40%								
pass										1	1		2
fail										2	1		3
Expanded Functions Dental Assistants Association (004)	0%	N/A	N/A	N/A	100%	100%	N/A	0%	60%	60%	100%	N/A	71%
pass	0				6	2		0	3	3	1		15
fail	1				0	0		1	2	2	0		6
Howard University (009)	N/A	100%	50%	0%	0%	0%	50%	N/A	N/A	N/A	N/A	0%	27%
pass		1	1	0	0	0	1					0	3
fail		0	1	1	3	1	1					1	8
J Production (005)	N/A	0%	N/A	67%	76%	25%	0%	67%	N/A	N/A	N/A	N/A	63%
pass		0		8	13	1	0	2					24
fail		1		4	4	3	1	1					14
Loma Linda University (007)	N/A	N/A	N/A	N/A	100%	100%	100%	N/A	N/A	N/A	N/A	N/A	100%
pass					5	3	1						9
fail					0	0	0						0
The FADE Institute, Inc. (010)	N/A	0%	100%	N/A	N/A	100%	100%	N/A	100%	N/A	67%	100%	84%
pass		0	1			4	2		3		4	2	16
fail		1	0			0	0		0		2	0	3
University of California, Los Angeles (001)	N/A	N/A	0%	N/A	50%	0%	50%	75%	0%	100%	0%	N/A	41%
pass			0		2	0	1	3	0	1	0		7
fail			1		2	3	1	1	1	0	1		10
University of California, San Francisco (002)	N/A	0%	N/A	0%									
pass		0											0
fail		1											1
University of the Pacific (006)	0%	N/A	67%	40%	86%	0%	50%	50%	N/A	N/A	N/A	N/A	54%
pass	0		2	4	12	0	1	1					20
fail	1		1	6	2	5	1	1					17

YTD First Time Testers	YTD Repeat Testers
100%	0%
1	0
0	0
0%	0%
0	0
2	0
0%	50%
0	2
1	2
81%	40%
13	2
3	3
0%	30%
0	3
1	7
76%	47%
16	8
5	9
100%	0%
9	0
0	0
88%	67%
14	2
2	1
44%	38%
4	3
5	5
0%	0%
0	0
0	1
63%	44%
12	8
7	10

RDAEF WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Total
PERCENT PASS	0%	25%	57%	52%	78%	45%	60%	60%	55%	56%	64%	67%	60%
TOTAL PASS	0	1	4	12	38	10	6	6	6	5	7	2	97
TOTAL FAIL	2	3	3	11	11	12	4	4	5	4	4	1	64

YTD First Time Testers	YTD Repeat Testers
73%	42%
69	28
26	38

*The totals for the First Time and Repeat Test Takers only includes those that tested in 2018

OA WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	YTD Total	YTD First Time Testers	YTD Repeat Testers	
American Canyon Orthodontics (092)	N/A	0%	0%													
pass													0	0		
fail													0	0		
Andrea DeLurgio, DDS (032)	N/A	N/A	N/A	100%	N/A	100%	100%	0%								
pass				1										1	1	0
fail				0										0	0	0
Bakersfield Orthodontic Dental Group (126)	N/A	N/A	N/A	0%	N/A	N/A	N/A	N/A	N/A	0%	N/A	N/A	0%	0%	0%	
pass				0							0			0	0	
fail				1							1			2	1	
Baird Orthodontics (108)	N/A	N/A	N/A	N/A	0%	N/A	0%	0%	0%							
pass					0								0	0	0	
fail					1								1	1	0	
Bakersfield Orthodontics (047)	N/A	N/A	N/A	N/A	0%	N/A	0%	0%	0%							
pass					0								0	0	0	
fail					1								1	0	1	
Bart R. Boulton, DDS (038)	N/A	0%	0%													
pass													0	0		
fail													0	0		
Bella Smile (016)	N/A	0%	0%													
pass													0	0		
fail													0	0		
Bernstein Orthodontics (047)	50%	N/A	N/A	N/A	100%	N/A	67%	50%	100%							
pass	1				1								2	1	1	
fail	1				0								1	1	0	
Braces - San Diego (113)	N/A	0%	0%													
pass													0	0		
fail													0	0		
Brent Sexton, DDS (136)	N/A	N/A	N/A	100%	N/A	100%	100%	0%								
pass				1										1	1	0
fail				0										0	0	0
Brian H Bergh, DDS (111)	N/A	0%	0%													
pass													0	0		
fail													0	0		
California Institute of Dental Education (127)	N/A	N/A	N/A	N/A	N/A	N/A	100%	N/A	N/A	N/A	N/A	0%	50%	50%	0%	
pass							1						0	1	1	0

OA WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	YTD Total	YTD First Time Testers	YTD Repeat Testers
fail							0					1	1	1	0
Cameron Mashouf, DDS (066)	N/A	0%	0%												
pass													0	0	0
fail													0	0	0
Dental Advantage (123)	50%	0%	50%	100%	33%	0%	29%	0%	100%	N/A	0%	N/A	40%	58%	23%
pass	1	0	2	3	1	0	2	0	1		0		10	7	3
fail	1	1	2	0	2	2	5	1	0		1		15	5	10
Dental Career Institute (006)	N/A	N/A	N/A	N/A	100%	N/A	N/A	33%	0%	0%	0%	N/A	33%	60%	0%
pass					2			1	0	0	0		3	3	0
fail					0			2	2	1	1		6	2	4
Dental Pros (007)	100%	0%	25%	0%	100%	100%	0%	0%	33%	67%	50%	N/A	43%	75%	23%
pass	1	0	1	0	1	2	0	0	1	2	1		9	6	3
fail	0	1	3	1	0	0	1	2	2	1	1		12	2	10
Dental Specialties Institute Inc. (015)	20%	40%	67%	50%	50%	40%	100%	0%	N/A	0%	N/A	50%	44%	50%	41%
pass	1	2	4	1	2	2	2	0		0		1	15	6	9
fail	4	3	2	1	2	3	0	1		2		1	19	6	13
Diablo Orthodontic Specialities (096)	N/A	0%	0%												
pass													0	0	0
fail													0	0	0
Downey Adult School (004)	N/A	0%	N/A	N/A	100%	N/A	0%	100%	0%	100%	N/A	N/A	43%	50%	40%
pass		0			1		0	1	0	1			3	1	2
fail		1			0		2	0	1	0			4	1	3
Dr. Amy E. Buchler (082)	N/A	100%	100%	100%	0%										
pass												1	1	1	0
fail												0	0	0	0
Dr. Brian C Crawford (086)	N/A	0%	0%												
pass													0	0	0
fail													0	0	0
Dr. Christopher C. Cruz (081)	N/A	N/A	N/A	N/A	100%	N/A	N/A	100%	N/A	N/A	N/A	N/A	100%	100%	0%
pass					1			1					2	2	0
fail					0			0					0	0	0
Dr. Douglas Nguyen (012)	N/A	50%	0%	N/A	50%	N/A	N/A	N/A	0%	N/A	N/A	N/A	33%	0%	50%
pass		1	0		1				0				2	0	2
fail		1	1		1				1				4	2	2
Dr. Efstatios Righellis (029)	N/A	0%	0%												

OA WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	YTD Total	YTD First Time Testers	YTD Repeat Testers	
pass													0	0	0	
fail													0	0	0	
Dr. Jasmine Gordon (008)	N/A	0%	0%													
pass													0	0	0	
fail													0	0	0	
Dr. Jason M. Cohen (085)	100%	N/A	N/A	N/A	N/A	100%	N/A	N/A	N/A	N/A	N/A	N/A	100%	100%	0%	
pass	1					1							2	2	0	
fail	0					0							0	0	0	
Dr. Jeffrey Kwong (083)	N/A	0%	0%													
pass													0	0	0	
fail													0	0	0	
Dr. Joel Brodsky (013)	0%	N/A	N/A	N/A	100%	N/A	50%	100%	33%							
pass	0				2							2	1	1		
fail	2				0							2	0	2		
Dr. Joseph Gray (009)	N/A	0%	0%													
pass													0	0	0	
fail													0	0	0	
Dr. Kathleen Nuckles, Specialist in Orthodontics (019)	N/A	100%	N/A	N/A	N/A	N/A	100%	100%	0%							
pass								1						1	1	0
fail								0						0	0	0
Dr. Kurt Stromberg (014)	0%	0%	100%	N/A	33%	0%	50%									
pass	0	0	1										1	0	1	
fail	1	1	0										2	1	1	
Dr. Lili Mirtorabi Orthodontics (021)	100%	50%	100%	N/A	100%	N/A	100%	N/A	N/A	N/A	100%	100%	91%	88%	100%	
pass	1	1	3			2			1				10	7	3	
fail	0	1	0			0			0				1	1	0	
Dr. Michael Payne/Cao (005)	N/A	N/A	N/A	N/A	N/A	100%	N/A	N/A	N/A	N/A	N/A	N/A	100%	100%	0%	
pass						1							1	1	0	
fail						0							0	0	0	
Dr. Paul J. Styrt (067)	N/A	0%	0%													
pass													0	0	0	
fail													0	0	0	
Dr. Waleed Soliman Brite Dental Group (020)	0%	N/A	0%	0%	100%	N/A	100%	100%	0%	N/A	N/A	N/A	43%	50%	33%	
pass	0			0	0	1			1	1	0			3	2	1
fail	1			1	1	0			0	0	1			4	2	2

OA WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	YTD Total	YTD First Time Testers	YTD Repeat Testers
Dr. Waleed Soliman Brite Dental Group At Western Dental Natomas (20B)	0%	N/A	0%	0%	0%	0%	N/A	N/A	N/A	N/A	N/A	N/A	0%	33%	0%
pass	0		0	0	0	0									
fail	1		1	1	1	1							5	2	3
Elite Orthodontics (031)	N/A	0%	0%												
pass													0	0	0
fail													0	0	0
Expanded Functions Dental Assistant Assoc (001)	40%	42%	55%	40%	58%	56%	N/A	75%	67%	40%	45%	33%	51%	61%	38%
pass	2	5	12	4	7	5	0	9	6	2	5	2	59	39	20
fail	3	7	10	6	5	4	3	3	3	3	6	4	57	25	32
Garrett Orthodontics (017)	N/A	N/A	100%	N/A	100%	100%	0%								
pass			1										1	1	0
fail			0										0	0	0
Hamid Barkhovdar, DDS (124)	50%	83%	100%	71%	75%	50%	83%	33%	50%	80%	50%	33%	66%	79%	41%
pass	1	5	2	5	3	3	5	1	1	4	2	1	33	26	7
fail	1	1	0	2	1	3	1	2	1	1	2	2	17	7	10
Howard Healthcare Academy, LLC (084)	0%	N/A	0%	N/A	N/A	50%	100%	N/A	50%	N/A	N/A	100%	50%	100%	0%
pass	0		0			1	1		1						
fail	1		1			1	0		1						
Image Orthodontics (114)	N/A	0%	0%												
pass													0	0	0
fail													0	0	0
Irvine Children's Dentistry (97)	N/A	0%	0%												
pass															
fail															
J Productions (003)	N/A	0%	0%												
pass															
fail															
Jimmy Vu Ngo (139)	N/A	100%	100%	100%	100%	0%									
pass											1	1			
fail											0	0	0	0	0
Joseph K. Buchanan DDS, Inc (036)	N/A	0%	0%												
pass															
fail															
Kairos Career College (117)	0%	N/A	0%	100%	N/A	0%	N/A	N/A	N/A	N/A	N/A	N/A	25%	0%	25%
pass	0		0	1		0									

OA WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	YTD Total
fail	1		1	0		1							3
Kanwar Sachdeva, DDS (070)	N/A	N/A	N/A	N/A	N/A	N/A	100%	N/A	N/A	N/A	N/A	N/A	100%
pass							1						1
fail							0						0
Karrisham B Jumani, Inc (112)	N/A	100%	N/A	N/A	N/A	100%	0%	0%	0%	N/A	N/A	N/A	50%
pass		1				1	0	0	0				2
fail		0				0	1	1	0				2
Kubisch A Dental Corporation (028)	N/A												
pass													0
fail													0
Loma Linda University (090)	N/A												
pass													0
fail													0
M. John Redmond, DDS (024)	N/A	N/A	N/A	N/A	N/A	50%	N/A	N/A	N/A	N/A	N/A	N/A	50%
pass						1							1
fail						1							1
Mark Holt Orthodontics (060)	N/A	N/A	N/A	N/A	N/A	N/A	100%	N/A	100%	0%	100%	N/A	67%
pass							1		2	0	1		4
fail							0		0	2	0		2
Milde Family Orthodontics (120)	N/A	100%	N/A	100%	N/A	N/A	100%						
pass								1		1			2
fail								0		0			0
Melanie Parker, DDS (049)	N/A												
pass													0
fail													0
OC Dental Specialists (128)	N/A	N/A	N/A	0%	50%	100%	N/A	N/A	100%	N/A	100%	N/A	57%
pass				0	1	1			1		1		4
fail				2	1	0			0		0		3
Orthoworks Dental Group, Dr. David Shen (043)	N/A	N/A	N/A	N/A	0%	50%	N/A	N/A	0%	N/A	N/A	50%	40%
pass					0	1			0			1	2
fail					1	1			0			1	3
Parkside Dental (041)	N/A												
pass													0
fail													0

YTD First Time Testers	YTD Repeat Testers
0	3
100%	0%
1	0
0	0
67%	0%
2	0
1	1
0%	0%
0	0
0	0
0%	0%
0	0
0	0
50%	0%
1	0
1	0
80%	0%
4	0
1	1
100%	100%
1	1
0	0
0	0
75%	33%
3	1
1	2
50%	33%
1	1
1	2
0%	0%
0	0
0	0

OA WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	YTD Total
Pasadena City College (011)	N/A	N/A	0%	N/A	100%	100%	N/A	N/A	N/A	N/A	N/A	N/A	67%
pass			0		1	1							2
fail			1		0	0							1
Raymond J. Kieffer, DDS (069)	N/A												
pass													0
fail													0
Riverside County Office of Education (087)	N/A	100%	N/A	N/A	N/A	0%	N/A	N/A	N/A	100%	N/A	N/A	67%
pass		1				0				1			2
fail		0				1				0			1
Robert Sheffield, DDS Inc. (018)	N/A	N/A	N/A	100%	N/A	100%							
pass				2									2
fail				0									0
Sacramento City College (002)	N/A	0%	N/A	N/A	50%	N/A	33%						
pass		0			1								1
fail		1			1								2
Southern California Orthodontic Assisting School (149)	N/A	0%	0%	0%									
pass											0	0	0
fail											1	3	4
Susan S. So, DDS (121)	N/A												
pass													0
fail													0
Tal D. Jeregensen, DDS (042)	N/A												
pass													0
fail													0
Thao Nguyen, DDS (038)	N/A												
pass													0
fail													0
The FADE Institute, Inc. (137)	100%	67%	75%	75%	67%	75%	75%	25%	71%	50%	60%	80%	70%
pass	5	2	3	3	2	3	3	1	5	1	3	4	35
fail	0	1	1	1	1	1	1	3	2	1	2	1	15
Thompson Tom, DDS (030)	N/A												
pass													0
fail													0
Toth and Torossian Partnership (110)	N/A												
pass													0
fail													0

YTD First Time Testers	YTD Repeat Testers
50%	100%
1	1
1	0
0%	0%
0	0
0	0
50%	100%
1	1
1	0
100%	0%
2	0
0	0
0%	33%
0	1
0	2
0%	0%
0	0
3	1
0%	0%
0	0
0	0
0%	0%
0	0
0	0
78%	50%
28	7
8	7
0%	0%
0	0
0	0
0%	0%
0	0
0	0

OA WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	YTD Total	YTD First Time Testers	YTD Repeat Testers
Touni Orthodontics Dental Practice (134)	N/A	N/A	N/A	N/A	100%	N/A	N/A	N/A	N/A	100%	N/A	N/A	100%	100%	0%
pass					1					1					
fail					0					0					
Tri-Valley Orthodontics (101)	N/A	100%	N/A	N/A	N/A	100%	100%	0%							
pass									1						
fail									0				0	0	0
Tsai & Snowden Esthetic Partners Dental Group (106)	N/A	N/A	N/A	N/A	0%	N/A	N/A	0%	33%	100%	N/A	N/A	29%	0%	40%
pass					0			0	1	1					
fail					1			2	2	0					
Valley School of Dental Assisting (027)	0%	50%	50%	67%	0%	25%	67%	0%	0%	75%	0%	33%	35%	50%	26%
pass	0	1	1	2	0	1	2	0	0	3	0	1	11	6	5
fail	1	1	1	1	4	3	1	2	1	1	2	2	20	6	14
Weideman Pediatric Dentistry & Orthodontics (144)	N/A	N/A	N/A	N/A	N/A	50%	100%	100%	0%	0%	N/A	N/A	67%	60%	100%
pass						1	2	1	0	0					
fail						1	0	0	0	1					
Western Career College (025)	N/A	0%	0%	N/A	N/A	N/A	N/A	N/A	0%	0%	0%	0%	0%	0%	0%
pass		0	0						0	0	0	0			
fail		1	1						2	1	1	1	7	0	7
Western Dental - Corona (102)	100%	0%	100%	N/A	N/A	0%	N/A	100%	100%	0%	N/A	0%	56%	50%	60%
pass	1	0	1			0		2	1	0					
fail	0	1	0			1		0	0	1		1	4	2	2
Western Dental - Fresno (131)	N/A	N/A	N/A	N/A	N/A	0%	100%	0%	N/A	50%	N/A	0%	33%	0%	50%
pass						0	1	0		1		0			
fail						1	0	1		1		1			
Western Dental - Oxnard (103)	N/A	N/A	N/A	N/A	0%	N/A	100%	0%	N/A	N/A	N/A	N/A	33%	50%	0%
pass					0		1	0							
fail					1		0	1							
Western Dental - Sacramento (104)	0%	N/A	N/A	0%	N/A	100%	25%	0%	25%						
pass	0			0								1			
fail	2			1								0	3	0	3
Western Dental & Orthodontics - Lodi (130)	0%	0%	100%	100%	N/A	N/A	N/A	N/A	N/A	N/A	0%	0%	29%	0%	33%
pass	0	0	1	1							0	0			
fail	1	2	0	0							1	1	5	1	4
Western Dental Services - Bakersfield (053)	N/A	N/A	N/A	0%	100%	50%	N/A	50%	50%	33%	N/A	25%	41%	50%	38%
pass				0	1	1		2	1	1					
fail				1	0	1		2	1	2		3	10	2	8

OA WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	YTD Total	YTD First Time Testers	YTD Repeat Testers
Western Dental Services - Banning (078)	0%	N/A	50%	N/A	0%	100%	N/A	0%	N/A	0%	0%	N/A	22%	0%	25%
pass	0		1		0	1		0		0	0		2	0	2
fail	1		1		2	0		1		1	1		7	1	6
Western Dental Services - Fontana (079)	0%	N/A	N/A	0%	N/A	N/A	N/A	N/A	100%	0%	100%	N/A	33%	0%	33%
pass	0			0					1	0	1		2	0	2
fail	2			1					0	1	0		4	0	4
Western Dental Services - Fresno (131)	0%	50%	N/A	N/A	33%	N/A	33%	0%	50%						
pass	0	1			1								2	0	2
fail	1	1			2								4	2	2
Western Dental Services - Los Angeles (052)	N/A	0%	0%												
pass													0	0	0
fail													0	0	0
Western Dental Services - Manteca (062)	N/A	0%	100%	67%	N/A	N/A	60%	67%	50%						
pass								0	1	2			3	2	1
fail								1	0	1			2	1	1
Western Dental Services - Modesto (064)	N/A	0%	0%												
pass													0	0	0
fail													0	0	0
Western Dental Services - Oceanside (055)	N/A	100%	N/A	N/A	N/A	N/A	100%	100%	0%						
pass								1					1	1	0
fail								0					0	0	0
Western Dental Services - Orange (044)	N/A	0%	N/A	N/A	N/A	0%	0%	0%							
pass									0				0	0	0
fail									1				1	0	1
Western Dental Services - Oxnard (103)	N/A	0%	0%												
pass													0	0	0
fail													0	0	0
Western Dental Services - Redwood City (076)	0%	0%	0%	0%	N/A	N/A	100%	N/A	N/A	N/A	N/A	N/A	17%	0%	17%
pass	0	0	0	0			1						1	0	1
fail	1	1	2	1			0						5	0	5
Western Dental Services - Riverside (057)	N/A	0%	N/A	N/A	0%	N/A	0%	0%	0%						
pass		0			0								0	0	0
fail		1			1								2	0	2
Western Dental Services - N. Sacramento (020)	N/A	0%	0%												
pass													0	0	0
fail													0	0	0

