

April 26, 2024



Dr. Tracy Montez, Executive Officer
 Dental Board of California
 2005 Evergreen Street, Suite 1550
 Sacramento, CA 95815

Dear Dr. Montez:

We have reviewed the version of SB1453 that you sent us on Thursday, April 25, 2024 and have compiled two lists of concerns/questions. The first list includes the items that we are most concerned about. The second list includes less important questions/comments.

MAJOR CONCERNS:

LINE ITEM	CURRENT WORDING	QUESTION/COMMENT/SUGGESTION
1750.2(a)(1)	Current, active, and valid licensure as a registered dental assistant or completion of at least 12 months of verifiable work experience as a dental assistant.	Why are the RDA and work experience requirements being removed from the eligibility requirements for OAP applicants?
1750.2(a)(3)	Successful completion of a board-approved orthodontic assistant course, which may commence after the completion of six months of work experience as a dental assistant.	Why is the six months' work experience requirement prior to starting the OAP course being removed?
1750.4(a)(4)	Successful completion of a board-approved dental sedation assistant course, which may commence after the completion of six months of work experience as a dental assistant.	Why is the six months' work experience requirement prior to starting the DSA course being removed?
1752.1(i) This contradicts 1907(b) (page 72)	For individuals with current and active California licensure as a registered dental hygienist, registered dental hygienist in alternative practice, or registered dental hygienist in extended functions, satisfactory performance on the Registered Dental Assistant Combined Written and Law and Ethics Examination administered by the board will be sufficient to qualify to apply for licensure as a registered dental assistant.	<ol style="list-style-type: none"> 1. This contradicts 1907(b) which is current regulation. 2. If you are truly proposing to change it to 1752.1(i) and remove the pathways to licensure for an RDH, what is the reason/catalyst for this proposal? 3. So an RDH doesn't have to have ANY education or experience as a dental assistant in order to "qualify to apply" for licensure as an RDA? 4. Does "qualify to apply" for licensure mean that they have to take the RDA exam, or do they just fill out an application and they automatically get an RDA license?

1753.5(b)(1)	<p>Conduct preliminary evaluation of the patient's oral health, including, but not limited to, charting, intraoral and extra-oral evaluation of soft tissue, classifying occlusion, and myofunctional evaluation.</p> <p><i>Perform oral health assessments, including intraoral evaluations to identify oral lesions, extraoral evaluations of soft tissue, classifying occlusion, performing myofunctional evaluations, and oral cancer screenings as authorized by the supervising dentist.</i></p>	<p>What is the rationale for the removal of intra-oral evaluation of soft tissue? Are there any recorded incidence of harm to patients in the past 14 years?</p>
1753.5(b)(2)	<p>Perform oral health assessments in school-based, community health project settings under the direction of a dentist, registered dental hygienist, or registered dental hygienist in alternative practice.</p>	<p>What is the rationale for the removal of performance of oral health assessments in school-based, community health project settings?</p>
1753.5(b)(4) and (5)	<p>Size and fit endodontic master points and accessory points.</p> <p>Cement endodontic master points and accessory points.</p>	<p>What is the rationale for the removal of these duties? Are there any recorded incidence of harm to patients since these duties have been in the EF category for many years?</p>

MINOR CONCERNS/QUESTIONS/COMMENTS:

LINE ITEM	CURRENT WORDING	QUESTION/COMMENT/SUGGESTION
1750.(f)	<p><i>The employer of a dental assistant shall be responsible for ensuring that the dental assistant who has been—in continuous</i></p> <ol style="list-style-type: none"> 1 <i>employment for 120 days or more, employed continuously or on an intermittent basis by that employer for one year from the date</i> 2 <i>of first employment has already successfully completed, or</i> 3 <i>successfully completes, all of the following within—a one year of</i> 4 <i>the first date of employment: employment and provides evidence</i> 5 <i>to the employer:</i> 	<p>This wording is still very confusing. It seems to indicate that the person who ONLY works as a temp and never completes a full year in a specific office does not ever have to comply with these requirements.</p> <p><u>Our suggestion:</u> The employer of a dental assistant shall be responsible for ensuring that the dental assistant completes all of the following within one year of the date of hire whether employment is continuous or on an intermittent basis:</p>
1750.(f)(2)	<p><i>A course satisfying the requirements of the Division of Occupational Safety and Health’s bloodborne pathogens training consisting of at least two hours of didactic training.</i></p>	<p>We question the need for this additional class since OSHA already requires this training:</p> <ul style="list-style-type: none"> – At no cost – During working hours – At the time of initial assignment – At least annually thereafter <p>What are you specifically wanting covered in this course that is not covered elsewhere in OSHA and Infection Control Courses? We are assuming that what you really want is OSHA’s standard on handling of hazardous materials as their BBPS is already covered elsewhere.</p> <p><u>Our suggestion:</u> Either remove this additional course as we believe it is unnecessary, or change it to “A course satisfying the requirements of the Division of Occupational Safety and Health’s <u>Hazard Communication Standard</u> consisting of at least <u>one hour</u> of didactic training.”</p>
1750.1(a)(1)	<p><i>Extra-oral duties or procedures specified by the supervising licensed dentist, provided that these duties or procedures that meet the definition of a basic supportive procedure specified in Section 1750. subdivision (b) of Section 1741.</i></p>	<p>Line 20 the word dentist should not be stricken.</p>
1750.1(b)(1) and (2)	<ol style="list-style-type: none"> (1) <i>Apply nonaerosol and noncaustic topical agents.</i> (2) <i>Apply topical agents, including all forms of topical fluoride.</i> 	<p>Redundant and may be confusing to some.</p> <p><u>Our suggestion:</u> Combine them to read “Apply nonaerosol and noncaustic topical agents including all forms of topical fluoride.”</p>
1750.1(b)(17)	<p><i>Adjust the flow of nitrous oxide gas if deemed necessary</i></p>	<p>Two issues: This leaves a question regarding who can start the oxygen to establish the tidal flow and the</p>

