

**DENTAL BOARD OF CALIFORNIA**

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Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA

**July 10, 2002**  
**Board Meeting**  
**Minutes**

**Members Present**

David Baron  
Officer  
Newton Gordon, DDS  
Lawrence Hundley, DDS  
Alan Kaye, DDS  
LaDonna Drury-Klein, RDA  
Patricia Osuna, RDH  
Michael Pinkerton, Public Member  
George SooHoo, DDS  
Ariane Terlet, DDS  
Chester Yokoyama, DDS

**Staff Present**

Richard DeCuir, Assistant Executive  
  
Norine Marks, Legal Counsel  
Anita Scuri, Legal Counsel  
Errol Chisom, Legislative Coordinator  
Lynn Thornton, Chief of Enforcement  
La Rita Abdul-Rahman, Secretary

The meeting was called to order at 10:15 am. All members were present and a quorum was established.

**Agenda Item 3** - Appointment of Technical Advisory Group (TAG)

Section 1636.4 of the Business and Professions Code mandates that, following the site visit, the team will submit their findings in a report to the TAG. The TAG is to review and comment upon the survey and evaluation of the on-site team prior to any final action by the Board regarding approval of the foreign dental school.

Since the On-site team has concluded its visit and report, establishment of the TAG is necessary.

It was m/s/c (Pinkerton/SooHoo) to give the board president the authority to appoint the TAG in consultation with Dr. Terlet, the board representative that attended the site visit.

**Agenda Item 4** - Disciplinary Matter

The board entered into closed session to discuss an accusation.

**Agenda Item 5** - Selection of Executive Officer

The board entered into closed session to interview and select an executive officer.

A special meeting of the board was called at 11:15 am to discuss proposed legislation.

Committee Chair, Michael Pinkerton informed the board of several legislative items the board had not seen (that could result in immediate harm to the public) are going through the process. It was necessary for the Board to view these items and adopt a position prior to the August meeting, because they would have been acted upon without input from the Board.

It was m/s/c (Baron/Osuna) to adopt the finding of necessity to hold a special meeting based upon the substantial hardship on the body and immediate harm to the public if the board did not hear the bills today.

Collette Galvez of the Center of Public Interest Law addressed the board with concerns that none of the agendas for today's scheduled meeting allowed for a public comment period. She also stated why she felt it was not necessary to hold a special meeting to discuss proposed legislation, since not all of the bills being heard were scheduled for hearing or have been amended since the last meeting. As a result, these bills could in fact be heard at the regularly scheduled meeting August 8-9, 2002, allowing for a 10-day notice.

Ms. Osuna questioned whether or not hardship to the body had to be specifically stated in order for the board to hear each bill. It was determined that was not necessary.

The following is a list of bills heard and the board's position on each one:

AB 982 (Firebaugh) – Sponsored by CDA, establishes California Dental Corps Loan Assumption Program. It authorizes loan repayments to dentists who practices in under served areas for a period of up to three years. Possible total loan repayment of \$105,000 for each dentist. If signed into law, the board would have to promulgate emergency regulations to implement this program. CDA stated they would amend bill to ensure the board maintained a 3 months reserve.

It was m/s/c (Osuna/Klein) to support with the amendment from CDA for the board to maintain a 4 month reserve.

AB 1026(Oropeza) – Sponsored by CDA, prohibits 1) a dentist from advertising as a specialist unless he or she has completed a specialty education program approved by the ADA and the Commission on Dental Accreditation; 2) a dentist from representing to the public that he or she is specialist unless he or she is eligible for examination by, or is a diplomate of a national specialty board

recognized by the ADA; and 3) requires a dentist who lacks the above qualifications to state that he or she is a general dentist in any advertisement.

It was m/s/c (Gordon/Baron) to support as written.

AB 1045(Firebaugh) – Sponsored by the author, creates the licensed physicians and dentists from Mexico pilot program. Requires the Board to issue a three-year nonrenewable dental special permit to practicing dentistry to qualifying dentists in Mexico.

Dr. Terlet shared some additional information about this bill. She stated her concern on the fiscal impact of this bill. She also mentioned that this is suppose to be a pilot program, but they are expecting up to 175 dentists coming from Mexico. She would like to see that number reduced to 10-15.

It was noted by staff that CDA is opposing this bill. It was also noted that this bill only applies to one university in Mexico.

Dr. Luis Dominicus, representing the Latin Dental Association, stated their opposition to this bill. They felt these dentists would be treated as servants because they could only practice in certain areas and if they had a disagreement with their employer, they would have to return to Mexico. They would not be entitled to employee rights as other dentists licensed in California.

It was m/s/c (Gordon/SooHoo) to oppose this bill.

SB 1477(Speier) – Sponsored by the author, this bill requires a health care practitioner who is in default on a Department of Health and Human Services education loan or a service obligation or on a loan made under the Federal Family Education Loan Program to have his or her license suspended. It also requires that the license remain suspended until the default is cleared.

It was m/s/c (Yokoyama/Baron) to support this bill as written.

SB 2019(Speier) – Sponsored by the author, allows the Board to cite and fine any licensee who is in default on a United State Department of Health and Human Services education loan or service obligation; or a loan made under the Federal Family Education Loan Program. It creates the Assumption Program of Loans for Nursing Education Fund. It also provides that cite and fine funds be appropriated to the newly created Nursing Fund.

It was m/s/c (Klein/Yokoyama) to watch this bill.

SB2022(Figueroa) – Sponsored by the author, as amended, this bill now defines the practice of dental hygiene. It deletes the authorization that the board determines authorized functions for dental hygienists. All persons holding a license as a registered dental hygienist on 1/1/03, or issued a license on or before 12/31/05, are authorized to perform the duties of a registered dental

assistant. It also outlines the practice of dental hygiene to include dental hygiene assessment, development, planning and implementation of a dental hygiene care plan. This includes oral health education, oral preventive counseling, and oral health screenings.

Ms. Drury-Klein asked Ms. Osuna for CDHA's position on this bill. Ms. Osuna stated she did not know their position, but that Karen Wyant of COMDA would know. Ms. Cathy Mudge of CDA stated that although she was not able to comment on CDHA's position, she did inform the board that CDA has been working closely with CDHA to put this language into statute and that the two associations are in agreement.

It was m/s/c (Klein/Gordon) to support this bill.

The Legislative Committee Chair concluded his report and the meeting was adjourned at 12:35pm.