OA WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	YTD Total
Western Dental Services - Sacramento (051)	N/A	N/A	N/A	100%	N/A	0%	0%	N/A	N/A	0%	N/A	0%	25%
pass				1		0	0			0		0	1
fail				0		1	0			1		1	3
Western Dental Services - Salinas (088)	33%	0%	N/A	17%									
pass	1	0											1
fail	2	3											5
Western Dental Services - San Leandro (050)	100%	N/A	N/A	N/A	0%	N/A	0%	N/A	N/A	N/A	0%	0%	20%
pass	1				0		0				0	0	1
fail	0				1		1				1	1	4
Western Dental Services - Santa Ana (056)	N/A	N/A	0%	0%	N/A	0%	0%	100%	50%	0%	0%	100%	25%
pass			0	0		0	0	1	1	0	0	1	3
fail			1	1		2	1	0	1	2	1	0	9
Western Dental Services - Santa Clara (054)	0%	N/A	0%	100%	0%	100%	0%	67%	25%	40%	67%	0%	38%
pass	0		0	1	0	1	0	2	1	2	2	0	9
fail	2		1	0	1	0	2	1	3	3	1	1	15
Western Dental Services - Salinas (088)	N/A	N/A	67%	N/A	N/A	N/A	50%	0%	0%	N/A	N/A	N/A	60%
pass			2				1						3
fail			1				1						2
Western Dental Services - Tracy (063)	N/A	N/A											
pass													0
fail													0
Zhi Meng, DDS (044)	N/A	N/A											
pass													0
fail													0
PERCENT PASS	36%	40%	52%	54%	52%	49%	57%	50%	51%	45%	44%	39%	48%
TOTAL PASS	17	20	35	26	33	28	26	26	26	23	17	15	292
TOTAL FAIL	30	30	32	22	31	29	20	26	25	28	22	23	318

YTD First Time Testers	YTD Repeat Testers
50%	0%
1	0
1	2
100%	0%
1	0
0	5
0%	33%
0	1
2	2
33%	22%
1	2
2	7
40%	36%
4	5
6	9
0%	60%
0	3
0	2
0%	0%
0	0
0	0
0%	0%
0	0
0	0
63%	34%
189	107
111	209

*The totals for the First Time and Repeat Test Takers only includes those that tested in 2018

DSA WRITTEN EXAMINATION SCHOOL STATISTICS

Program	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Total
Dr. Bruce Whitcher (009)	N/A	N/A	N/A	N/A	N/A	100%	N/A	N/A	N/A	N/A	N/A	N/A	100%
pass						1			1				2
fail						0			0				0
Pacific Oral and Maxillofacial Surgery (018)	N/A	0%											
pass													0
fail													0
Robert E. Bell, DDS, Inc. (017)	N/A	100%	N/A	N/A	N/A	N/A	100%						
pass								1					1
fail								0					0
Robert Charles McIntosh (043)	N/A	100%	N/A	N/A	1								
pass										1			1
fail										0			0
Michael P. Morrissette, DDS (016)	N/A	0%	0%	N/A	0								
pass											0		0
fail											1		1
PERCENT PASS	N/A	N/A	N/A	N/A	N/A	100%	N/A	100%	100%	100%	0%	N/A	80%
TOTAL PASS						1		1	1	1	0		4
TOTAL FAIL						0		0	0	0	1		1

YTD First Time Testers	YTD Repeat Testers
100%	0%
2	0
0	0
0%	0%
0	0
0	0
100%	0%
1	0
0	0
100%	0%
1	0
0	0
0%	0%
0	0
1	0
80%	0%
4	0
1	0

*The totals for the First Time and Repeat Test Takers only includes those that tested in 2018



MEMORANDUM

DATE	January 8, 2019
TO	Members of the Dental Assisting Council
FROM	Laura Fisher Educational Program Coordinator
SUBJECT	DAC Agenda Item 6: Update on Dental Assisting Licensing Statistics

The following table provides current license status statistics by license type as of **December 31, 2018**

License Type	Registered Dental Assistant (RDA)	Registered Dental Assistant in Extended Functions (RDAEF)
Current & Active	29,922	1,484
Current & Inactive	4,465	72
Delinquent	11,588	222
Total Population (Current & Delinquent)	45,975	1,778
Total Cancelled Since Implementation	45,157	309

The following table provides current permit status statistics by permit type as of **December 31, 2018**

Permit Type	Orthodontic Assistant (OA)	Dental Sedation Assistant (DSA)	Total Permits
Current & Active	1,045	27	1,072
Current & Inactive	12	2	14
Delinquent	89	14	103
Total Population (Current & Delinquent)	1,146	43	1,189
Total Cancelled Since Implementation	0	0	0

Definitions

Current & Active	An individual who has an active status and has completed all renewal requirements receives this status.
Current & Inactive	An individual who has an inactive status; has paid the renewal fees but cannot perform the duties of the license unless the license is re-activated. Continuing education units are not required for inactive license renewal.
Delinquent	An individual who does not comply with renewal requirements receives this status until renewal requirements are met.
Cancelled	An individual who fails to comply with renewal requirements by a set deadline will receive this status.
Deficient	Application processed lacking one or more requirements

Delinquent License Aging Status as of December 31, 2018

License Type	Within 30 Days	30 - 60 Days	61 - 90 Days	90 Days - 1 Year	1 - 2 Years	2 - 3 Years	3 - 4 Years	4 - 5 Years
RDA	569	388	320	2,126	2,347	2,862	1,514	1,451
RDAEF	19	10	7	34	48	61	26	17
OA	13	5	4	27	14	19	3	4
DSA	0	3	0	3	2	4	2	0

Active Licensees by County as of December 31, 2018

County	RDA	Population	Population per RDA	DDS	RDA to DDS Ratio
Alameda	1,277	1,660,202	1,300	1,456	1:1
Alpine	0	1,154	N/A	1	0:1
Amador	58	38,094	657	21	3:1
Butte	276	227,621	825	141	2:1
Calaveras	62	45,157	728	16	4:1
Colusa	25	22,098	884	5	5:1
Contra Costa	1,312	1,149,363	876	1,099	1:1
Del Norte	27	27,221	1,008	13	2:1
El Dorado	224	188,399	841	156	1:1
Fresno	854	1,007,229	1,179	600	1:1
Glenn	48	28,796	600	12	4:1
Humboldt	177	136,002	768	71	2:1
Imperial	90	190,624	2,118	36	3:1
Inyo	12	18,577	1,548	12	1:1
Kern	608	905,801	1,490	332	2:1
Kings	127	151,662	1,194	67	2:1
Lake	73	65,081	892	44	2:1
Lassen	49	30,911	631	22	2:1
Los Angeles	4,681	10,283,729	2,197	8,375	1:2
Madera	134	158,894	1,186	53	3:1
Marin	190	263,886	1,389	313	1:2

Active Licensees by County - continued

County	RDA	Population	Population per RDA	DDS	Ratio of RDA to DDS
Mariposa	15	18,129	1,209	8	2:1
Mendocino	100	89,299	893	56	2:1
Merced	216	279,977	1,296	90	2:1
Modoc	6	9,612	1,602	4	2:1
Mono	6	13,822	2,304	5	1:1
Monterey	405	443,281	1,095	265	2:1
Napa	136	141,294	1,039	112	1:1
Nevada	94	99,155	1,055	89	1:1
Orange	1,824	3,221,103	1,766	3,882	1:2
Placer	527	389,532	739	458	1:1
Plumas	21	19,773	942	15	1:1
Riverside	1,974	2,415,955	1,224	1,060	2:1
Sacramento	1,727	1,529,501	886	1,107	2:1
San Benito	98	57,088	583	22	4:1
San Bernardino	1,533	2,174,938	1,419	1,346	1:1
San Diego	2,601	3,337,456	1,283	2,742	1:1
San Francisco	458	883,963	1,930	1,261	1:3
San Joaquin	738	758,744	1,028	371	2:1
San Luis Obispo	223	280,101	1,256	226	1:1
San Mateo	652	774,155	1,187	882	1:1
Santa Barbara	344	453,457	1,318	319	1:1
Santa Clara	1,666	1,956,598	1,174	2,283	1:1
Santa Cruz	231	276,864	1,199	181	1:1
Shasta	204	178,271	874	119	2:1
Sierra	3	3,207	1,069	1	3:1
Siskiyou	27	44,612	1,652	23	1:1
Solano	604	439,793	728	277	2:1
Sonoma	710	503,332	709	398	2:1
Stanislaus	599	555,624	928	282	2:1
Sutter	106	97,238	917	51	2:1
Tehama	80	64,039	800	26	3:1
Trinity	6	13,635	2,272	4	2:1
Tulare	432	475,834	1,101	212	2:1
Tuolumne	84	54,740	652	51	2:1
Ventura	532	859,073	1,615	657	1:1
Yolo	194	221,270	1,140	116	2:1
Yuba	92	74,727	812	12	8:1
TOTAL	29,572	39,809,693		31,858	

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

**Ratios are rounded to the nearest whole number

The counties with the highest Population per RDA are:

1. Mono County (1:2,304)
2. Trinity County (1:2,272)
3. Los Angeles County (1:2,197)
4. Imperial County (1:2,118)
5. San Francisco County (1:1,930)

The counties with the lowest Population per RDA are:

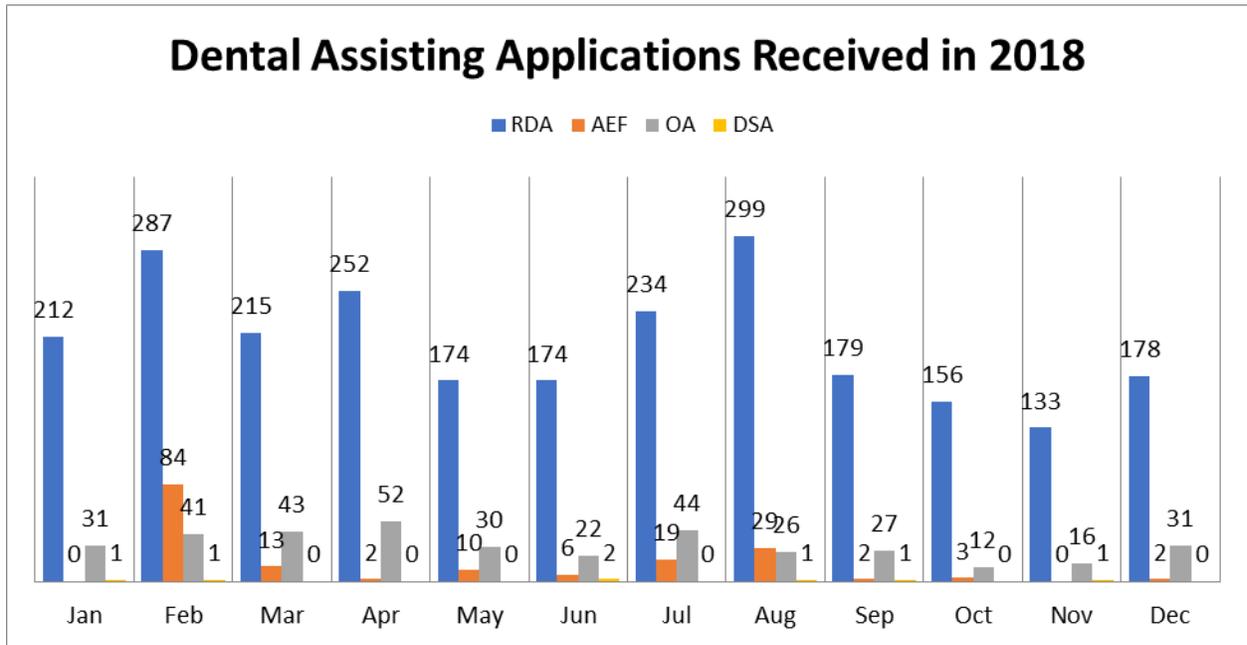
1. Alpine County (No RDAs)
2. San Benito County (1:583)
3. Glenn County (1:600)
4. Lassen County (1:631)
5. Tuolumne County (1:652)

Following are monthly dental statistics by license type as of December 31, 2018

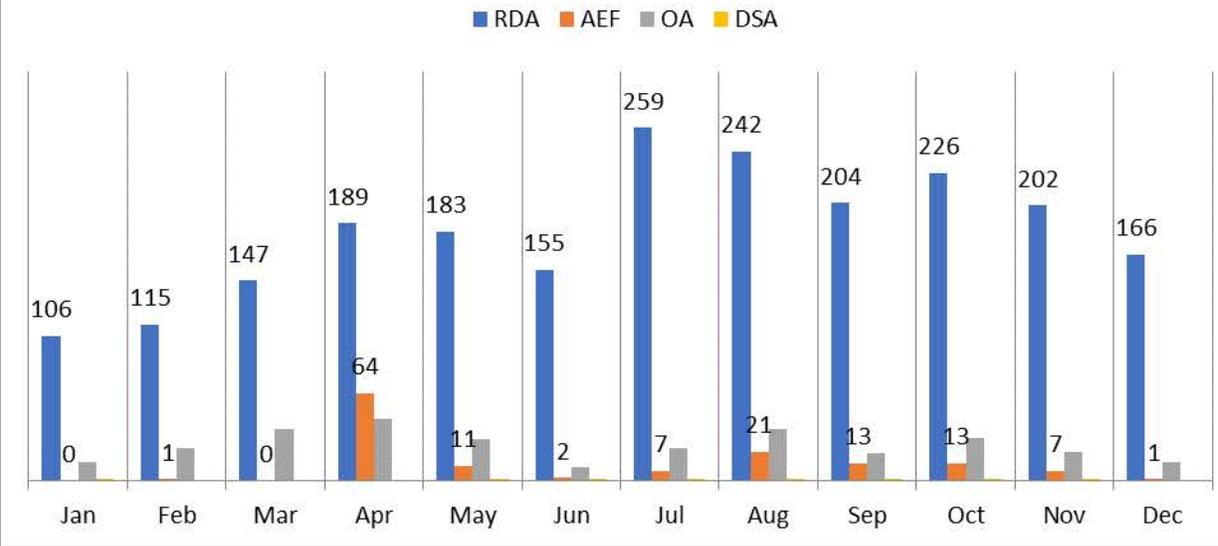
Dental Assistant Applications Received by Month (2018)													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
RDA	212	287	215	252	174	174	234	299	179	156	133	178	2493
RDAEF	0	84	13	2	10	6	19	29	2	3	0	2	170
OA	31	41	43	52	30	22	44	26	27	12	16	31	375
DSA	1	1	0	0	0	2	0	1	1	0	1	0	7
Total	244	413	271	306	214	204	297	355	209	171	150	211	3045
Dental Assistant Applications Approved by Month (2018)													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
RDA	106	115	147	189	183	155	259	242	204	226	202	166	2194
RDAEF	0	1	0	64	11	2	7	21	13	13	7	1	140
OA	14	24	38	45	30	10	24	38	20	31	21	14	309
DSA	1	0	0	0	1	1	1	1	1	1	1	0	8
Total	121	140	185	298	225	168	291	302	238	271	231	181	2651
Dental Assistant Licenses Issued by Month (2018)													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
RDA	150	108	101	221	155	36	293	216	228	223	204	205	2140
RDAEF	1	0	7	0	37	5	3	24	4	3	8	1	93
OA	18	20	28	29	30	25	30	28	28	20	20	17	293
DSA	0	0	0	0	0	0	1	1	0	1	0	0	3
Total	169	128	136	250	222	66	327	269	260	247	232	223	2529
Cancelled Dental Assistant Applications by Month (2018)													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
RDA	37	31	29	15	27	14	5	12	6	1	5	3	185
RDAEF	1	7	0	1	6	1	0	0	0	0	0	0	16
OA	0	2	0	1	1	1	0	1	1	0	0	2	9
DSA	0	0	0	0	0	1	0	0	0	0	0	0	1
Total	38	40	29	17	34	17	5	13	7	1	5	5	211

Withdrawn Dental Assistant Applications by Month (2018)													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
RDA	23	19	25	42	15	13	14	19	11	9	20	13	223
RDAEF	0	0	0	0	0	0	0	0	0	0	1	0	1
OA	0	1	0	1	1	1	0	1	1	1	0	0	7
DSA	0	0	0	0	0	1	0	0	0	0	0	0	1
Total	23	20	25	43	16	15	14	20	12	10	21	13	232

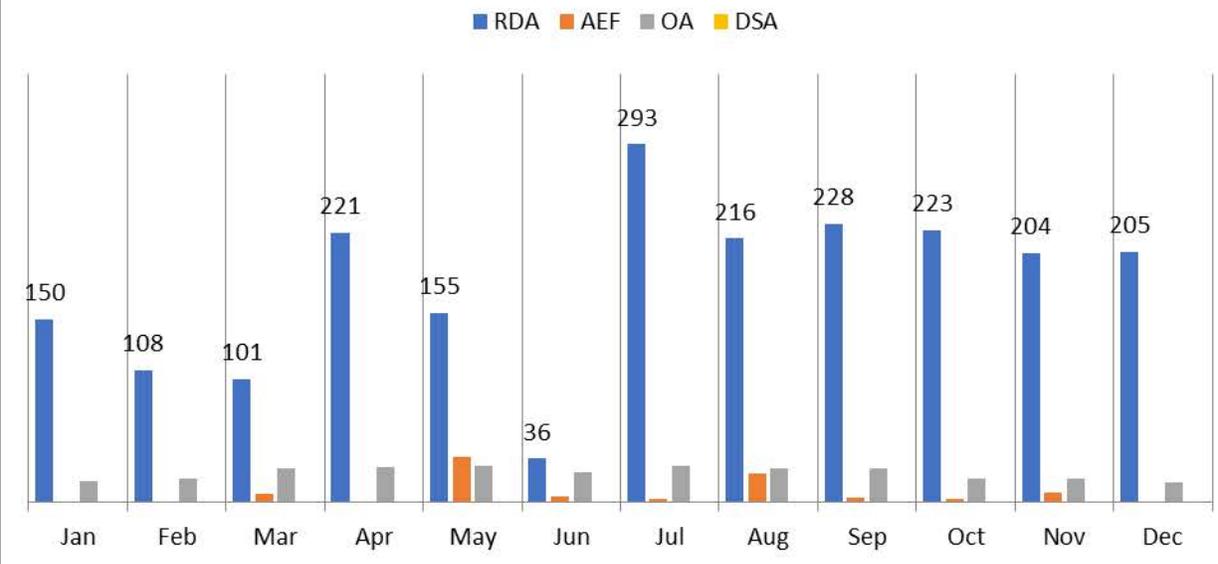
Denied Dental Assistant Applications by Month (2018)													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
RDA	0	0	0	0	0	0	0	0	0	0	0	0	0
RDAEF	0	0	0	0	0	0	0	0	0	0	0	0	0
OA	0	0	0	0	1	0	0	0	0	0	0	0	1
DSA	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	1	0	1						



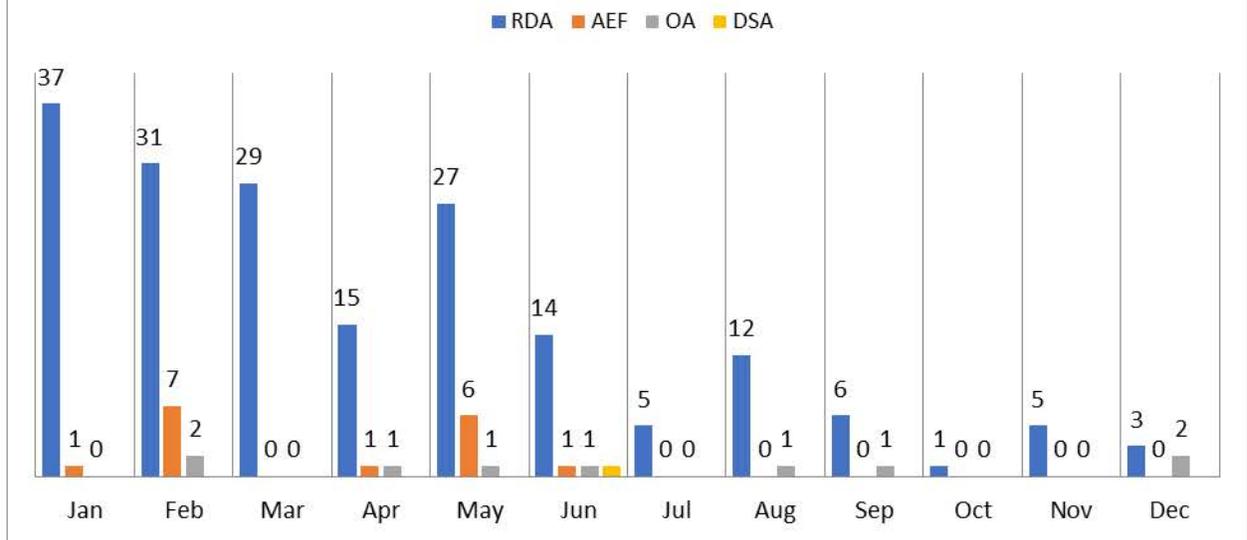
Dental Assisting Applications Approved in 2018