	<i>and directed by the supervising dentist who shall be present in the operatory directly supervising the adjustment.</i>	<p>words “if deemed necessary” are unnecessary. If they were necessary then it should be added everywhere throughout the regulations.</p> <p><u>Our suggestion:</u> Change the wording to “Adjust the flow of nitrous oxide/oxygen gases if deemed necessary and as directed by the supervising dentist who shall be present in the operatory directly supervising the adjustment.</p>
1750.1(d)(5)	<i>Starting the flow of nitrous oxide gas.</i>	<p>See comment above.</p> <p><u>Our suggestion:</u> Change the wording to “Start the flow of nitrous oxide/oxygen gases”.</p>
1750.2(a)(1)	<i>Successful-completion completion, within five years before the date the application is received, of a two-hour board-approved course in the Dental Practice Act and an eight-hour board-approved course in infection control.</i>	Clarification question: Does this mean that an RDA who applies for an OA Permit would have to complete another 8 Hour Infection Control course if theirs is more than 5 years old?
1750.3.(a)	<p><i>A person holding an orthodontic assistant permit pursuant to Section 1750.2 may perform the following duties under the direct supervision under the general supervision and pursuant to the order, control, and full professional responsibility of a licensed dentist all duties that a dental assistant is allowed to perform and the following duties under the direct supervision and pursuant to the order, control, and full professional responsibility of a licensed dentist:</i></p> <p><i>(1) All duties that a dental assistant is allowed to perform.</i></p>	<p>DA duties are listed here as both general supervision (see body of (a) text and direct supervision (see end of (a) and (1).</p> <p><u>Our suggestion:</u> Delete 1750.3.(a)(1)</p>
1750.3(a)(3) and (5)	<p><i>(3) Remove only orthodontic brackets and attachments with removal of the bonding material by the supervising licensed dentist.</i></p> <p><i>(5) Remove orthodontic bands brackets and attachments and remove excess cement from supragingival surfaces of teeth with a hand instrument. instrument, with the removal of any remaining material by the supervising licensed dentist or registered dental assistant in extended functions licensed on or after January 1, 2010.</i></p>	<p>Question: Aren’t these redundant?</p> <p><u>Our suggestion:</u> Delete 1750.3.(a)(3)</p>

1750.4(a)(2)	Successful completion <i>completion, within five years before the date the application is received, of a two-hour board-approved course in the Dental Practice Act and an eight-hour board-approved course in infection control.</i>	Clarification Question (same as above for OAP): Does this mean that an RDA who applies for an DSA Permit would have to complete another 8 Hour Infection Control course if theirs is more than 5 years old?
1752.1(a)(1) 1752.1(a)(2) 1752.1(a)(3) 1752.1(a)(4) 1752.1(a)(5)	<i>Graduation from . . . Completion of . . . Possession of . . . An alternative. . . A preceptorship . . .</i>	(1)(2), and (3) all lead with a verb (graduation, completion or position) but (4) and (5) don't have an action statement. <u>Our suggestion:</u> (4) Add "Completion of . . ." (5) Add "Completion of . . ."
1752.1(a)(4) 1752.1(a)(5)	<i>Alternative DA program at least 500 hours of didactic and laboratory coursework . . . and at least 300 hours of clinical <u>Preceptorship in dental assisting at least 500 clinical hours and 300 didactic and laboratory coursework</u></i>	Why are they opposite? Wouldn't this be much less confusing and easier to explain/manage if they were the same?

Thank you for your great communication with us and your thoughtful consideration of our comments, questions, and concerns.

DENTAL ASSISTING ALLIANCE

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