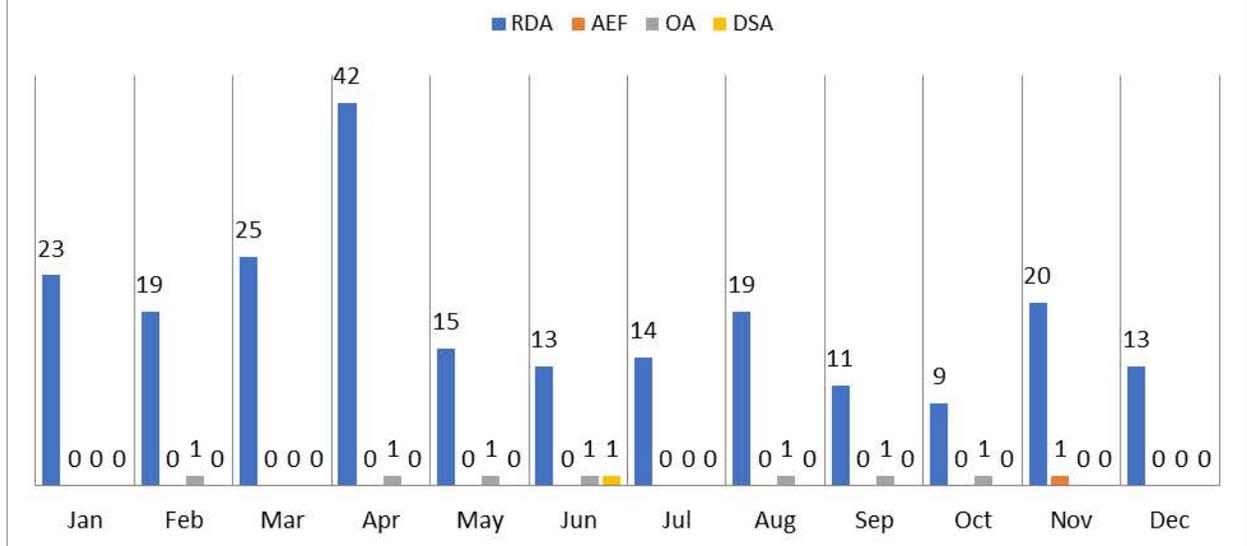
Dental Assisting Licenses Issued in 2018



Cancelled Dental Assisting Applications in 2018

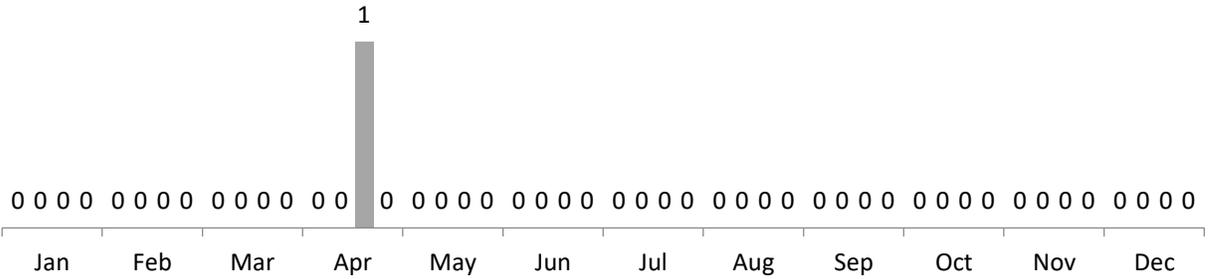


Withdrawn Dental Assisting Applications in 2018



Denied Dental Assisting Applications in 2018

■ RDA ■ AEF ■ OA ■ DSA





MEMORANDUM

DATE	January 28, 2019
TO	Members of the Dental Assisting Council Dental Board of California
FROM	Sarah Wallace, Assistant Executive Officer Dental Board of California
SUBJECT	DAC Agenda Item 7: Update on the Development of the Dental Assisting Comprehensive Rulemaking Proposal

Sarah Wallace, Assistant Executive Officer, will provide a verbal report.



MEMORANDUM

DATE	January 25, 2019
TO	Members of the Dental Board of California
FROM	Karen Fischer, Executive Officer
SUBJECT	Agenda Item 8: Discussion and Possible Action Regarding the Response Received from the State University of Medicine and Pharmacy “Nicolae Testemitanu” of the Republic of Moldova’s Faculty (School) of Dentistry Relating to its Relationship with the University of Moldova USA Inc.

Background:

At the November 29-30, 2018 meeting, the Board reviewed and discussed the State University of Medicine and Pharmacy “Nicolae Testemitanu” of the Republic of Moldova’s Faculty of Dentistry (School’s) response to the Board’s October 15, 2018 letter regarding its relationship with the University of Moldova USA Inc (UMUSA).

Senator Richard Polanco (retired) represented the School. During the discussion, additional questions arose that the School’s representative could not answer. Therefore, the Board determined that a letter would be sent to the School, outlining twelve additional questions. The letter, dated December 12, 2018, is attached.

The following documentation was received by the Board since the November 2018 meeting and in response to the December 12th request for additional information:

- Six page letter to Executive Officer Fischer dated 1-14-2019 from Rector Ion Ababii in response to the Board’s December 12, 2018 request for further clarification
- Statement of Information – University of Moldova USA Inc
- Disclosures of Enrolling in the School of Dentistry of Nicolae Testemitanu or USMF
- Collaboration Agreement between the School and UMUSA dated 12-15-2016

In addition to a copy of the Board’s 12-12-2019 letter requesting clarification, the abovementioned documentation is included in the meeting material.

While it is imperative that Board members read and review all documents relating to this agenda item prior to the meeting, I will outline some of the highlights of the response.

Rector Ababii's letter indicates that the Board's request for additional information is linked to the School's marketing practice in California and its collaboration with UMUSA. The letter specifies that the School has *"self-control over all aspects of its dental training program ... Specifically the School retains full control over considering, evaluating, and admitting all students, creating and implementing its curriculum, and designing appropriate mechanisms to ensure that its admitted students receive the proper professional training."* The letter goes on to say that UMUSA is a separate entity that provides no training or education and certainly has no control over the setting of the School's policies.

Most of the Board's questions were addressed and documentation was provided as requested except the following:

- The Board requested the UMUSA tax identification number and a copy of the federal and state tax returns filed in 2017 by UMUSA. The School responded that it is not in possession of this information nor does the School have access to the information.
- The School does not know how the officers of UMUSA are compensated.

The Rector's response to why the terms of the relationship between the School and UMUSA were never divulged during the site visit conducted by the Board in October 2016 is, in short, "you never asked". The School indicates that at no point did it intentionally withhold information regarding its affiliation with UMUSA from the California Dental Board during the site evaluation or in the application process.

Rector Ababii was responsive to Board questions. I would like to emphasize that the Site Evaluation Team (and therefore the Board) believes that the School has demonstrated compliance with the Board's educational standards. The question currently under consideration is why the relationship between the School and UMUSA was not mentioned during the Board's site visit; and has there been a violation of CCR 1024.8 relating to control and influence by an outside source of the School's dentistry program. That section provides as follows:

- (a) An approved institution shall notify the board in writing no later than 30 days after making any change in the following:
- (1) location;
 - (2) mission, purposes or objectives;
 - (3) change of name;
 - (4) shift or change in control. A "shift in control" or "change in control" means any change in the power or authority to manage, direct, or influence the conduct, policies, and affairs of an institution from one person or group of people to another person or group of people. A "shift in control" or "change in control" may but need not involve a transfer of any property interest. A "shift in control" or "change in control" may include a shift in the voting control of corporate stock from one person or group to another, the acquisition of sufficient stock by a minority shareholder to gain control of the institution, the transfer of voting rights to a voting trust, the transfer of any ownership interest to any trust in

which the owner does not have the same degree of control as before the transfer, and the transfer of authority to manage the institution by the owners to another. A “shift in control” or “change in control” does not include the owner's replacement of an individual administrator with another natural person if the owner does not transfer any interest in the institution or relinquish any control of the institution to that person.

(b) Nothing in this article shall prevent the board from requesting that the institution provide information, documents, or other evidence in order for the board to determine whether the change will affect the institution's compliance with the requirements of this article. The board shall make a determination within 60 days after receiving such written notification whether, because of the change, the institution is no longer in compliance with the requirements of this article.

Many provisions within the Collaboration Agreement seem to indicate that UMUSA has been tasked with much more than what the School's letter provides.

Collaboration Agreement

In applying the definition of a “shift in control” or “change in control,” the following provisions contained within the Collaboration Agreement quite possibly mean that it may have occurred.

2.1.1 UMUSA shall be the sole representative of USMF having exclusive authority to represent USMF on the USA territory and other countries for the organization and conduction of the admission of foreign citizens to the programs of studies approved by the Dental Council of California and performed in USMF.

2.1.2 The exclusive privilege of UMUSA to represent USMF on the USA territory and other countries shall last only for the validity period of this agreement.

2.1.5 The programs of studies approved by the Dental Council of California and performed in USMF shall be carried out in coordination with the requests of UMUSA and final approval of USMF.

2.1.6 Manuals, materials, instruments and equipment (hereinafter goods) used in order to accomplish the programs of studies approved by the Dental Council of California and performed in USMF, need to be equivalent or similar to those used by the dental schools in California. UMUSA undertakes to inform USMF and provide the necessary support, both financial and informational, in order to ensure USMF with the goods necessary to accomplish the programs of studies approved by the Dental Council of California and performed in USMF. Students admitted to the programs of studies approved by the Dental Council of California and performed in USMF shall be responsible for bearing and payment of all costs for their own manuals, teaching materials, technique, equipment and medical tools, material and consumables and other goods necessary for the studies.

2.1.8 USMF shall have no objection against UMUSA for opening a satellite dental practice in California, USA where it shall perform the practical training of students admitted to the programs of the Dental Council of California performed in USMF. The

purpose of the dental practice shall be the accumulation of practical experience by the students enrolled in the programs of studies of the Dental Council of California and performed in USMF concerning the treatment of patients in California according to the study program approved by USMF. USMF shall have no financial or administrative authority over this dental practice.

2.1.9 UMUSA shall ensure and bear all expenses necessary for the of travel physician, specialists and experts from the USA to the headquarters of USMF in order to conduct the theoretical and practical training of the students following the programs of studies of the Dental Council of California and performed in USMF and who will practice dentistry in California. Optionally, the students admitted to the programs of study approved by Dental Council of California and performed in USMF shall have the opportunity to carry out the practical training within the satellite dental practice founded by UMUSA in California, USA from their own financial resources or those of UMUSA.

2.1.10 The programs of studies approved by the Dental Council of California and performed in USMF shall be synchronized with the availability of the physicians and experts invited by UMUSA.

2.1.11 UMUSA shall ensure the necessary training of the teaching staff of USMF on the USA territory in order to prepare them to train the students admitted to the programs of studies approved by the Dental Council of California and performed in USMF who will practice dentistry in California, USA ensuring the payment of all necessary financial expenses from the account of UMUSA.

2.1.13 USMF (Deanship of Dentistry) together with UMUSA shall develop and approve the forms of the documents necessary for the application for studies of the candidates to one of the programs of the Dental Council of California performed in USMF.

2.1.15 UMUSA undertakes to mandatorily coordinate in advance all activities necessary for organizing and carrying out the admission examination of the candidates to one of the programs of the Dental Council of California performed in USMF on the USA territory.

2.1.16 USMF shall not be entitled to amend and/or make additions in the study program (academic curriculum) approved by the Dental Council of California for the accomplishment of the programs of studies approved by the Dental Council of California and performed in USMF. After the suggestions and recommendations made by UMUSA, both contractual parties shall negotiate the terms and the amount of time required for the implementation of such amendments and/or additions carried out by the USMF.

3.1 Each candidate applying for admission to one of the programs of studies approved by the Dental Council of California and performed in USMF shall pay the participation fee approved by USMF to it's the [sic] bank account and pass an admission examination approved by USMF and UMUSA and carry out an interview with the Dean of the Faculty of Dentistry of USMF or another person authorized by the USMF to assess the compliance with all admission criteria of USMF.

3.2 The admission examination for the candidates applying for admission to one of the programs of studies approved by the Dental Council of California and performed in USMF shall be organized and conducted by UMUSA on the USA territory in accordance with the materials and conditions set by USMF, and on the territory of the Republic of Moldova, the admission examination shall be organized and conducted by USMF.

3.3 UMUSA shall provide and carry out all necessary activities for USMF in order to extend the accreditation period of the Faculty of Dentistry of USMF by the Dental Council of California and the Council on Dental Accreditation of the United States of America.

3.4 UMUSA shall assist and help USMF in completing and processing all documents necessary for the extension of the authorization and/or accreditation of the relevant institution from the United States of America, ensuring the payment of all the necessary financial expenses from the account of UMUSA.

3.5 UMUSA shall remunerate the employees of USMF who will carry out activities for the purpose of fulfilling the condition for the extension of the accreditation required by the Dental Council of California and/or the Council on Dental Accreditation of the United States of America.

3.6 UMUSA shall bear the financial costs related to the extension of the accreditation or other necessary authorizations required by any of the relevant institution from the USA. These include the cost of the application examination, the cost of the round trip, other transport costs on the territory of California, USA, the cost of the daily allowances of the employees who will be acting as official representatives of USMF, who will have to visit UMUSA, California and/or the USA.

3.7 In order the [sic] foreign students are admitted through UMUSA to the programs of the Dental Council of California performed in USMF, UMUSA undertakes to conclude a collaboration agreement with USMF on medical training of foreign citizens for the purpose of enrollment of the students in USMF under the present agreement and a trilateral agreement and a trilateral agreement to be signed by USMUSA, USMF and the student.

3.8 UMUSA undertakes to place on its websites and/or social networks, information coordinated in advance with USMF with the content approved by the latter.

4.2 UMUSA will inform USMF about the possible need to amend the program of study to implement the programs of the Dental Council of California and performed in USMF.

Extent of Board Approval vs. Collaboration Agreement

Also of concern is the third bullet on the first page of the Collaboration Agreement, which provides as follows:

“The training program approved by the Dental Council of California for the students in the IV-Vth year of study of the Faculty of Dentistry of USMF conducting the studies in English and who agreed to pay an additional fee approved by USMF for the accomplishment of a study program approved by

the Dental Council of California, additionally to the integrated higher education studies in order to obtain a certificate confirming the additional studies conducted, which shall allow the graduates of this program to participate in the examinations necessary in the state of California United States of America for the practice of dentistry on its territory.

At no time was the site team presented with any information regarding this program. Moreover, the Board's approval does not include it. Since CCR section 1024.8(a)(2) requires a foreign dental school to notify the board in writing of, among other things, a change in the school's mission, purposes or objectives, the School was required to notify the Board of the change.

Action Requested:

Direct staff to send a letter to the School requesting that it 1) clarify each of the aforementioned provisions; 2) reconcile the School's response with the Collaboration Agreement; 3) explain why the purpose of the Acknowledgements and Disclosures of Enrolling in the School of Dentistry of Nicolae Testemitanu or USMF contains a signature line for a representative of UMUSA; and 4) any additional information that the Board desires.



December 12, 2018

SENT VIA EMAIL

Ion Ababii, MD, PhD, Professor – University Rector
State University of Medicine and Pharmacy “Nicolae Testemitanu” of the Republic of Moldova –
Faculty of Dentistry
MD 2004, blvd. Stefan cel Mare si Sfant, 165
Chisinau, Republic of Moldova

RE: Additional Information Requested – Response Requested by January 14, 2019

Dear Dr. Ababii:

Thank you for your response to the questions outlined in the Dental Board’s (Board) letter of October 15, 2018 relating to the relationship between the Faculty of Dentistry at State University of Medicine and Pharmacy “Nicolae Testemitanu” of the Republic of Moldova (University) and Moldova USA Inc. Retired Senator Richard Polanco attended the Board meeting held on November 29, 2018 in Sacramento to represent the University in clarifying this matter. However, there are a number of additional questions that were generated by members of the Board that will need to be addressed.

1. In your response of October 30, 2018, you indicated that “it is the University’s practice to contract with entities in certain countries to perform marketing, recruitment, intake of applications, advertise in public social media and do special out reaches to attract students to attend the University.” If it is your common practice to utilize “exclusive entities”, ***why was this information not shared with the Board’s Site Evaluation Team during the site visit in October 2016?*** In addition to your answer to this question, please provide the following:
 - Copies of the Affiliation Agreement (Memorandum of Understanding) between the University and Moldova USA, Inc.
 - List of the other countries with whom the University has an “exclusive entity” or “affiliation agreement”
 - The names of the officers of Moldova USA, Inc.
 - Tax Identification Number for Moldova USA, Inc.
 - A copy of the Federal and State Tax Returns filed in 2017 for Moldova USA, Inc.
 - A copy of the California Secretary of State Registration of a corporation
2. How are the officers of Moldova USA, Inc. compensated?
3. It appears that Moldova USA, Inc was established two years prior to the Board’s Site Evaluation. Explain the circumstances under which this relationship was formed and why this relationship was not mentioned during the Site visit which was conducted in 2016?
4. There appears to be a difference in application fees and tuition for attending the University depending on how the student candidate applies for admission. The University’s website indicates that tuition for international students is \$5,000-\$6,000- with an application fee which translates to \$56 USA dollars. However, the Moldova USA, Inc. website indicates that the

tuition is \$20,000 per year with a \$150 application fee. Why the difference and who sets the rates?

5. Why is the application fee and tuition paid directly from the student/candidate to Moldova USA, Inc.?
6. Does Moldova USA, Inc. recruit students outside of California throughout the United States?
7. Are students in California and/or the United States required to apply to the University through Moldova USA, Inc. or can they apply to dental school directly with the University?
8. How many students to date have applied to the University through Moldova USA, Inc.? How many have been denied acceptance?
9. Who is responsible for the accuracy of information about the University's dental program that is distributed by and posts to the Moldova USA website?
10. Are you aware of the disclaimer that appears on the Moldova USA, Inc website and is it true that USMFUSA has the right to modify or change admission standards or requirement at any time without notice and effective immediately?

"USMFUSA reserves the right to modify or change admission standards or requirements at any time without prior notice and effective immediately. The information provided on this sight is for informational purposes only and does not create any agreement or understanding or establish any rights or responsibilities whatsoever between USMFUSA and any student or prospective student."

11. The Site Evaluation Team understood that the dental program at the University was five years. However, the Team also understood that international students applying to the program would be required to take a year of Romanian language and a test prior to acceptance and starting the five year program. Please clarify.
12. What does the University do to prevent Moldova USA Inc from using misleading statements on its website and in advertising material?

The response to the questions outlined above must be received by the Board no later than January 14, 2019 so that the information can be distributed to members prior to the February 8-9, 2019 meeting. The Board also requests that a representative of the University who was involved in the Board's Site visit in 2016 attend the meeting to answer any additional questions that may arise from the discussion of the issues outlined in this letter. The meeting will be held at the Embassy Suites La Jolla, 4550 La Jolla Village Drive, San Diego, CA. If you have any questions, please contact me at (916) 263-2188 or Karen.Fischer@dca.ca.gov.

Sincerely,

Karen M. Fischer, MPA
Executive Officer

Cc: Dental Board of California Members
Senator Richard Polanco, Retired



MD-2004, Chișinău, bd. Ștefan cel Mare și Sfânt, 165, tel.: (+373) 22 205 701, fax: (+373) 22 242 344, contact@usmf.md, www.usmf.md

14.01.2019 nr. 03-45

la nr. _____ din _____

Ms. Karen Fischer, MPA,
Executive Officer,
Dental Board of California,
2005 Evergreen Street, Suite 1440
Sacramento, CA 93815

Dear Ms. Fischer,

In reply to the California Dental Board's (the „Board”) letter of December 12, 2018 regarding the Faculty of Dentistry at *Nicolae Testemitanu* State University of Medicine and Pharmacy of the Republic of Moldova (*Nicolae Testemitanu* SUMPh), the following information is presented below:

Nicolae Testemitanu SUMPh is a public institution that was founded in 1945 and it is governed by the Ministry of Education, Culture and Research of the Republic of Moldova and the Ministry of Health, Labor and Social Protection of the Republic of Moldova. In 1959 the Faculty of Dentistry was founded.

Nicolae Testemitanu SUMPh has lecture halls, laboratories, patient-care clinics equipped with modern technology. The students and teaching staff of Faculty of Dentistry have access to databases and scientific international journals through Scientific Medical Library.

All the students from Faculty of Dentistry are selected from the most qualified applicants who pass an entrance exam in order to confirm their skills in the profile subjects of biology, chemistry, physics, and teaching language (Romanian, Russian, English and French). Faculty of Dentistry consists of highly qualified professionals who teach the students in small learning groups designed to ensure that each future dentist receives the best education. *Nicolae Testemitanu* SUMPh's curriculum is designed to prepare graduates to become the best dentists.

On December 2, 2016, the California Dental Board, USA, granted *Nicolae Testemitanu* SUMPh a provisional approval, but in May 2018, the Board granted SUMPh its full approval. The other non-US dental school accredited by the Board, *LaSalle* University, has a successful track record of sending its graduates to practice dentistry in California. There are approximately 300 practicing dentists in California who are graduates of *LaSalle* University. *Nicolae Testemitanu* SUMPh is looking forward to achieving a similar success in the near future. We truly believe that our University is prepared to help California meet its critical need of providing access to qualified and affordable dentists.

According to "Trends in the Supply of Dentists in California" published by the UCLA Center for Health Policy Research, California has a severe shortage of practicing dentists. This shortage has created insufficient access to affordable dental care, particularly in the parts of the state with the highest need.¹ (Pourat N and Choi MK. *Trends in the Supply of Dentists in California*. Los Angeles, CA: UCLA Center for Health Policy Research, 2014). The report attributed the shortage of affordable dental care to the migration of dentists from California to other states, and it suggested policy changes to be implemented to attract and retain more dentists.²

The California Dental Board's approval of non-US dental schools, such as *Nicolae Testemitanu* SUMPh, can help address the problem of insufficient dental care in the state. The graduates of *Nicolae Testemitanu* SUMPh must meet all DBC requirements before they may practice. But unlike graduates of other dental schools who may choose to practice in other states, *Nicolae Testemitanu* SUMPh graduates must practice in California. In short, our University provides a series of dentists that will both benefit the people of the State by increasing access to dental care and widen the State's professional tax base. We believe the Board's decision to grant *Nicolae Testemitanu* SUMPh full approval fulfills the intent of the California Legislature and addresses vital policy concerns for dental practice in the State.

Regarding the Board's recent request for information, many of questions are linked to *Nicolae Testemitanu* SUMPh's marketing practice in California and its collaboration with University of Moldova.us INC (UMUSA).

In general, we would like to emphasize that *Nicolae Testemitanu* SUMPh is a public higher educational institution. Under the authority of the Ministry of Education, Culture and Research and the Ministry of Health, Labor and Social Protection of the Republic of Moldova, the University has self-control over all aspects of its dental training program and ensures the performing of all the institutional standards that were approved by the California Board. Specifically, *Nicolae Testemitanu* SUMPh retains full control over considering, evaluating, and admitting all students, creating and implementing its curriculum, and designing appropriate mechanisms to ensure that its admitted students receive the proper professional training. University of Moldova.us INC is a separate entity that provides *Nicolae Testemitanu* SUMPh certain marketing, branding, and collaboration with potential students. However, University of Moldova.us INC does not make any admission decisions, provides no training or education, and certainly has no control over the setting of *Nicolae Testemitanu* SUMPh policies.

¹ The Health Policy Brief was published in March 2014.

² Further, according to the American Dental Association's Health Policy Institute, when adjusting for dentist hours worked, patient visits, and population growth, the projected supply of dentists in California will remain stable or *slightly decrease* over the next 15 years. (Munson B, Vujicic M. Number of practicing dentists per capita in the United States will grow steadily. Health Policy Institute Research Brief. American Dental Association. June 2016 (Revised). Available from: http://www.ada.org/~/media/ADA/Science%20and%20Research/HPI/Files/HPIBrief_0616_1.pdf

The following responses to the specific questions are:

1. *In your response of October 30, 2018, you indicated that “it is the University’s practice to contract with entities in certain countries to perform marketing, recruitment, intake of applications, advertise in public social media and do special out reaches to attract students to attend the University.” If it is your common practice to utilize “exclusive entities”, why was this information not shared with the Board’s Site Evaluation Team during the site visit in October 2016? In addition to your answer to this question, please provide the following:*

- *Copies of the Affiliation Agreement (Memorandum of Understanding) between the University and University of Moldova.us INC.*
- *List of the other countries with whom the University has an “exclusive entity” or “affiliation agreement”.*
- *The names of the officers of University of Moldova.us INC.*
- *Tax Identification Number for University of Moldova.us INC.*
- *A copy of the Federal and State Tax Returns filed in 2017 for University of Moldova.us INC.*
- *A copy of the California Secretary of State Registration of a corporation*

As noted above, *Nicolae Testemitanu* SUMPh is a public institution that contracts with University of Moldova.us INC a separate entity. It provides *Nicolae Testemitanu* SUMPh certain marketing, branding, and potential student coordination services. Unlike *LaSalle* in Leon, Guanajuato, Mexico, the vast majority of Californians have never heard of SUMPh or the Republic of Moldova in Eastern Europe and very few ever have occasion to visit or travel there looking for schools. For that reason, SUMPh contracts with University of Moldova.us INC to help market *Nicolae Testemitanu* SUMPh and recruit the qualified candidates.

Incidentally, *Nicolae Testemitanu* SUMPh does the same type of marketing and recruiting with other entities in other foreign countries. Other professional schools in the University also contract with companies from foreign countries to attract students to come to Moldova to study at the schools. These affiliation agreements have no bearing on the institutional standards that were evaluated and approved by the California Dental Board.

At no point did *Nicolae Testemitanu* SUMPh ever intentionally withhold information regarding its affiliation with University of Moldova.us INC from the California Dental Board, during the site evaluation or in the application process. In fact, *Nicolae Testemitanu* SUMPh precisely followed the Board’s Institutional Standards in demonstrating its qualifications and the University provided the Board with all the information requested. *Nicolae Testemitanu* SUMPh would use a separate California entity for its marketing and coordinating of students did not come up in any of the questions about its professional training program or in the certification process. However, *Nicolae Testemitanu* SUMPh does list on its webpage the foreign countries and the local companies it uses in those countries, and this information was available on University’s website prior to, during, and after the certification process. (Please, see: <http://admitere.usmf.md/en/studenti-internationali/reprezentanti>).

In the interest of full cooperation, and pursuant to the Board’s request, enclosed are the following documents:

- (1) The affiliation agreement with University of Moldova.us INC (enclosed as **Exhibit A**)

- (2) The names of the officers of University of Moldova.us INC (enclosed as **Exhibit B**)
- (3) The California Secretary of State Registration for University of Moldova.us INC (enclosed as **Exhibit C**).

With respect to the requests for the tax identification number and the federal and state tax returns for University of Moldova.us INC, *Nicolae Testemitanu* SUMPh respectfully reports that it is not in possession of this information and does not have access to these documents.

2. How are the officers of University of Moldova.us INC compensated?

Nicolae Testemitanu SUMPh does not possess any responsive information to this question.

3. It appears that University of Moldova.us INC was established two years prior to the Board's Site Evaluation. Explain the circumstances under which this relationship was formed and why this relationship was not mentioned during the Site visit which was conducted in 2016?

In 2014, in anticipation of applying and obtaining the Board's approval, *Nicolae Testemitanu* SUMPh representatives begin discussions with the principals who founded University of Moldova.us INC about assisting with local marketing designed to attract qualified applicants in California to apply to the Faculties of Medicine, Pharmacy and Dentistry of *Nicolae Testemitanu* State University of Medicine and Pharmacy of the Republic of Moldova. In late December 2016, after the Board provisionally approved *Nicolae Testemitanu* SUMPh as a foreign dental school, the University and University of Moldova.us INC formalized their agreement. The affiliation agreement does not relate to or represent a change in: (1) location; (2) mission, purpose or objectives; (3) name; or (4) shift or change in control, as defined under 16 CCR section 1024.8.

4. There appears to be a difference in application fees and tuition for attending the University depending on how the student candidate applies for admission. The University's website indicates that tuition for international students is \$5,000-\$6,000- with an application fee which translates to \$56 USA dollars. However, the University of Moldova.us INC website indicates that the tuition is \$20,000 per year with a \$150 application fee. Why the difference and who sets the rates?

Nicolae Testemitanu SUMPh sets rates for all tuition fees, and other expenses. Like other dental schools, tuition for students from the school's home country are lower than for international students. Also, the international students attend the English language program, not the program in our native language of Romanian.

5. Why is the application fee and tuition paid directly from the student/candidate to University of Moldova.us INC

The payment arrangement was established for three primary reasons. First, this payment arrangement is more convenient for the foreign students. Instead of having to send or wire money to a foreign university, students are able to pay a U.S. company directly. Second, it avoids any concerns or trepidations of applicants about having to send large international wires or finding ways to transfer money to a foreign entity with limited business contacts in California.



While *Nicolae Testemitanu* SUMPh does not anticipate any issues with misplaced or misappropriated funds, this payment arrangement ensures U.S. students will have all appropriate legal resources at their disposal. Third, it also guarantees that *Nicolae Testemitanu* SUMPh will receive the tuition payments without any need for institution to be involved in collecting payments from foreign students. This is because under the marketing agreement, University of Moldova.us INC is responsible for forwarding tuition payments to *Nicolae Testemitanu* SUMPh.

6. *Does University of Moldova.us INC. recruit students outside of California throughout the United States?*

The purpose of *Nicolae Testemitanu* SUMPh's affiliation agreement with University of Moldova.us INC is to attract qualified students who want to study dentistry at SUMPh and return to practice in California. For this reason, the marketing is directed at California residents. However, some of the marketing is internet-based, so the potential applicants reached may go beyond California's borders, but that is not the specific intent.

7. *Are students in California and/or the United States required to apply to the University through University of Moldova.us INC or can they apply to dental school directly with the University?*

All students may apply directly to *Nicolae Testemitanu* SUMPh. The students may apply for the five-year dental program or the International Dental Program.

8. *How many students to date have applied to the University through University of Moldova.us INC? How many have been denied acceptance?*

To date, 131 students have applied to *Nicolae Testemitanu* SUMPh through University of Moldova.us INC and 53 have been denied acceptance.

9. *Who is responsible for the accuracy of information about the University's dental program that is distributed by and posts to the University of Moldova.us INC. website?*

Moldova USA, Inc. has the authority to use *Nicolae Testemitanu* SUMPh name and materials to announce, promote, and market the University in the United States. However, all materials are to be coordinated with *Nicolae Testemitanu* SUMPh, and the University has formed a website committee to review and approve of any webpage advertisements by University of Moldova.us INC as expressly stated in the marketing agreement under paragraph 2, subsection 2.1.3, page 2.

10. *Are you aware of the disclaimer that appears on the University of Moldova.us INC. website and is it true that USMFUSA has the right to modify or change admission standards or requirement at any time without notice and effective immediately?*

"USMFUSA reserves the right to modify or change admission standards or requirements at any time without prior notice and effective immediately. The information provided on this sight is for informational purposes only and does not create any agreement or understanding or establish any rights or responsibilities whatsoever between USMFUSA and any student or prospective student."

We have become aware of the quoted disclaimer, which was published in error and has since been corrected. Only *Nicolae Testemitanu* SUMPh has the power and authority to set, control, and regulate admissions standards, and admissions are predicated on demonstrated proficiencies in the sciences and ability to meet the rigors of University's dental program.

11. The Site Evaluation Team understood that the dental program at the University was five years. However, the Team also understood that international students applying to the program would be required to take a year of Romanian language and a test prior to acceptance and starting the five-year program. Please clarify.

As stated in the Institutional Standard 3-Curriculum, which was evaluated by the Site Visit team, the Romanian Language is taught as part of the curriculum and the classes are given during the 1st and 2nd semester for a total of 68 hours. If a foreign student who comes from a country where the official language is not Romanian and wishes to enroll in a healthcare career where the language of instruction is in the Romanian language, that student would have to take one year of Pre-University program prior to enrolling in their chosen health care program.

12. What does the University do to prevent University of Moldova.us INC from using misleading statements on its website and in advertising material?

While USMFUSA website is managed by University of Moldova.us INC all content used for advertising is to be coordinated with *Nicolae Testemitanu* SUMPh. The University has formed a website committee to review and approve any webpage advertisements by University of Moldova.us INC prior to their publishing.

We hope that we have answered all of the Board's questions in sufficient detail and provided enough documentation to satisfy your request and show that *Nicolae Testemitanu* SUMPh is extremely invested in and committed to the success of its program and its graduates.

We look forward to the next meeting and, more generally, continuing to cooperate in serving as a pipeline for dentists in the State of California.

Sincerely,

Rector

Professor, PhD



State of California Secretary of State

S

Statement of Information

(Domestic Stock and Agricultural Cooperative Corporations)

FEES (Filing and Disclosure): \$25.00.

If this is an amendment, see instructions.

IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. CORPORATE NAME

2. CALIFORNIA CORPORATE NUMBER

This Space for Filing Use Only

No Change Statement (Not applicable if agent address of record is a P.O. Box address. See instructions.)

3. **If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.**

If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to **Item 17**.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE CITY STATE ZIP CODE

5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY CITY STATE ZIP CODE

6. MAILING ADDRESS OF CORPORATION, IF DIFFERENT THAN ITEM 4 CITY STATE ZIP CODE

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

7. CHIEF EXECUTIVE OFFICER/ ADDRESS CITY STATE ZIP CODE

8. SECRETARY ADDRESS CITY STATE ZIP CODE

9. CHIEF FINANCIAL OFFICER/ ADDRESS CITY STATE ZIP CODE

Names and Complete Addresses of All Directors, Including Directors Who are Also Officers (The corporation must have at least one director. Attach additional pages, if necessary.)

10. NAME ADDRESS CITY STATE ZIP CODE

11. NAME ADDRESS CITY STATE ZIP CODE

12. NAME ADDRESS CITY STATE ZIP CODE

13. NUMBER OF VACANCIES ON THE BOARD OF DIRECTORS, IF ANY:

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 15 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 15 must be left blank.

14. NAME OF AGENT FOR SERVICE OF PROCESS

15. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL CITY STATE ZIP CODE

Type of Business

16. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION

17. BY SUBMITTING THIS STATEMENT OF INFORMATION TO THE CALIFORNIA SECRETARY OF STATE, THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

DATE TYPE/PRINT NAME OF PERSON COMPLETING FORM TITLE SIGNATURE

Acknowledgements and Disclosures of Enrolling in the School of Dentistry of Nicolae Testemitanu or USMF

The undersigned acknowledges he or she is enrolling on the University Nicolae Testemitanu in Chisinau, Moldova with the understanding that Dental Education programs outside of the United States that are approved by the Dental Board of California pursuant to the 1998 California Law AB 1116 are not accredited or eligible for accreditation by the Commission on Dental Accreditation of the American Dental Association.

Individuals who subsequently become licensed in California through the mechanism of the 1998 California AB 1116 are not graduates of a program accredited by the Commission on Dental Accreditation of the American Dental Association.

Individuals attending dental school in one country and planning to practice in another country should carefully investigate the educational requirements of the licensing jurisdiction where they wish to practice.

Therefore it is understood the graduate of any approved dental program by the Dental Board of California under California Law AB 1116 will have to take the examinations set forth by the Dental Board of California for all graduates wishing to become licensed in California.

At present time they include: The National Dental Board Examinations Part I and Part II, The California Law and Ethics Examination and the Western Regional Examination Board clinical exam or any other examination as set forth by the Dental Board of California.

I also understand that while every effort will be made by the USMF to prepare me to successfully pass the examinations required and or given by the Dental Board of California, the School of Dentistry of the USMF cannot guarantee the successful results of such examinations, including passing the National Dental Boards, since they rest on the ability of the individual examinee to complete the required subjects of the examination.

The examinations, licensing requirements and decisions for earning the right to practice dentistry in California for any given individual rest solely on the Dental Board of California.

And furthermore I am aware the School of Dentistry of the University of Nicolae Testemitanu, as of my enrollment date in their dental school, is a provisionally approved foreign dental school by the Dental Board of California.

It is my understanding the School of Dentistry of the USMF cannot guarantee that by the date of my graduation it would have obtained full certification from the Dental Board of California.

I also understand that USMF will make every effort to obtain full certification by December 2, 2018 as required by law. USMF will comply to the best of their knowledge with all the requirements of the Dental Board of California in order to attain the necessary final certification in December 2018.

I am fully aware that without the final certification, the educational dental program of USMF will not be an approved dental educational program, and therefore I would not be able to meet the licensing mechanisms of the 1998 California AB 1116.

I understand final certification is granted solely at the discretion of the Dental Board of California.

USMF has explained to me and all questions have been answered with regards to the options available to me in case the dental school is not able to attain final certification from the Dental Board of California or that I am unable to pass any of the required examinations by the Dental Board of California in order to obtain my dental license.. They include but are not limited to:

- 1. Enrolling in a 2 years dental program in a United States of America dental school designed for the foreign dental school graduate.*
- 2. Enrolling in a regular dental education program of 4 years in a United States of America dental school.*

The cost of pursuing any of the above alternatives would be my sole responsibility.

I have had an opportunity to discuss and understand all of the before mentioned with a representative from the USMF and from UMUSA.

Student Name _____

Signature of the student _____

Date _____

UMUSA Representative _____

Date _____

USMF Representative _____

Date _____

COLLABORATION AGREEMENT

no. 215 of 15.12.2016

This collaboration agreement is an understanding in written form concluded between:

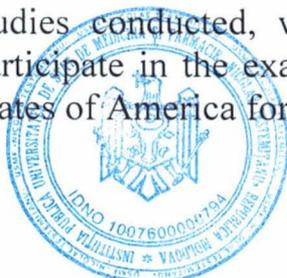
Public Institution State University of Medicine and Pharmacy of the Republic of Moldova „Nicolae Testemițanu”, hereinafter *USMF*, represented by the Rector - Ion Ababii, acting under the University Charter and

University of Moldova.us INC, hereinafter *UMUSA*, represented by Josef Mamaliger, as Director, together hereinafter *Contractual parties* have concluded this agreement for the completion by UMUSA within USMF of the parallel programs in the specialty - dentistry with the following provisions:

I. General provisions

1.1 The provisions herein shall be applied by both contracting parties to any of the following programs to be conducted within USMF with the support of UMUSA as follows:

- The training program approved by the Dental Council of California for the candidates to be admitted to integrated higher education studies in English with a training period of 5 years at the Faculty of Dentistry of USMF, in accordance with a study program approved by the Dental Council of California, in order to obtain a license diploma in the specialty dentistry, which shall allow the graduates of this program to participate in the examinations necessary in the state of California, United States of America for the practice of dentistry on its territory.
- The training program approved by the Dental Council of California for the candidates - dentists, graduates of a dental higher education institution from a country unaccredited by the Dental Council of California, with English as language of instruction and who will accomplish a program of study with a duration of two years approved by the Dental Council of California, with the purpose of obtaining the certificate of continuing medical education in dentistry, which shall allow the graduates of this program to participate in the examinations necessary in the state of California, United States of America for the practice of dentistry on its territory.
- The training program approved by the Dental Council of California for the students in the IV-Vth year of study of the Faculty of Dentistry of USMF conducting the studies in English and who agreed to pay an additional fee approved by USMF for the accomplishment of a study program approved by the Dental Council of California, additionally to the integrated higher education studies in order to obtain a certificate confirming the additional studies conducted, which shall allow the graduates of this program to participate in the examinations necessary in the state of California, United States of America for the practice of dentistry on its territory.



1.2 For simplification purposes of this agreement, in its content shall be used the notion of *programs of studies approved by the Dental Council of California and conducted in USMF*, which shall mean all the programs stipulated in art. 1.1. of this agreement.

II. Special provisions

2.1 Both contractual parties have agreed on the following conditions:

2.1.1 UMUSA shall be the sole representative of USMF having exclusive authority to represent USMF on the USA territory and other countries for the organization and conduction of the admission of foreign citizens to the programs of studies approved by the Dental Council of California and performed in USMF.

2.1.2 The exclusive privilege of UMUSA to represent USMF on the USA territory and other countries shall last only for the validity period of this agreement.

2.1.3 USMF expresses its consent for UMUSA to hold offices on the USA territory, where it could use the name of USMF in announcements and the marketing campaign through any media (newspaper, radio, television, electronic marketing, etc.) in order to promote on the USA territory and other countries the programs of studies approved by the Dental Council of California and conducted in USMF with mandatory prior coordination of their content with USMF.

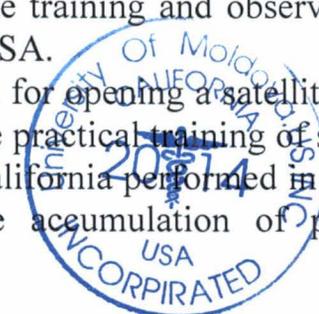
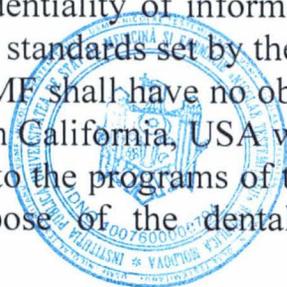
2.1.4 All didactical activities (theoretical and practical) carried out in order to accomplish the programs of studies approved by the Dental Council of California and performed in USMF shall be taught in English.

2.1.5 The programs of studies approved by the Dental Council of California and performed in USMF shall be carried out in coordination with the requests of UMUSA and final approval of USMF.

2.1.6 Manuals, materials, instruments and equipment (hereinafter goods) used in order to accomplish the programs of studies approved by the Dental Council of California and performed in USMF, need to be equivalent or similar to those used by the dental schools in California. UMUSA undertakes to inform USMF and provide the necessary support, both financial and informational, in order to ensure USMF with the goods necessary to accomplish the programs of studies approved by the Dental Council of California and performed in USMF. Students admitted to the programs of studies approved by the Dental Council of California and performed in USMF shall be responsible for bearing and payment of all costs for their own manuals, teaching materials, technique, equipment and medical tools, material and consumables and other goods necessary for the studies.

2.1.7 The primary objective of the programs of studies approved by the Dental Council of California and performed in USMF shall be the training of students/trainees in the specialty dentistry and the practice of this profession safely (safety of the medical act) in accordance with the ethical norms, while respecting the confidentiality of information obtained during the training and observance of the health standards set by the state of California or USA.

2.1.8 USMF shall have no objection against UMUSA for opening a satellite dental practice in California, USA where it shall perform the practical training of students admitted to the programs of the Dental Council of California performed in USMF. The purpose of the dental practice shall be the accumulation of practical



experience by the students enrolled in the programs of studies of the Dental Council of California and performed in USMF concerning the treatment of patients in California according to the study program approved by USMF. USMF shall have no financial or administrative authority over this dental practice.

2.1.9 UMUSA shall ensure and bear all expenses necessary for the travel of physicians, specialists and experts from the USA to the headquarters of USMF in order to conduct the theoretical and practical training of the students following the programs of studies of the Dental Council of California and performed in USMF and who will practice dentistry in California. Optionally, the students admitted to the programs of study approved by the Dental Council of California and performed in USMF shall have the opportunity to carry out the practical training within the satellite dental practice founded by UMUSA in California, USA from their own financial resources or those of UMUSA.

2.1.10 The programs of studies approved by the Dental Council of California and performed in USMF shall be synchronized with the availability of the physicians and experts invited by UMUSA.

2.1.11 UMUSA shall ensure the necessary training of the teaching staff of USMF on the USA territory in order to prepare them to train the students admitted to the programs of studies approved by the Dental Council of California and performed in USMF who will practice dentistry in California, USA ensuring the payment of all necessary financial expenses from the account of UMUSA.

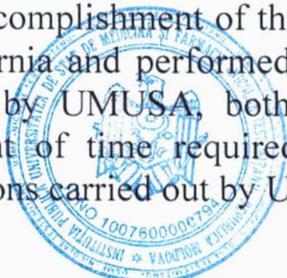
2.1.12 All students admitted to the programs of studies approved by the Dental Council of California and performed in USMF must follow Romanian language courses foreseen in the study program. It shall be deemed that the students have successfully passed the Romanian language examination if they have attended these courses and have gained minimal knowledge of the Romanian language.

2.1.13 USMF (Deanship of Dentistry) together with UMUSA shall develop and approve the forms of the documents necessary for the application for studies of the candidates to one of the programs of the Dental Council of California performed in USMF.

2.1.14 USMF undertakes to approve the composition of the admission Council for the purpose of passing the admission examination to the programs of the Dental Council of California performed in USMF, one of the mandatory members of this Council being the dean of the Faculty of Dentistry.

2.1.15 UMUSA undertakes to mandatorily coordinate in advance all activities necessary for organizing and carrying out the admission examination of the candidates to one of the programs of the Dental Council of California performed in USMF on the USA territory.

2.1.16 USMF shall not be entitled to amend and/or make additions in the study program (academic curriculum) approved by the Dental Council of California for the accomplishment of the programs of studies approved by the Dental Council of California and performed in USMF. After the suggestions and recommendations made by UMUSA, both contractual parties shall negotiate the terms and the amount of time required for the implementation of such amendments and/or additions carried out by USMF.



2.1.17 USMF undertakes to post on its website information regarding the access and accomplishment of the programs of studies approved by the Dental Council of California and performed in USMF.

III. Responsibilities of UMUSA

3.1 Each candidate applying for admission to one of the programs of studies approved by the Dental Council of California and performed in USMF shall pay the participation fee approved by USMF to its the bank account and pass an admission examination approved by USMF and UMUSA and carry out an interview with the Dean of the Faculty of Dentistry of USMF or another person authorized by the USMF to assess the compliance with all admission criteria of USMF.

3.2 The admission examination for the candidates applying for admission to one of the programs of studies approved by the Dental Council of California and performed in USMF shall be organized and conducted by UMUSA on the USA territory in accordance with the materials and conditions set by USMF, and on the territory of the Republic of Moldova, the admission examination shall be organized and conducted by USMF.

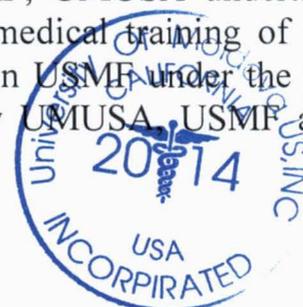
3.3 UMUSA shall provide and carry out all necessary activities for USMF in order to extend the accreditation period of the Faculty of Dentistry of USMF by the Dental Council of California and the Council on Dental Accreditation of the United States of America.

3.4 UMUSA shall assist and help USMF in completing and processing all documents necessary for the extension of the authorization and/or accreditation of the relevant institutions from the United States of America, ensuring the payment of all the necessary financial expenses from the account of UMUSA.

3.5 UMUSA shall remunerate the employees of USMF who will carry out activities for the purpose of fulfilling the conditions for the extension of the accreditation required by the Dental Council of California and/or the Council on Dental Accreditation of the United States of America.

3.6 UMUSA shall bear the financial costs related to the extension of the accreditation or other necessary authorizations required by any of the relevant institutions from the USA. These include the cost of the application examination, the cost of the round trip, other transport costs on the territory of California, USA, the cost of the daily allowances of the employees who will be acting as official representatives of USMF, who will have to visit UMUSA, California and/or the USA.

3.7 In order the foreign students are admitted through UMUSA to the programs of the Dental Council of California performed in USMF, UMUSA undertakes to conclude a collaboration agreement with USMF on medical training of foreign citizens for the purpose of enrolment of the students in USMF under the present agreement and a trilateral agreement to be signed by UMUSA, USMF and the student.



3.8 UMUSA undertakes to place on its websites and/or social networks, information coordinated in advance with USMF with the content approved by the latter.

IV. Rights of USMF

4.1 USMF will not have any financial obligations towards UMUSA in terms of execution of this Agreement.

4.2 UMUSA will inform USMF about the possible need to amend the program of study to implement the programs of the Dental Council of California and performed in USMF.

4.3 UMUSA will coordinate with USMF all actions related to the execution of this agreement, ensuring receiving by USMF the written agreement before any action.

V. Agreement amendment

5.1 This Agreement may be amended by mutual agreement of the parties in writing by drawing up an additional agreement to this Agreement, which will become valid from the moment of its signing by both contractual parties.

5.2 Any communication between the parties relating to the fulfillment of this Agreement shall be submitted in writing to the headquarters or at the email address specified in this Agreement.

VI. Force majeure

6.1 Parties are exempted from responsibility for partial or full impairment of the commitments under this Agreement in case of force majeure.

6.2 Cases of force majeure include: wars, natural disasters, fires, floods, earthquakes, changes in legislation and the Government provisions, strikes and other circumstances which do not depend on the parties' activity.

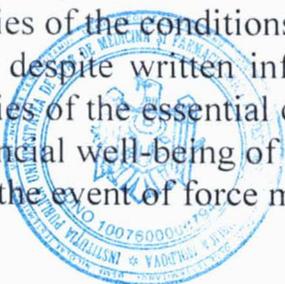
6.3 The occurrence of force majeure circumstances, the time limit harshness and the term of action must be confirmed by the certificate of force majeure, issued by the competent authority of the party's country to which such circumstances occurred.

VII. Final provisions

7.1 UMUSA can attract foreigners to study in USMF according to the programs of the Dental Council of California and achieved in USMF under this Agreement, only in case of perfecting and signing a Common cooperation agreement promoting the image of USMF and recruiting foreigners to apply for studies in USMF, which will be negotiated and signed by both contractual parties and will become valid from the moment of its signing.

7.2 This Agreement may be terminated by either party by prior notice in writing 30 days before the date of termination in following situations:

- if, despite written information, there occurs further infringement by one of the parties of the conditions of this Agreement,
- if, despite written information, there occurs further infringement by one of the parties of the essential conditions of the Agreement, which considerably affects the financial well-being of the other party;
- in the event of force majeure circumstances.



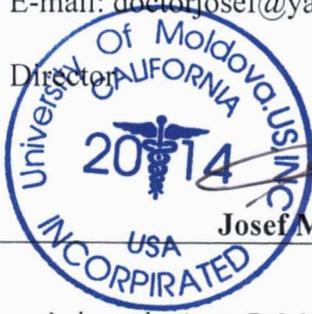
7.3 This Agreement was made in two copies, with the same legal value, in English and Romanian languages and it enters in vigor upon signature by both contractual parties. Romanian language version of the Agreement shall prevail in case of disputes.

7.4 Disputes occurred between parties on the fulfillment of this agreement will be settled amicably between the parties, otherwise the disputes will be resolved by the competent court of the Republic of Moldova at the headquarters of the USMF.

7.5 This Agreement is valid since the moment of its signing by both parties during the period of the Dental Council of California programs' accreditation and performed in USMF by the Dental Council of California, but not more than seven years, with the possibility to extend the validity term on the parties' initiative, by issuing an additional agreement to this Agreement in case of observance of the Agreement provisions by both parties.

7.6 This Agreement is considered null from the expiry mentioned in the art. 7.5 of this Agreement, unless there had been concluded and signed an additional agreement to this Agreement on the extension of the validity term by both parties.

VIII. Parties' signatures

<p>Public Institution – State University of Medicine and Pharmacy ‘Nicolae Testemitanu’ of the Republic of Moldova MD 2004, Chisinau, 165 Stefan cel Mare Boulevard Telephone: +37322243408 Fax: +37322 242344 E-mail: rector@usmf.md Web: www.usmf.md</p> <hr/> <p>Rector of the University, Professor, Academician of the Academy of Sciences of Moldova</p>   <p style="text-align: center;">Ion Ababii</p>	<p>University of Moldova.US, INC United States of America, State of California 17777 Ventura Blvd., Suite 220, Encino, CA, 91316 Fiscal code (SWIFT) PNBUS6L, Current account no.6176014881 at Wells Fargo Bank Telephone: +1 818 266 5557 E-mail: doctorjosef@yahoo.com</p> <p>Director</p>   <p style="text-align: center;">Josef Mamaliger</p>
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Subsemnata, Balaban Natalia, traducător autorizat în limba engleză, certifică exactitatea traducerii cu textul înscrisului în original, care a fost vizat de mine .

I, the undersigner Balaban Natalia, the certified translator of the English language, certify the fidelity of translation of the original text, which has been signed by me on December, 15, 2016.

Seal: Authorised translator
 English-Russian language
 Balaban Natalia
 Authorisation Series AT nr.5 of
 February, 22, 2010





MEMORANDUM

DATE	January 24, 2019
TO	Members of the Dental Board of California
FROM	Carlos Alvarez, Enforcement Chief
SUBJECT	Agenda Item 9(a): Enforcement Statistics and Trends

The following are the Enforcement Division statistics for the second quarter (October 1, 2018 to December 31, 2018) of Fiscal Year 2018-2019. Trends over the last three fiscal years and the last to current quarter are included, along with Charts 1-3 for reference.

Complaints & Compliance

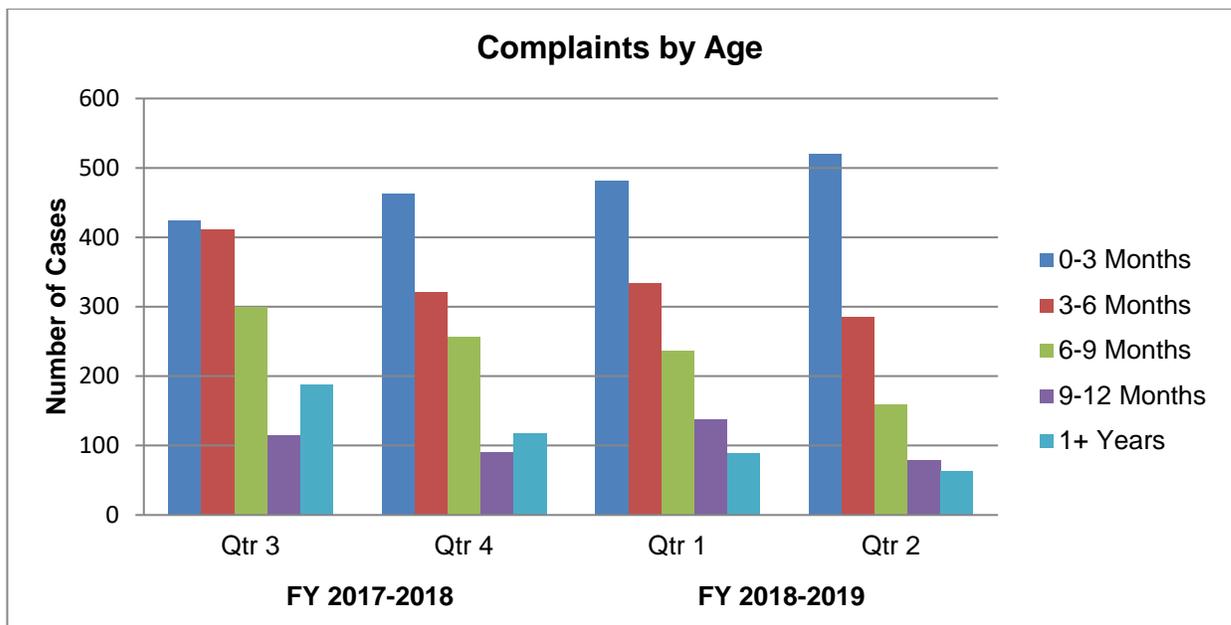
Complaints Received: 1055

During quarter two, a total of 1055 complaints were received. Complaints received have increased by approximately **104** cases from the last quarter. The monthly average of complaints received for quarter two was **352**.

Complaint Cases Open: 1107

A total of 1107 complaint cases are pending. The Complaint cases open have significantly decreased by **172** from first quarter of FY 2018-2019 to second quarter of FY 2018-2019. The average caseload per Consumer Services Analyst (CSA) during the second quarter of FY 2018-2019 was **221**.

Complaint Age	FY 2017-2018		FY 2018-2019		Q2%
	Q3 Cases	Q4 Cases	Q1 Cases	Q2 Cases	
0 – 3 Months	424	463	482	520	47%
3 – 6 Months	411	321	334	286	26%
6 – 9 Months	300	257	236	159	14%
9 – 12 Months	115	90	138	79	7%
1+ Years	188	117	89	63	6%
Total	1438	1248	1279	1107	100%



Complaint Cases Closed: 885

During quarter two, there were 885 total complaint cases closed. The average cases closed per month was **295**. A complaint took an average of **246** days to close which is approximately fifty-five days faster than during the previous quarter.

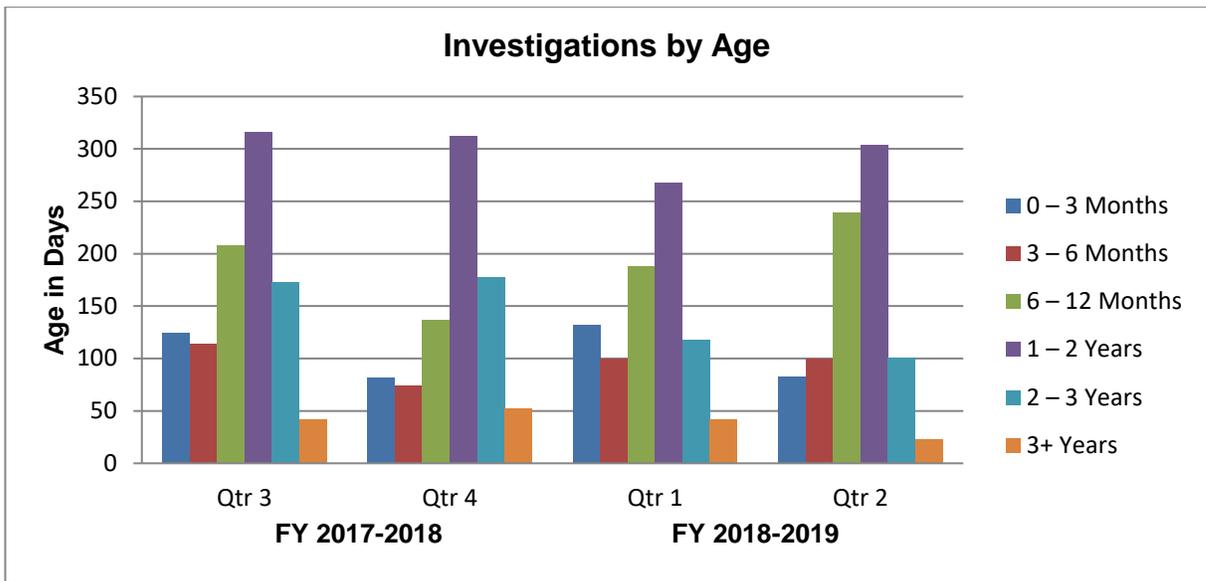
Chart 1 displays the average complaint closure age over the previous three fiscal years through to the current quarter.

Investigations

Investigation Cases Open: 850

At the end of quarter two, there were approximately 850 open investigative cases and **76** open inspection cases.

Investigation Age	FY 2017-2018		FY 2018-2019		
	Q3 Cases	Q4 Cases	Q1 Cases	Q2 Cases	Q2 %
0 – 3 Months	125	82	132	83	10%
3 – 6 Months	114	74	100	100	12%
6 – 12 Months	208	137	188	239	28%
1 – 2 Years	316	312	268	304	36%
2 – 3 Years	173	177	118	101	12%
3+ Years	42	52	42	23	2%
Total	978	834	848	850	100%



Comparing this quarter to the last, there has been less than 1% increase in open investigation cases, however the 3+ year category has decreased significantly by 45%.

Investigation Cases Closed: 333

During quarter two, there were 333 total investigation cases closed. The average cases closed per month was 111. 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 second quarter was 33 (an average of 11 per month).

The average number of days to complete an investigation during the second quarter was 573 days (see Chart 1). This is one-hundred and fifty-four days slower than during the previous quarter.

Administrative and Disciplinary Action:

A total of 49 citations were issued during the second quarter, an increase from the total of 11 that were issued in the previous quarter.

A total of 21 accusations were filed during the second quarter, a decrease from the total of 22 that were filed during the previous quarter.

A total of 33 cases were referred to the OAG with a total of 147 cases pending as of December 31, 2018.

There were approximately 161 open probation cases at the end of the second quarter. The three-month average for a disciplinary case to be completed was 824 days. This is one-hundred thirty-six days faster than the previous quarter.

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

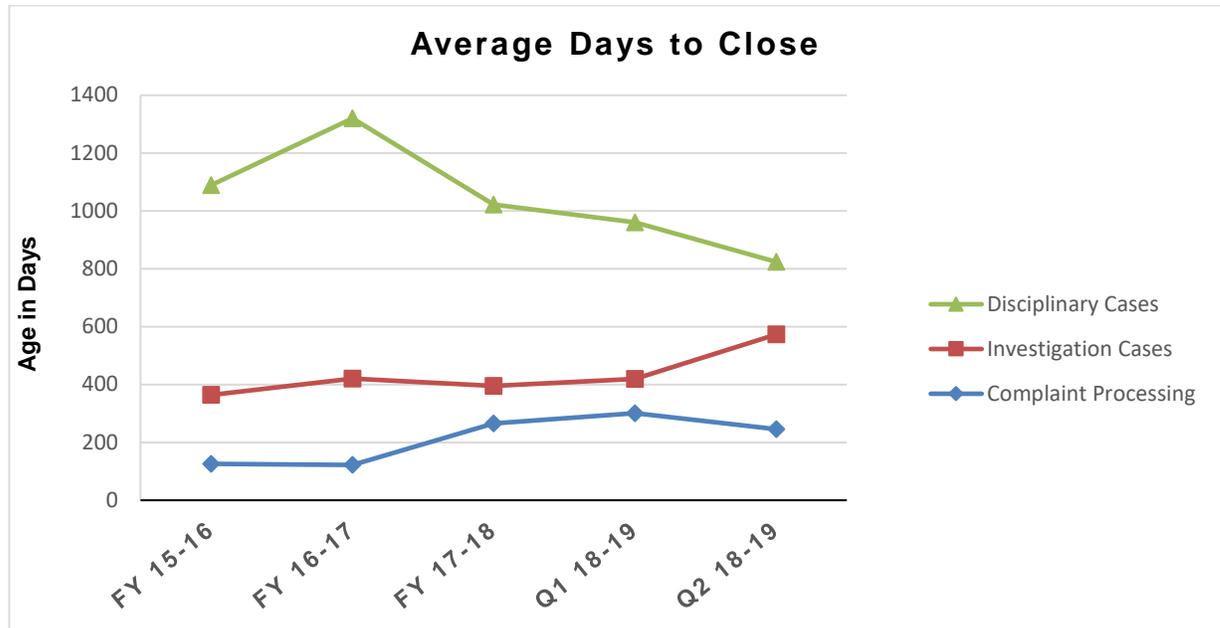


Chart 1:

Average Days to Close	FY 15-16	FY 16-17	FY 17-18	Q1 FY 18-19	Q2 FY 18-19
Complaint Processing	128	150	265	301	246
Investigation Cases	364	324	395	419	573
Disciplinary Cases	1089	1320	1022	960	824

Chart 2:

ENFORCEMENT STATISTICS	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 18-19
				Q1	Q2
COMPLAINTS					
Total Intake Received	3562*	3591	3552	951	1055
<i>Complaints Received</i>	3103*	3283	3068	764	790
<i>Convictions/Arrests Received</i>	459*	308	484	75	265
Total Complaints Closed	2675*	2625	2642	884	885
Pending at end of period	804	1375	1248	1279	1107
INVESTIGATIONS					
Cases Opened	908*	828	1006	199	267
Cases Closed	806*	830	932	423	333
Referred to AG	170*	173	197	46	33
Referred for Criminal	47*	20	14	4	2
Pending at end of period	855	985	834	848	850
Citations Issued	47*	56	64	11	49
Office of the Attorney General					
Cases Pending at AG	210	152	158	163	147
Administrative Actions:					
Accusation	76	94	75	22	21
Statement of Issues	10	7	12	1	0
Petition to Revoke Probation	1	4	5	1	1
Licensee Disciplinary Actions:					
Revocation	19	17	16	3	3
Probation	11	62	71	7	12
Suspension/Probation	2	2	3	0	0
License Surrendered	11	11	12	1	2
Public Reprimand	14	34	21	5	7
Other Action (e.g. exam required, education course, etc.)	1	28	2	0	0
Accusation Withdrawn	2	10	12	0	2
Accusation Declined	1	4	0	0	2
Accusation Dismissed	1	2	2	2	0
Total, Licensee Discipline	24	160	139	18	28
Other Legal Actions:					
Interim Suspension Order Issued	0	3	0	0	0
PC 23 Order Issued	0	3	0	1	0

*FY15-16 Numbers updated due to system transition to Breeze.

Complaint Allegations

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

Chart 3a:

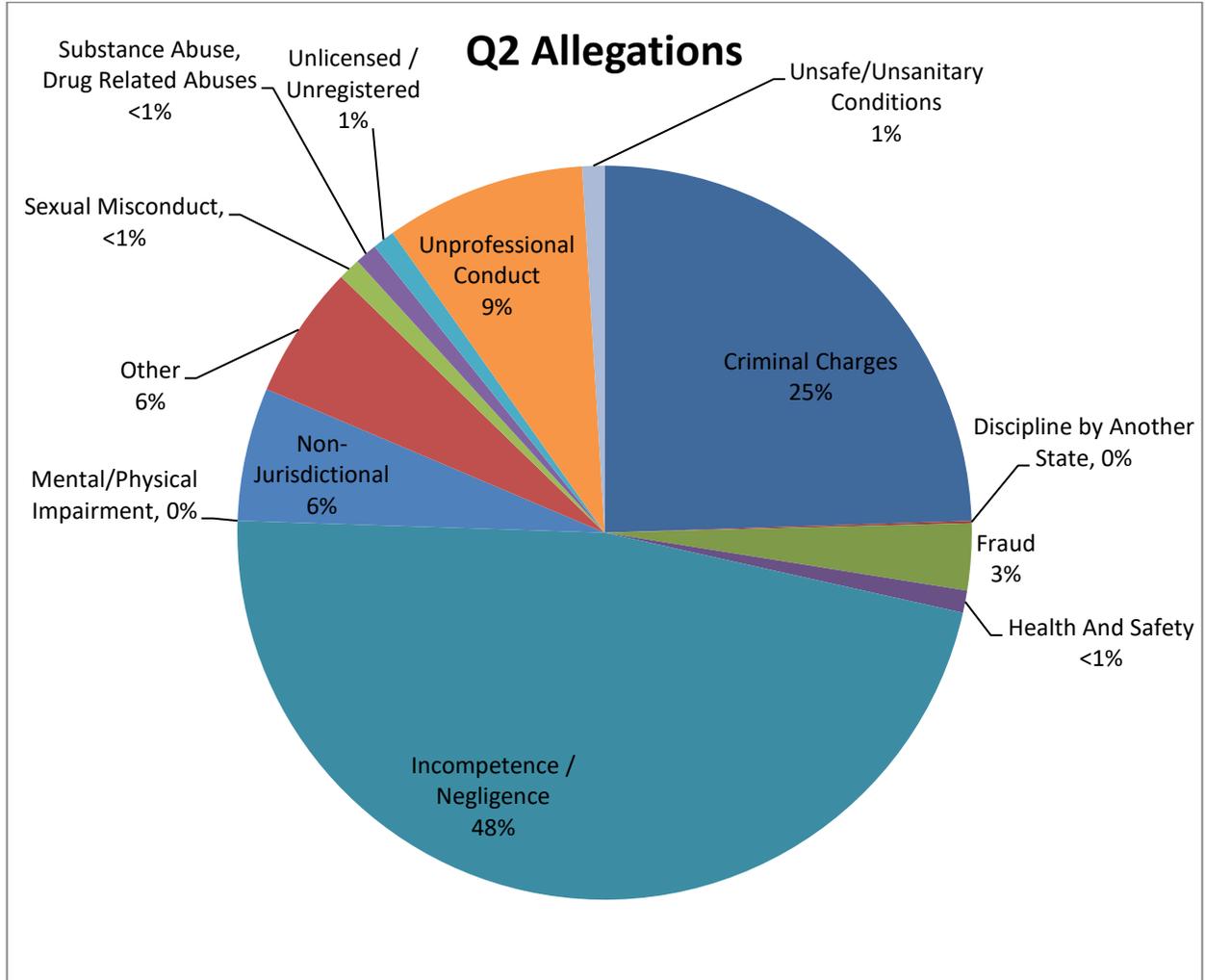


Chart 3b:

ALLEGATIONS	FISCAL YEAR COUNTS			2018-2019		
	2015-16*	2016-17	2017-18	Q1	Q2	Q2 %
Criminal Charges	459	293	484	75	265	25%
Discipline by Another State	15	3	5	0	0	0%
Fraud	261	149	144	50	34	3%
Health And Safety	4	9	1	0	1	<1%
Incompetence / Negligence	1961	2059	1839	506	504	48%
Mental/Physical Impairment	3	6	1	2	0	0%
Non-Jurisdictional	271	404	286	59	63	6%
Other	180	241	252	98	67	6%
Sexual Misconduct	9	11	5	4	1	<1%
Substance Abuse, Drug Related Abuses	26	40	3	5	1	<1%
Unlicensed / Unregistered	148	157	88	21	13	1%
Unprofessional Conduct	187	181	398	115	91	9%
Unsafe/Unsanitary Conditions	38	38	46	16	15	1%
Total	3562	3591	3552	951	1055	100%



MEMORANDUM

DATE	January 25, 2019
TO	Members of the Dental Board of California
FROM	Karen Fischer, Executive Officer
SUBJECT	Agenda Item 9: Update on the Attorney General’s Annual Report on Accusations Prosecuted for Department of Consumer Affairs Client Agencies in Compliance with Business and Professions Code Section 312.2 – January 1, 2019

Background:

Linda K. Schneider, Senior Assistant Attorney General, Licensing Section, Office of the Attorney General (AG) will give an update on the AG’s 2019 Annual Report on Accusations Prosecuted for Department of Consumer Affairs Client Agencies in Compliance with Business and Professions Code Section 312.2.

The second annual report on accusation cases was published on January 1, 2019. Like the previous report, it includes one page for each client agency, with the information required under section 312.2. The introductory portions of the report are provided in the meeting packet because some changes were made in the manner in which data was gathered for the various reported metrics. This has been done to ensure that the data reported represents the identical metrics for both the Licensing Section and Health Quality Enforcement Section.

The biggest change in this regard is that the Licensing Section is now reporting all referrals received from our clients. If more than one investigation is referred by a client agency, each one will be counted as a referral received. This is true whether multiple investigations are referred at one time to initiate a case, or after a case has been referred and subsequent investigations are referred concerning the same respondent. In the first annual report, only a single initial referral was counted by the Licensing Section without regard to the number of investigations or subsequent investigations referred. This has been corrected to match the manner in which the Health Quality Enforcement Section reports its data. This new methodology used in this report will be used in all future reports.

Also included in this update are copies of the data from each annual report relating specifically to the Dental Board so that members can see the changes in data from year to year



Attorney General's Annual Report
on
Accusations Prosecuted for Department of
Consumer Affairs Client Agencies

Business and Professions Code Section 312.2

January 1, 2019

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Attorney General's Annual Report on Accusations Prosecuted for Department of Consumer Affairs Client Agencies

January 1, 2019

EXECUTIVE SUMMARY

This is the second annual report by the Office of the Attorney General pursuant to Business and Professions Code section 312.2, which became effective on January 1, 2016, requiring annual reports to be filed by January 1st each year. This report is based on data from Fiscal Year 2017-18. It provides information concerning accusation referrals received and accusations adjudicated for each Department of Consumer Affairs client agency represented by the Licensing Section and Health Quality Enforcement Section of the Office of the Attorney General.

Each client agency is unique and not comparable to others, yet some general observations can be made from the data collected to compile this report. In Fiscal Year 2017-18, approximately 43 percent of the legal work performed by the Licensing Section and Health Quality Enforcement Section was for the prosecution of accusation matters, which are the focus of this report. During the year, 4,409 accusation referrals were received from our Department of Consumer Affairs client agencies. About 2 percent of accusation referrals to the Office of the Attorney General were rejected, and 5 percent of accusation referrals required further investigation.

There were 3,310 adjudications of accusation matters by the Office of the Attorney General during the year. The accusations adjudicated were referred to this office in Fiscal Year 2017-18 or in a prior fiscal year. Multiple adjudications can occur when more than one licensee is included within one matter, each with different adjudication dates and types, or a client agency exercises its discretion to reject an original adjudication. Approximately 55 percent of the total adjudications were by stipulated settlement, 29 percent by default, 13 percent by administrative hearing, and 3 percent resulted from withdrawal of accusations by the agencies.

BACKGROUND

Licensing Section and Health Quality Enforcement Section

The Licensing Section and Health Quality Enforcement Section of the Office of the Attorney General's Civil Law Division specialize in professional and vocational licensing law in California. These sections represent 38 Department of Consumer Affairs agencies that issue multiple types of professional and vocational licenses. They provide legal representation to these agencies in many kinds of licensing matters to protect California consumers and enhance the quality of the professions and vocations. Liaison deputies also regularly consult with agency staff to advise them on jurisdictional, legal, and programmatic issues. Both sections' legal staff also provide training for the Department of Consumer Affairs Division of Investigation, agency investigators, and agency staff.

Both sections prosecute licensing matters, including accusations (license discipline), which comprise about 43 percent of their combined caseload. The balance of prosecution matters consist of statements of issues (appeal hearings when a license application has been denied), interim suspension petitions (hearings before the Office of Administrative Hearings for immediate suspension of a license), injunction proceedings (brought in superior court to stop unlicensed practice), post-discipline matters

(when a licensee petitions for reduction of penalty, or reinstatement of a revoked license), citations (appeal hearings when a citation has been issued), Penal Code section 23 petitions (seeking a license restriction during the pendency of a criminal proceeding), subpoena enforcement actions (to obtain records needed for the investigation of complaints), judicial review proceedings (superior court review of final administrative decisions), appeals (usually from superior court review proceedings), and civil litigation related to license discipline (defending agencies in civil lawsuits brought in state or federal courts).

Of these many types of legal actions, Business and Professions Code section 312.2 requests data only for the prosecution of accusation matters. Accusations are the primary component of the enforcement program for each licensing agency. The legal services in other types of licensing matters handled by the Licensing Section and Health Quality Enforcement Section are not included in this report, except where accusations are combined with petitions to revoke probation.

Department of Consumer Affairs Client Agencies

The 38 Department of Consumer Affairs agencies represented by the Licensing Section and Health Quality Enforcement Section each have different licensing laws, programs, and processes unique to their practice areas. A few agencies issue only one type of license, but most issue multiple license types. As a result, they differ in how they refer accusation matters to the Office of the Attorney General; some refer one matter for each licensee, while others refer multiple licensees involved in the same or related acts for which discipline will be sought to be included in a single accusation. About one-third of client agencies represented by the Licensing Section file a single accusation naming all of their licensees involved in the events underlying the disciplinary action. None of the agencies represented by the Health Quality Enforcement Section file a single accusation against multiple licensees. Instead, a separate accusation is filed against each licensee, and when multiple licensees are involved in the same events, the accusations may be consolidated for hearing. Any agency may also refer additional investigations to the Office of the Attorney General for prosecution while an initial accusation matter is pending, and these subsequent investigations are counted as additional *accusation referrals* in this report.

There are also other differences among the agencies. Some agencies have higher default rates than others, and some have higher rates of representation by counsel in their accusation matters. The applicable burden of proof varies based on the type of professional or business license. Generally, when there are specific educational and testing requirements to obtain a license, disciplinary charges must be proven by clear and convincing evidence to a reasonable certainty. Most accusation matters brought by Department of Consumer Affairs agencies are subject to this burden of proof, but a few license types are subject to a lower burden of proof, i.e., preponderance of evidence. Generally, these are licenses that permit operation of a business at a specific location, such as an automotive repair dealership or pharmacy. Only about a dozen Department of Consumer Affairs agencies are required to file their accusations within a prescribed statute of limitations, which generally range from one year to five years, but may be longer in specific circumstances. All Department of Consumer Affairs client agencies except the Medical Board of California are entitled to recover their costs of investigation and prosecution from respondents. The data included in this report are consistent with each client's licensing programs and practices to the extent possible, but as a result of the wide variances among the many agencies, often are not comparable to each other in any meaningful way.

Investigation Process

Agencies also differ in how they investigate their cases. Investigations are assigned to balance quality and efficiency and avoid insufficient evidence, which causes delay while supplemental evidence is gathered. First and most commonly, agencies investigate their cases using their own staff, including inspectors, sworn and unsworn investigators, investigator assistants, or analysts. Second, certain kinds

of cases are required to be referred to the Department of Consumer Affairs Division of Investigation for investigation consistent with Complaint Prioritization Guidelines developed pursuant to Business and Professions Code section 328. Medical Board cases are excluded from the requirements of section 328. From 2006 to December 31, 2018, Medical Board investigations were handled under a third model known as Vertical Enforcement and Prosecution, pursuant to Government Code section 12529.6. Vertical Enforcement required a deputy attorney general to be jointly assigned to the investigation with a Division of Investigation investigator from the Health Quality Investigation Unit. If the investigation resulted in the filing of an accusation, the same deputy attorney general would also be responsible for prosecuting the case for the Medical Board. Some agencies represented by the Health Quality Enforcement Section opted to have some or all of their investigations conducted under the Vertical Enforcement model.

Administrative Adjudication Process

If the investigation reveals evidence that a licensee has violated the agency's practice act, the agency refers the matter to the Office of the Attorney General to initiate a legal proceeding to revoke, suspend, limit, or condition the license, which is called an *accusation*. (Gov. Code, § 11503.)

Upon receipt, a deputy attorney general reviews the transmitted evidence to determine its sufficiency to meet the requisite burden of proof and for any jurisdictional issues. If the evidence is insufficient and circumstances suggest additional avenues for evidentiary development, the deputy may request further investigation from the agency. When evidence is insufficient and further investigation is not recommended, or legal issues prevent prosecution, the Office of the Attorney General declines prosecution, and the case is rejected, or reviewed and returned to the agency.

Based on sufficient evidentiary support, a deputy attorney general prepares an accusation to initiate the agency's adjudicative proceeding. The accusation pleading is sent to the agency for signature by the executive director, executive officer, or other designated *complainant* for the agency. The accusation is *filed* when the complainant signs it, and it is then served by the agency, or returned to the Office of the Attorney General for service on the licensee, known in the accusation proceeding as the *respondent*. When charged in an accusation, a respondent has a right to an adjudicative hearing under the California Administrative Procedure Act (Gov. Code, tit. 2, div. 3, ch. 5, commencing with §11500). Once served with an accusation, the respondent must file a notice of defense within fifteen days, or is in default. Once the notice of defense has been received, a hearing is scheduled with the Office of Administrative Hearings. If no notice of defense is received, then a default is prepared for presentation to the client agency for its ultimate decision.

The deputy attorney general prosecutes the accusation case before the Office of Administrative Hearings. Upon conclusion of the hearing, the case is submitted to the administrative law judge who presides over the hearing, prepares a proposed decision, and sends it to the agency for its ultimate decision. Of course, a stipulated settlement (such as public reprimand, probation, license surrender, or revocation) can occur at any time and is the most common method of adjudication of accusation matters.

The agency itself makes the final decision in each accusation case. The agency can accept or reject a settlement, and if rejected, the proceedings will continue. After an administrative hearing, the agency can accept the proposed decision issued by the administrative law judge, in which case it becomes the final decision. However, the agency may opt to reduce the penalty, or reject the proposed decision and order the hearing transcript. After review of the transcript and the evidence in the case, it can then adopt the proposed decision or issue its own decision. Most cases are resolved when the

agency accepts a stipulated settlement or proposed decision, but if not, additional proceedings ensue, which take more time.

Even after an agency's decision is issued, it may not be final. A respondent may exercise the right to petition for reconsideration, and if granted by the agency, the final decision will be reconsidered. This can also happen if an agency decides a case based upon the default of a respondent for failure to timely file a notice of defense, or failure to appear at a duly noticed hearing. Upon petition by the respondent, the agency can vacate the default decision, and additional proceedings are conducted to ultimately decide the case. Each of these types of *post-submission* events will lengthen the processing of a case and require further adjudication.

Once the agency's decision is final, it is still subject to judicial review in administrative mandamus and appellate proceedings. In very few cases, judicial review results in remand to the agency to conduct further administrative proceedings or reconsider its decision. In these cases, the ultimate, final decision of the agency may be delayed by many months, or even one or more years.

MEASURES REPORTED

The text of Business and Professions Code section 312.2 is set forth in its entirety in the attached appendix. We provide the following interpretation of terms, and description of the manner in which the data was gathered for each of the reporting metrics in subdivisions (a)(1) – (7) and (b)(1) – (6) as follows.

(a)(1) The number of accusation matters referred to the Attorney General.

Accusation matter means an investigation of one or more complaints which the agency has referred to the Office of the Attorney General to review evidence and, if appropriate, prosecute the matter through the disciplinary process as an accusation.

Accusation matters are counted by each investigation report received that bears a distinct investigation number. Some agencies request that more than one respondent be named and prosecuted in a single accusation, in which case the investigation number is counted as an accusation matter for each respondent. Multiple investigations may be referred during the time that the Office of the Attorney General is prosecuting the agency's initial accusation referral, which can span different fiscal years. Each investigation received during the reporting period is counted for each respondent to which it pertains.

(a)(2) The number of accusation matters rejected for filing by the Attorney General.

Rejected for filing describes the determination made by a deputy attorney general with a supervisor's approval, that an accusation should not be filed. An accusation can be rejected for many reasons, including (1) because the evidence submitted is insufficient to meet the burden of proof to sustain a cause for discipline under the agency's applicable practice act, (2) the events in question are not within the statute of limitations, and/or (3) disciplinary action is not supported by law or public policy. When prosecution is declined, the investigative file is returned to the client agency and the case is closed in the Office of the Attorney General.

A rejection for filing during the reporting period is counted once for each respondent to which the rejection pertains, without regard to the number of investigations referred to the Office of the Attorney General for consideration.

(a)(3) The number of accusation matters for which further investigation was requested by the Attorney General.

Further investigation requested describes an instance when a deputy attorney general reviews the evidence in the investigation and determines that it is insufficient to meet the burden of proof, but there are avenues available to augment the evidence to support a cause for discipline under the agency's applicable practice act. With supervisory approval, the deputy may request further investigation from the agency or the Division of Investigation, or it is done internally at the Office of the Attorney General. When further investigation is requested in a matter handled by the Licensing Section, the file remains open pending receipt of supplemental investigation, and is documented accordingly. In the Health Quality Enforcement Section, the file is returned to the client agency, and the matter is closed. The file is reopened if the matter is re-referred to the Office of the Attorney General with additional evidence.

Each request for further investigation made during the reporting period is counted in each matter, and is not necessarily associated with the number of referrals received in the matter, or number of respondents to which the further investigation may pertain. There may be only one request for further investigation in a matter that contains more than one respondent or more than one investigation. There may also be more than one further investigation request made pertaining to a single respondent in a matter with only one referral.

(a)(4) The number of accusation matters for which further investigation was received by the Attorney General.

Further investigation received describes the additional investigation received as a result of further investigation requested, as described above. Very rarely, an agency refers a matter back to the Office of the Attorney General with *additional* investigation and requests reconsideration of a previous decision not to prosecute (i.e., rejected). If the matter is accepted for prosecution, this is also recorded as further investigation received. Additional investigation received is distinguished from a *new* referral of an accusation matter from a client agency, which is counted in subdivision (a)(1), but is not counted in (a)(4).

Each supplemental investigation received during the reporting period is counted in each matter and is not necessarily associated with the number of referrals received in the matter or number of respondents to which the further investigation may pertain.

(a)(5) The number of accusations filed by each constituent entity.

Accusation means the initial accusation filed in a matter to initiate proceedings to revoke or suspend a license against one or more respondents, and any subsequent amended accusation filed in the matter. Accusations may be amended during the pendency of a case for a variety of reasons, most commonly because the client agency refers an additional investigation of a new complaint, and the accusation is amended to add new causes for discipline based on the new investigation. *Filed* means the accusation or amended accusation is signed by the agency's designee, known as the complainant, who is usually the executive officer or executive director of the agency. The accusation is filed on the date the document is signed.

Each accusation or amended accusation filed during the reporting period is counted and reported under subdivision (a)(5).

(a)(6) The number of accusations a constituent entity withdraws.

On occasion, the complainant withdraws the accusation after it has been filed, terminating the prosecution of the accusation matter. A common reason for an accusation to be withdrawn is the death of the respondent against whom the accusation is filed. In other cases, the evidentiary basis for the matter may change during litigation, or evidence received from a respondent in the course of discovery may lead to re-evaluation of the merits of the case. The withdrawal of an accusation is counted separately for each respondent named in the accusation.

(a)(7) The number of accusation matters adjudicated by the Attorney General.

Adjudication means the work of the Office of the Attorney General has been completed to bring the case back before the agency's decision maker for its final decision. There are four types of adjudicative events: (1) A default decision and order prepared and sent to the agency because a respondent did not file a notice of defense or failed to appear at a duly noticed administrative hearing; (2) A stipulated settlement signed by a respondent and sent to the agency to consider accepting as its disposition of the matter for that respondent; (3) The submission of the case at the conclusion of an administrative hearing to an administrative law judge to prepare a proposed decision, and the decision is sent to the agency for its consideration; and (4) Withdrawal of an accusation by the complainant, which terminates the matter. An adjudicative event for each respondent named in an accusation is necessary before the matter is fully adjudicated.

An adjudicative event is counted for each named respondent that occurs during the reporting period. In matters where more than one licensee is named in the accusation, more than one adjudicative event will be counted if it occurs during the reporting period.

Multiple adjudicative events can also occur in cases with only a single respondent. This happens when an agency does not accept a stipulated settlement, does not adopt a proposed decision submitted by an administrative law judge, grants reconsideration of its decision, or when a superior court judge remands the matter to the agency for further consideration. These *post-submission* adjudicative events are counted in reporting the number of accusation matters *adjudicated* in subdivision (a)(7), but because they are not *original* adjudications they are not included in calculating the averages reported in subdivisions (b)(3), (b)(4), and (b)(6).

(b)(1) The average number of days from the Attorney General receiving an accusation referral to when an accusation is filed by the constituent entity.

The date that each accusation referral is received in the Office of the Attorney General is documented. The calculation of the average reported for subdivision (b)(1) begins on the date of receipt of the first accusation referral in each matter and ends on the date the complainant signs the initial accusation in each matter. Amended accusations received after the client agency's initial referral are not included in the average.

(b)(2) The average number of days to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received by the Attorney General from a constituent entity or the Division of Investigation.

Prepare an accusation in subdivision (b)(2) is different from *filing an accusation* in subdivision (b)(1). An accusation is *prepared* (i.e., the preparation is based on an attorney's familiarization with the technical subject matter issues, thorough review of the evidence and expert reports to determine chargeable causes for discipline, then drafting, and supervisory review of the accusation) by the

assigned deputy attorney general and then sent to the complainant at the agency to be reviewed, approved, and signed.

Re-referred means the date when supplemental investigation has been received by the Office of the Attorney General in response to a request for further investigation, or, in rare cases, following rejection of an accusation matter.

The calculation of the average reported for subdivision (b)(2) begins on the date each initial accusation referral was received in the Office of the Attorney General – including time for initial review of the matter, request for further investigation, further investigation conducted, receipt of the supplemental investigation by the Office of the Attorney General from the agency, re-review by the deputy, and the deputy preparing the accusation – and ends on the date the deputy sends the prepared accusation to the complainant for review and filing in each matter. The average may also include review of additional referrals received while further investigation is being conducted on the initial referral that required it.

Notably, the matters that required further investigation before preparation of an accusation reported in subdivision (b)(2) are included in the average number of days to file accusations reported in subdivision (b)(1). As a consequence, delays in *preparing* accusations for cases that required further investigation generally will increase the average number of days to *file* the agency's accusations reported in subdivision (b)(1).

(b)(3) The average number of days from an agency filing an accusation to the Attorney General transmitting a stipulated settlement to the constituent entity.

Settlements are negotiated according to authorization provided by the complainant based on the agency's published disciplinary guidelines. A stipulated settlement is provided to the agency's decision maker who decides whether to accept the settlement as its disposition of the case against the respondent.

The calculation of the average reported for subdivision (b)(3) begins on the date of filing the initial accusation in each matter, and ends on the date the stipulated settlement for each respondent is sent to the agency for its consideration.

As described in subdivision (a)(7), above, *post-submission* settlements are not included in calculating the average reported in subdivision (b)(3). Only one settlement that occurs during the reporting period for each respondent named in an accusation is included to calculate the average. In matters where more than one respondent is named in the accusation, more than one stipulated settlement will be included in the average if they all occurred during the reporting period.

(b)(4) The average number of days from an agency filing an accusation to the Attorney General transmitting a default decision to the constituent entity.

If a respondent fails to send a notice of defense to the assigned deputy attorney general or agency within 15 days after service of the accusation, or fails to appear at a duly noticed administrative hearing on the accusation, the respondent is in default. The agency can opt to present the case to an administrative law judge without participation by the respondent who has defaulted. However, most often, the agency requests the deputy to prepare a default decision and order for the agency's decision-maker to consider issuing as its final decision against the respondent. Many agencies have delegated authority to their executive officers to adopt default decisions as a matter of course without consideration by the board itself.

The calculation of the average reported for subdivision (b)(4) begins on the date each initial accusation in a matter is filed, and ends on the date of transmission of the default decision and order to the agency for each respondent.

As described in subdivision (a)(7), above, *post-submission* defaults are not included in calculating the average reported in subdivision (b)(4). To calculate the average, only one default that occurs during the reporting period for each respondent named in an accusation is included. In matters where more than one respondent is named in the accusation, more than one default will be included in the average if they all occurred during the reporting period.

(b)(5) The average number of days from an agency filing an accusation to the Attorney General requesting a hearing date from the Office of Administrative Hearings.

After a notice of defense has been received from each respondent named in an accusation, the deputy attorney general assigned to the matter is responsible to coordinate with opposing counsel, unrepresented respondents, prosecution witnesses, and the Office of Administrative Hearings to determine a hearing date when everyone is available. The deputy attorney general prepares a request to set the hearing based on this coordination and sends it to the Office of Administrative Hearings to calendar the hearing.

The calculation of the average reported for subdivision (b)(5) begins on the date the initial accusation in each matter is filed, and ends on the date the request to set a hearing in each case is sent to the Office of Administrative Hearings. Infrequently, a request to set a hearing is done more than once in a case, usually because a continuance has been granted. Only the first request to set a hearing in a case is included in calculating the average.

(b)(6) The average number of days from the Attorney General's receipt of a hearing date from the Office of Administrative Hearings to the commencement of a hearing.

When the Office of Administrative Hearings receives the request to set hearing sent by the deputy attorney general, the hearing date is set on its calendar and the parties are informed of the hearing date. Unless an intervening motion for a continuance is granted by an administrative law judge, the hearing will commence on that date, and depending on the length of the hearing and intervening factors, may conclude on the same day or at a later date.

The calculation of the average reported for subdivision (b)(6) begins on the date the deputy attorney general receives notice from the Office of Administrative Hearings that the hearing date has been set for each case, and ends on the date the hearing in each case actually commences. As described in subdivision (a)(7), above, any *post-submission* commencement of a hearing is not included in calculating the average reported in subdivision (b)(6). When motions to continue hearings are granted, the commencement of hearings are delayed, and the average number of days will increase as a consequence.

METHODOLOGY

Case Management System

This report is based on data entered by legal professionals in ProLaw, the case management system of the Office of the Attorney General. Each matter received by the Licensing Section and Health Quality Enforcement Section from a client is opened in this system. Rules for the entry of data have been created by the sections, and are managed by the Case Management Section of the Office of the Attorney General, which dictates the definitions, dating, entry, and documentation for each data point.

Section-specific protocols, business processes, and uniform standards across all professionals responsible for data entry ensure the consistency, veracity, and quality of the reported data. The data entered has been verified to comply with established standards. The data markers in administrative cases have been used to generate the counts and averages in this report. Every effort has been made to report data in a transparent, accurate, and verifiable manner. The Office of the Attorney General continues to improve its technology, systems and protocols, and integrate these into its business routines and operations.

Data Presentation

The information required to be reported by Business and Professions Code section 312.2 has been organized on a separate page for each constituent entity in the Department of Consumer Affairs represented by the Licensing Section and Health Quality Enforcement Section of the Office of the Attorney General. Each page includes the number of licenses and types of licenses issued by the agency, which were taken from the 2017 Annual Report of the California Department of Consumer Affairs, containing data from Fiscal Year 2016-17. The report can be found online at: https://www.dca.ca.gov/publications/2017_annrpt.pdf. The following Department of Consumer Affairs website contains links for further information: http://www.dca.ca.gov/about_dca/entities.shtml. Any applicable statute of limitations has been included for each client agency's page, as well as the frequency of more than one respondent being named in the agency's accusations.

Table 1: Business and Professions Code section 312.2, subdivision (a)

Table 1 on the page for each agency provides the *counts* for various aspects of accusation matters, as requested under subdivision (a) of section 312.2, such as the number of accusation referrals received and the number of accusations filed (subd. (a)(1) and (5)). There are some differences in the counts reported for subdivision (a) in this report compared to the first annual report. First, in reporting the number of accusation matters received pursuant to subdivision (a)(1), this year we have reported every accusation referral received for each client agency of the Licensing Section and Health Quality Enforcement Section in a consistent manner across the two sections. In the first annual report, every referral was counted by the Health Quality Enforcement Section. However, due to different business processes and rules for entering data in ProLaw for the Licensing Section, count of *referrals* was based only on new matters opened in ProLaw, and therefore did not include referrals for each licensee named in multiple respondent cases and subsequent referrals received after the initial referral. Effective in Fiscal Year 2017-18, the case management system rules were adapted to provide consistency in the manner in which referrals are counted for both sections. As a result, in this second annual report, the number of referrals reported for all client agencies represented by the Licensing Section exceeds the number of referrals reported last year by 42 percent.

The second difference this year is in the manner of counting accusations pursuant to subdivision (a)(5). This year we have reported the *total* number of accusations filed for each client agency, which include both initial accusations filed to initiate disciplinary proceedings and amended accusations. In the first report, only the Health Quality Enforcement Section reported amended accusations. In this report, we have ensured that the count of accusations is consistent for all client agencies, including both initial and amended accusations.

Table 2: Business and Professions Code section 312.2, subdivision (b)

Table 2 provides the averages requested under subdivision (b) of section 312.2, which are based on the accusation matters adjudicated during the year, as reported under subdivision (a)(7). We have

included the mean, median, standard deviation, and number of values in the data set from which the averages were determined. The average expresses the central or typical value in a set of data, which is most commonly known as the arithmetic mean. The central value in an ordered set of data is known as the median. The standard deviation (SD) for a data set provides context for averages. A low SD indicates that the data points tend to be close to the mean of the set, while a high SD indicates that the data points are spread out over a wider range of values.

Compared to the median, the mean is more sensitive to extreme values, or *outliers*, and the number of values, or *sample size*. When the mean and median are nearly equivalent, that is a likely indicator that there are no or few extreme values in the data set. However, when there is a large difference between the mean and median, it is likely that there are one or more extreme values skewing the data. For example, for the California Board of Accountancy (page 12), the average number of days from filing an accusation to when a stipulated settlement was sent to the agency was 117 days for the mean and 84 days for the median, with SD of 97, based on 81 stipulations, suggesting the mean is a fair representation of the number of days to reach settlement. In contrast, for the Bureau of Security and Investigative Services (page 445), the average for settlements was 570 days for the mean and 245 days for the median, with SD of 699, based on 22 stipulations. The data for this agency included one case with four respondents, all of whom settled 2,008 days after the accusation was filed. This skewed the data and impacted the mean, as shown by the large 325-day difference between the mean and median, and extremely high SD of 699.¹ This example shows how extreme values influence the mean, especially when the sample size is small, underscoring the importance of considering all results provided when interpreting the data.

There are some differences in the manner in which averages were calculated in this report compared to the first annual report for subdivisions (b)(3) through (6). Data for adjudication of the accusation matter for each respondent named in an accusation whose initial default or settlement was not accepted by the agency as its final decision are not included in these reports. On occasion, an agency grants a petition for reconsideration for a respondent who has defaulted in an accusation matter, vacating the default and allowing the respondent to litigate the case. Similarly, the agency may decide not to accept a stipulated settlement as the final disposition of the case, directing that a different settlement be negotiated, and/or requiring the matter to be set for an administrative hearing before an administrative law judge. In cases where defaults are vacated or proposed stipulated settlements are not adopted by the agency, those subsequent adjudications are not included in the data reported in subdivisions (b)(3) and (4). By excluding subsequent adjudications that are necessitated by agencies' decision making, the average number of days it takes to adjudicate matters by settlement and default is more closely associated with the work of the Office of the Attorney General.

Similarly, under subdivision (b)(6) reporting the average number of days from hearing date received to hearing commenced, we have excluded hearings commenced after reconsideration or non-adoption by an agency.

The individual client agency pages that follow have been organized in alphabetical order for convenience.

¹ The extreme age of that particular matter was due to a series of delaying events. It started as one referral against one licensee, for which further investigation was requested. The additional investigation was extensive and ultimately resulted in a total of nine referrals against four licensees. There was a two-year cessation of that investigation due to redirection of key investigatory staff to internal projects by the agency. A second lengthy delay was caused by an intervening investigation by the district attorney until he decided not to file criminal charges. The case was further delayed intermittently due to attrition of the agency's top two decision makers during critical junctures in the litigation.

Dental Board of California

The Dental Board of California regulated 106,416 licensees in Fiscal Year 2016-17 with 16 license types. Most complaints received by the Board are investigated by the Board’s own staff or investigators, some of whom are sworn investigators, or referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit, when appropriate. The statute of limitations to file an accusation is generally three years from discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2017-18.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	110
(2) accusation matters rejected for filing by the Attorney General.	4
(3) accusation matters for which further investigation was requested by the Attorney General.	5
(4) accusation matters for which further investigation was received by the Attorney General.	5
(5) accusations filed.	86
(6) accusations withdrawn.	3
(7) accusation matters adjudicated by the Attorney General.	76

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	131	126	77	73
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	153	212	85	5
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	300	287	148	47
(4) from the filing of an accusation to when a default decision is sent to the agency.	149	130	82	12
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	148	134	83	24
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	134	121	56	11

Dental Board of California

The Dental Board of California regulated 97,139 licenses and 17,380 permits in Fiscal Year 2015-16 with 16 license and permit types. Most complaints received by the Board are investigated by the Board's own investigators or staff, or referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit, when appropriate. The tables below show data for Fiscal Year 2016-17.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	83
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	12
(4) accusation matters for which further investigation was received by the Attorney General.	10
(5) accusations filed.	93
(6) accusations withdrawn.	6
(7) accusation matters adjudicated by the Attorney General.	113

The statistics reported in Table 2 are based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	153	139	105	105
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	228	219	67	7
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	363	307	248	80
(4) from the filing of an accusation to when a default decision is sent to the agency.	116	68	99	13
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	182	132	157	32
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	295	198	255	8



MEMORANDUM

DATE	January 9, 2019
TO	Members of the Dental Board of California
FROM	Michael Chen, Legislative and Regulatory Analyst Dental Board of California
SUBJECT	Agenda Item 10(a): Update on Pending Regulatory Packages

i. Basic Life Support Equivalency Standards (Cal. Code of Regs., Title 16, Sections 1016 and 1016.2):

At the November 2017 Board meeting, proposed language for sections 1016 and 1017 was unanimously approved to allow the American Safety and Health Institute (ASHI) to also offer a Basic Life Support course that would meet the continuing education requirements. This is in addition to the American heart Association, the American Red Cross, the Continuing Education Recognition Program (CERP) and the Program Approval for Continuing Education (PACE). Additionally, this proposed regulation will specify what specific requirements must be met to receive full credit for BLS certification.

Board staff has drafted the initial rulemaking documents and is working with Board Legal Counsel to review. Once Board Legal Counsel approves, Board staff will submit the initial rulemaking documents to the Department of Consumer Affairs to review as required prior to submitting the documents to the Office of Administrative Law for noticing.

ii. Continuing Education Requirements (Cal. Code of Regs., Title 16, Sections 1016 and 1017):

SB 1109 (Bates, Chapter 693, Statutes of 2018) adds a provision allowing the Board to mandate the risks of addiction associated with the use of Schedule II drugs into the CE requirements for any dental professional seeking initial or renewal licensure.

Board staff has developed proposed language to be reviewed by the Board at this meeting.

iii. Dental Assisting Comprehensive Rulemaking (Cal. Code of Regs., Title 16, Division Chapter 3):

The Dental Assisting Council has held several stakeholder workshops to develop its comprehensive rulemaking proposal relative to dental assisting. As a result of each of these workshops, Board staff have been able to develop proposed regulatory language which will be presented to the Board at a future meeting once these workshops are

concluded. Once completed, this rulemaking will include educational program and course requirements, examination requirements, and licensure requirements relating to dental assisting. The final workshop took place on March 2, 2018.

Board staff continue to work on the development of final proposed language and will present it to the Board for consideration at a future meeting.

iv. Determination of Radiographs and Placement of Interim Therapeutic Restorations (Cal. Code of Regs., Title 16, Section 1071.1):

AB 1174 (Bocanegra, Chapter 662, Statutes of 2014) added specified duties to registered dental assistants in extended functions. The Bill requires the Board to adopt regulations to establish requirements for courses of instruction for procedures authorized to be performed by a registered dental assistant in extended functions. Additionally, the bill requires the Board to propose regulatory language for the Interim Therapeutic Restoration (ITR) for registered dental hygienists and registered dental hygienists in alternative practice. The proposed ITR regulatory language must mirror the curriculum requirements for the registered dental assistant in extended functions.

During the December 2016 Board meeting, staff presented the proposed regulatory language to the Board for comments to further develop the language. At its August 2017 meeting, the Board approved proposed regulatory language and directed staff to initiate the rulemaking.

Board staff has drafted the initial rulemaking documents and is working with Board Legal Counsel to review. Once Board Legal Counsel approves, Board staff will submit the initial rulemaking documents to the Department of Consumer Affairs to review as required prior to submitting the documents to the Office of Administrative Law for noticing.

v. Elective Facial Cosmetic Surgery Permit Application Requirements and Renewal Requirements (Cal. Code of Regs., Title 16, Sections 1044.6, 1044.7, and 1044.8):

Senate Bill 438 (Migden, Chapter 909, Statutes of 2006) was signed by the Governor that enacted Business Professions Code (Code) Section 1638.1, to take effect on January 1, 2007. This statute authorizes the Dental Board of California (Board) to issue Elective Facial Cosmetic Surgery (EFCS) permits to qualified licensed dentists and establishes the EFCS Credentialing Committee (Committee) to review the qualifications of each applicant for a permit. At its December 2016 meeting, the Board approved proposed regulatory language relative to the elective facial cosmetic surgery permit application requirements and renewal and directed staff to initiate the rulemaking.

Board staff has drafted the initial rulemaking documents and is working with Board Legal Counsel to review. Once Board Legal Counsel approves, Board staff will submit the initial rulemaking documents to the Department of Consumer Affairs to review as required prior to submitting the documents to the Office of Administrative Law for noticing.

vi. Mobile Dental Clinic and Portable Dental Unit Registration Requirements (Cal. Code of Regs., Title 16, Section 1049):

Senate Bill 562 (Galgiani Chapter 562, Statute of 2013) eliminated the one mobile dental clinic or unit limit and required a mobile dental unit or a dental practice that routinely uses portable dental units, as defined, to be registered and operated in accordance with the regulations of the Board. At its November 2014 meeting, the Board directed staff to add Mobile and Portable Dental Units to its list of regulatory priorities in order to interpret and specify the provisions relating to the registration requirements for the issuance of a mobile and portable dental unit. In December 2015, staff met and worked with the CDA to further develop regulatory language that was presented to the Board for consideration during the March 2016 meeting.

At its March 2016 meeting, the Board approved proposed regulatory language for the Mobile Dental Clinic and Portable Dental Unit Registration Requirements, however while drafting the initial rulemaking documents it was determined that the proposed language needed to be further developed. Staff presented revised language at the August 2017 meeting for the Board's consideration which was approved unanimously. However, after receiving feedback from the California Dental Hygienists' Association (CDHA) and the Dental Hygiene Committee of California (DHCC), Board staff revised the proposed language and presented it to the Board for consideration. The language was approved at the February 2018 Board Meeting which allowed Board staff to continue the rulemaking.

Board staff has drafted the initial rulemaking documents and is working with Board Legal Counsel to review. Once Board Legal Counsel approves, Board staff will submit the initial rulemaking documents to the Department of Consumer Affairs to review as required prior to submitting the documents to the Office of Administrative Law for noticing.

vii. Citation and Fine (Cal. Code of Regs., Title 16, Section 1023.2 and 1023.7):

During the August 2017 meeting, the Board approved proposed regulatory language relative to the citation and fine requirements found in the Cal. Code of Regs., Title 16, Section 1023.2 and 1023.7 to remain consistent with Business and Professions Code Section 125.9.

Board staff has drafted the initial rulemaking documents and Board Legal Counsel has approved. Board staff submitted the initial rulemaking documents to the Department of Consumer Affairs on January 22, 2019 to review as required prior to submitting the documents to the Office of Administrative Law for noticing.

viii. Minimum Standards for Infection Control (Cal. Code of Regs., Title 16, Section 1005):

During the May 2018 meeting, the Board approved regulatory language relative to the Minimum Standards for Infection Control found in Cal. Code of Regs., Title 16, Section 1005 and directed staff to initiate rulemaking.

Board staff has drafted the initial rulemaking documents and is working with Board Legal Counsel to review. Once Board Legal Counsel approves, Board staff will submit the initial rulemaking documents to the Department of Consumer Affairs to review as

required prior to submitting the documents to the Office of Administrative Law for noticing.

Action Requested:

No action is being requested at this time.



MEMORANDUM

DATE	January 30, 2019
TO	Members of Dental Board of California
FROM	Michael Chen, Legislative & Regulatory Analyst Dental Board of California
SUBJECT	Agenda Item 10(b): Discussion and Possible Action to Initiate a Rulemaking to Amend California Code of Regulations, Title 16, Sections 1019 and 1020 Relating to Substantial Relationship Criteria and Criteria for Evaluating Rehabilitation

BACKGROUND

Pursuant to Business and Professions Code sections 141 and 480, under existing law, boards may deny or discipline a license based upon discipline imposed by another state, an agency of the federal government, or another country for any act substantially related to the licensed profession. Effective July 1, 2020, Assembly Bill 2138 (Chapter 995, Statutes of 2018) will require boards to amend their existing regulations governing substantially-related crimes or acts, and rehabilitation criteria.

Business and Professions Code section 480 presently authorizes boards to deny an application for licensure based on a conviction for a crime or act substantially related to the licensed business or profession. Likewise, section 490 authorizes boards to suspend or revoke a license on the basis that the licensee was convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession.

AB 2138 also specified three criteria that boards must consider when evaluating whether a crime is “substantially related” to the regulated business or profession. The criteria shall include: (1) The nature and gravity of the offense; (2) The number of years elapsed since the date of the offense; and (3) The nature and duties of the profession in which the applicant seeks licensure or in which the licensee is licensed.

The Department of Consumer Affairs sent an all agency memorandum to assist the boards in crafting amendments to their regulations for consistency purposes.

Board staff worked with its Legal Counsel to draft proposed language for the Board’s consideration to amend its substantial relationship criteria and rehabilitation criteria. The proposed amended language satisfies the provisions of AB2138.

ACTION REQUESTED

Consider and possibly approve the proposed regulatory language relative to substantial relationship criteria and criteria for evaluating rehabilitation, and direct staff to take all steps necessary to initiate the formal rulemaking process, including noticing the proposed language for 45-day public comment, setting the proposed language for a public hearing, and delegating authority to the Executive Officer to make any technical or non-substantive changes to the rulemaking package. If after the close of the 45-day public comment period and public regulatory hearing, no adverse comments are received, delegate authority to the Executive Officer to make any technical or non-substantive changes to the proposed regulations before completing the rulemaking process and adopt the proposed amendments to California Code of Regulations, Title 16, Section 1019 and 1020 as noticed in the proposed text.

**TITLE 16. DENTAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS**

PROPOSED LANGUAGE

Amend Sections 1019 and 1020 of Article 5 of Chapter 1 of Division 10 of Title 16 of the California Code of Regulations to read as follows:

Section 1019 Substantial Relationship Criteria.

(a) For the purposes of the denial, suspension or revocation of a license pursuant to section 141 or division 1.5 (commencing with section 475) of the code, a crime, professional misconduct, or act shall be considered to be substantially related to the qualifications, functions or duties of a dentist or dental auxiliary if to a substantial degree it evidences present or potential unfitness of a person holding such a license to perform the functions authorized by the license in a manner consistent with the public health, safety or welfare. ~~Such crimes or acts shall include, but are not limited to, the following:~~

(b) In making the substantial relationship determination required under subdivision (a) for a crime, the board shall consider the following criteria:

(1) The nature and gravity of the offense;

(2) The number of years elapsed since the date of the offense; and

(3) The nature and duties of a dentist or dental auxiliary.

(c) For purposes of subdivision (a), substantially related crimes, professional misconduct, or acts shall include, but are not limited to, the following:

~~(a)~~(1) Any violation of Article 6, Chapter 1, Division 2 of the Code except Sections 651.4, 654 or 655.

~~(b)~~(2) Any violation of the provisions of Chapter 4, Division 2 of the Code.

Note: Authority cited: Sections 481, 493, and 1614, Business and Professions Code.
Reference cited: Sections 141, 480, 481, 490 and 493, Business and Professions Code.

Section 1020. Application Review and Criteria for Evaluating Rehabilitation.

(a)(1) In addition to any other requirements for licensure, when considering the approval of an application, the Board or its designee may require an applicant to be examined by one or more physicians and surgeons or psychologists designated by the Board if it appears that the applicant may be unable to safely practice due to mental illness or physical illness affecting competency. An applicant's failure to comply with the examination requirement shall render his or her application incomplete. The report of the examiners shall be made available to the applicant. The Board shall pay the full cost

of such examination. If after receiving the report of evaluation, the Board determines that the applicant is unable to safely practice, the Board may deny the application, or may issue the applicant a license that is placed on probation with terms and conditions. If the Board issues a license on probation, the probationary order shall include an order that the license be revoked, stayed and placed on probation for the entire term of probation. In issuing a license on probation, the Board may consider any or all of the following terms and conditions:

- (i) Requiring the licensee to obtain additional training or pass an examination upon completion of training, or both. The examination may be written, oral, or both, and may be a practical or clinical examination or both, at the option of the Board;
- (ii) Requiring the licensee to submit to a mental or physical examination, or psychotherapy during the term of probation under the terms and conditions provided for in the "Dental Board of California Disciplinary Guidelines With Model Language" revised 08/30/2010, incorporated by reference at Section 1018; or,
- (iii) Restricting or limiting the extent, scope or type of practice of the licensee.

(2) If the Board determines, pursuant to proceedings conducted under this subdivision, that there is insufficient evidence to bring an action against the applicant, then all Board records of the proceedings, including the order for the examination, investigative reports, if any, and the report of the physicians and surgeons or psychologists, shall be kept confidential. If no further proceedings are conducted to determine the applicant's fitness to practice during a period of five years from the date of the determination by the Board of the proceedings pursuant to this subdivision, then the Board shall purge and destroy all records pertaining to the proceedings. If new proceedings are instituted during the five-year period against the applicant by the Board, the records, including the report of the physicians and surgeons or psychologists, may be used in the proceedings and shall be available to the applicant pursuant to the provisions of Section 11507.6 of the Government Code.

(b) When considering the denial of a license under Section 480 of the Code on the ground that the applicant was convicted of a crime, the board shall consider whether the applicant made a showing of rehabilitation and is presently eligible for a license, if the applicant completed the criminal sentence at issue without a violation of parole or probation. In making this determination, the board shall consider the following criteria:
~~the Board in evaluating the rehabilitation of the applicant and his present eligibility for a license, will consider the following criteria:~~

(1) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.

(2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Code.

(3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).

(4) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.

(5) Evidence, if any, of rehabilitation submitted by the applicant.

(c) When considering the suspension or revocation of a license on the grounds of conviction of a crime, the Board, in evaluating the rehabilitation of such person and his present eligibility for a license will consider the following criteria:

(1) The nature and severity of the act(s) or ~~offense~~crime(s);

(2) Total criminal record;

(3) The time that has elapsed since commission of the act(s) or ~~offense~~crime(s);

(4) Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee;

(5) The criteria in subdivision (b)(1)-(5), as applicable.

(5)(6) If applicable, evidence of ~~expungement~~ dismissal proceedings pursuant to Section 1203.4 of the Penal Code;

(6)(7) Evidence, if any of rehabilitation submitted by the licensee.

(d) When considering a petition for reinstatement of a license, the Board shall evaluate evidence of rehabilitation, considering those criteria of rehabilitation listed in subsection (c).

Note: Authority cited: Sections 482 and 1614, Business and Professions Code.
Reference: Sections 480, 482 and 820, Business and Professions Code; and Section 11519, Government Code.



MEMORANDUM

DATE	January 30, 2019
TO	Members of Dental Board of California
FROM	Michael Chen, Legislative & Regulatory Analyst Dental Board of California
SUBJECT	Agenda Item 10(c): Discussion and Possible Action to Initiate a Rulemaking to Amend California Code of Regulations, Title 16, Section 1020.4 Relating to the Diversion Evaluation Committee Membership

BACKGROUND

The Dental Board of California (Board) is the only state agency authorized to issue dental licenses and to enforce standards to protect California’s dental consumers from incompetent dental practitioners. To help meet these responsibilities, the Board has a legislative mandate (Business and Professions Code Section 1695) to establish a Diversion Program.

The Diversion Program is a confidential program that permits those licensed dentists and allied dental health professionals who meet eligibility criteria the opportunity to recover without the loss of a license to practice. Through the Diversion Program, the Board can closely monitor the recovery progress of known chemically impaired licensees, thereby enhancing the Board’s mission to provide consumer protection.

The Board is authorized to establish Diversion Evaluation Committees (DEC’s) comprised of members with “experience or knowledge in the evaluation or management of persons who are impaired due to alcohol or drug abuse”. (CCR section 1020.4). The Board currently has established two such committees; a Northern DEC and Southern DEC. Each committee consists of six members: three licensed dentists, one licensed dental auxiliary, one public member, and one licensed physician or psychologist. These committees assist the Board in the evaluation of licenses who may be impaired due to the abuse of alcohol or dangerous drugs.

Pursuant to the Board’s regulations, membership for the DEC’s is limited to specific license types and two four-year terms. It is becoming increasingly difficult to recruit qualified individuals to serve on the Board’s DEC’s. Therefore, Board staff proposes the following amendments to increase the potential to recruit and retain qualified DEC members:

1. Board staff recommends amending regulations to delete the requirement for one member to be a licensed dental auxiliary and increase the public membership requirement to two members.
2. Board staff recommends amending regulations to delete the limitation for DEC members to only serve two four-year terms. This would allow the Board DEC members, who serve at the Board's pleasure, to continue serving until such time the Board deems it necessary to replace a DEC member or a DEC member no longer wishes to serve the Board.

ACTION REQUESTED

Consider and possibly approve the proposed regulatory language relative to the Diversion Evaluation Committee membership, and direct staff to take all steps necessary to initiate the formal rulemaking process, including noticing the proposed language for 45-day public comment, setting the proposed language for a public hearing, and delegating authority to the Executive Officer to make any technical or non-substantive changes to the rulemaking package. If after the close of the 45-day public comment period and public regulatory hearing, no adverse comments are received, delegate authority to the Executive Officer to make any technical or non-substantive changes to the proposed regulations before completing the rulemaking process and adopt the proposed amendments to California Code of Regulations, Title 16, Section 1020.4 as noticed in the proposed text.

**TITLE 16. DENTAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS**

PROPOSED LANGUAGE

Amend Section 1020.4 of Article 5.5 of Chapter 1 of Division 10 of Title 16 of the California Code of Regulations to read as follows:

Section 1020.4. Diversion Evaluation Committee Membership.

(a) A diversion evaluation committee shall consist of six members: three licensed dentists, ~~one licensed dental auxiliary, one~~ two public members, and one licensed physician or psychologist.

(b) Each committee member shall have experience or knowledge in the evaluation or management of persons who are impaired due to alcohol or drug abuse.

(c) Each member of the committee shall be appointed by the board and shall serve at the board's pleasure. ~~Members of a committee shall be appointed for a term of four years, and each member shall hold office until the appointment and qualification of his or her successor or until one year shall have elapsed since the expiration of the term for which he or she was appointed, whichever first occurs. No person shall serve as a member of the committee for more than two terms.~~

Note: Authority cited: Sections 1614 and 1695.2, Business and Professions Code.
Reference: Section 1695.2, Business and Professions Code.



MEMORANDUM

DATE	January 30, 2019
TO	Members of Dental Board of California
FROM	Michael Chen Legislative & Regulatory Analyst Dental Board of California
SUBJECT	Agenda Item 10(d): Discussion and Possible Action to Initiate a Rulemaking to Amend California Code of Regulations, Title 16, Section 1031 Relating to the Passing Score for the Dentistry Law and Ethics Examination

BACKGROUND

Pursuant to Business & Professions Code Section 1632, applicants for dental licensure in California are required to successfully complete an examination in California law and ethics developed and administered by the Dental Board of California (Board). Pursuant to the Board’s regulations (California Code of Regulations, Title 16, Section 1031) the current passing score for the Board’s Dentistry California Law and Ethics Examination is set at 75%.

In 2018, the Department of Consumer Affairs’ (DCA) Office of Professional Examination Services (OPES) completed an occupational analysis of the dentistry profession in California. Based on the findings of this occupational analysis, the Board is working with OPES to ensure its California Dentistry Law and Ethics Examination is up to date and in compliance with Business and Professions Code Section 139. Through their review, the OPES has recommended the Board not specify a passing score in regulations.

Alternatively, the OPES recommends a criterion-referenced passing score, which applies standards for competent practice to all candidates regardless of the form of the examination administered. A criterion-referenced passing score increases the likelihood that candidates who pass the licensure examination have sufficient knowledge and experience to practice safely and competently.

The OPES follows a criterion-referenced methodology called the “modified Angoff technique” for determining licensure examination passing scores. Standard setting is a group process. The group is composed of licensed practitioners representing all aspects of practice or profession and a test development specialist. The process should always include a number of newly licensed practitioners to ensure participation from entry-level licensees.

Criterion-referenced standard setting begins with the establishment of a minimally acceptable level of competence for safe practice that candidates must possess in order to pass the examination. The group develops common definitions of different levels of candidate performance by identifying critical work behaviors that contrast the highly competent, the minimally competent, and the incompetent candidate.

Because licensing examinations are known to vary in difficulty from one examination form to another, a fixed passing score or percentage such as 70% does not represent the minimally acceptable competence for all administrations of an examination. Therefore, arbitrary passing scores are not considered legally defensible.

By applying a criterion-referenced methodology, a passing score is lowered for an examination containing a large number of difficult items (questions) and raised for an examination containing a small number of difficult items. Candidates who take a more difficult test would be placed at a disadvantage unless a criterion-referenced passing score is established. Thus, the passing score provides safeguards to both the candidate and the consumer affected by the particular profession.

Another advantage of using criterion-referenced methodology is that the passing score is independent of the performance of other candidates who take the examination at the same time. The passing score is not based on performance with respect to the group. Rather, the passing score is based upon the difficulty of the items within the examination.

For these reasons, Board staff recommends deleting the passing score requirement in regulations to allow for OPES to use a criterion-referenced passing score to make the Board's California Dentistry Law and Ethics examination legally defensible.

ACTION REQUESTED

Consider and possibly approve the proposed regulatory language relative to the California Dentistry Law and Ethics Examination, and direct staff to take all steps necessary to initiate the formal rulemaking process, including noticing the proposed language for 45-day public comment, setting the proposed language for a public hearing, and delegating authority to the Executive Officer to make any technical or non-substantive changes to the rulemaking package. If after the close of the 45-day public comment period and public regulatory hearing, no adverse comments are received, delegate authority to the Executive Officer to make any technical or non-substantive changes to the proposed regulations before completing the rulemaking process and adopt the proposed amendments to California Code of Regulations, Title 16, Section 1031 as noticed in the proposed text.

**TITLE 16. DENTAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS**

PROPOSED LANGUAGE

Amend Section 1031 of Article 3 of Chapter 2 of Division 10 of Title 16 of the California Code of Regulations to read as follows:

Section 1031. Supplemental Examinations in California Law and Ethics.

Prior to issuance of a license, an applicant shall successfully complete supplemental written examinations in California law and ethics.

(a) The examination on California law shall test the applicant's knowledge of California law as it relates to the practice of dentistry.

(b) The examination on ethics shall test the applicant's ability to recognize and apply ethical principles as they relate to the practice of dentistry.

~~(c) A candidate shall be deemed to have passed the examinations if his/her score is at least 75% in each examination.~~

Note: Authority cited: Section 1614, Business and Professions Code. Reference: Sections 1630, 1632 and 1634.1, Business and Professions Code.