



**Dental Board of California Meeting Minutes
July 22, 2009
San Francisco, CA**

Members Present:

Suzanne McCormick, DDS, President
John Bettinger, DDS, Vice President
Stephen Casagrande, DDS, Secretary
Fran Burton, Public Member
Luis Dominicis, DDS
Rebecca Downing, Public Member
Huong Le, DDS
Judith Forsythe, RDA
Bruce Witcher, DDS

Members Absent:

William Baker, Public Member
Thomas Olinger, DDS

Staff Present:

Cathleen Poncabare, Executive Officer
Richard DeCuir, Assistant Executive Officer
Dawn Dill, Licensing & Exam Unit Manager
Sarah Wallace, Administrative Analyst
Donna Kantner, Legislative & Regulatory Analyst
Jocelyn Campos, Enforcement Coordinator
Jessica Olney, Examination & Licensing Analyst
LaVonne Powell, DCA Senior Staff Counsel
Kristy Schieldge, DCA Senior Staff Counsel
Gregory Salute, Deputy Attorney General

President McCormick called the meeting to order at 8:15 a.m. and established a quorum.

Public Comment

There was no public comment.

**Ethical Decision Making for Board Members – Presentation by DCA Legal Counsel,
LaVonne Powell**

LaVonne Powell, DCA Senior Staff Counsel, introduced Kristy Schieldge, DCA Senior Staff Counsel, as the new legal counsel for the Dental Board. She reported that Ms. Schieldge has worked with Department of Consumer Affairs (DCA) for the last 9 ½ years and she was looking forward to working with the Dental Board.

Ms. Powell presented the “Ethical Decision Making for Board Members” to the Dental Board members. It is a set training that all of the DCA Boards and Bureaus were asked to complete. The purpose of the training was to create an awareness of potential ethical dilemmas that a Board or Committee member may face, and to provide strategies to resolve those ethical dilemmas.

Agenda Item 1: Approval of April 22, 2009 and June 24, 2009 Meeting Minutes

M/S/C (Le/Dominicis) to approve the meeting minutes from the April 22, 2009 and the June 24, 2009 Board meetings. The motion passed unanimously.

Agenda Item 2: President's Report

Dr. McCormick, President, welcomed everyone to the Board meeting and recognized the committee work that had been conducted throughout the day. She affirmed the influence of the Department of Consumer Affairs to give leadership opportunities to as many individuals as possible. Dr. McCormick reported that she and Rebecca Downing, Public Member, had the opportunity to visit the new Dental Board suite at an open house at the beginning of July.

Dr. McCormick reported that there are plans for the next Dental Board Newsletter to be published in the fall of 2009. She also reported that the next Board meeting would include long-range planning, and the Board will be meeting on August 5th to discuss the possible approval of Western University of Health Sciences, College of Dental Medicine as an approved California dental school.

Agenda Item 3: Executive Officer's Report

Cathleen Poncabare, Executive Officer, reported that the Dental Board launched outreach efforts at the beginning of the year. She asked Lori Reis, Complaint & Compliance Manager, and Abby Boxwell, Office Staff, to give a presentation to the Board regarding the recent outreach efforts.

Ms. Poncabare reported that the Enforcement division of the Dental Board had been conducting undercover stings and had served three search warrants at three different locations. She stated that there had been significant positive media coverage.

She provided a status report on the Tustin field office relocation. The Board went out to bid for a new location, and the lowest bid was the third choice. She reported that the Board will be paying less for the lease than at the current location, but there will be upfront costs involved to accommodate the operational needs.

Agenda Item 4: Budget Report

Richard DeCuir, Assistant Executive Officer, reported that the Board welcomed a new staff member, Wendy Christensen, to the Budget Analyst position. Mr. DeCuir reported that the Department was cutting 15% spending from all contracts and purchases in an effort to save money. The Dental Board was experiencing a 10% surplus at the time the report was generated; however there is a two-month delay in the reporting of expenditures. He informed the Board that the staff has been impacted by the required furloughs, but they are doing their best to conduct business as usual.

Agenda Item 5: Discussions on Revisions to the Board Member Administrative Procedure Manual

Dr. McCormick reported that she and Dr. Bettinger reviewed the Board Member Administrative Procedure Manual and made some minor changes. The only substantive change to note was that COMDA was abolished as of July 1, 2009 and the dental assisting program went under the jurisdiction of the Dental Board.

Dr. McCormick went through the manual and touched on the importance of some sections. The next meeting will be in Los Angeles as mandated by law. She pointed out that is extremely important for the Board to maintain a quorum at meetings in the interest of conducting business. An election of officers will be conducted at the next Board meeting.

LaVonne Powell, DCA Legal Counsel, asked that Dr. McCormick and Dr. Bettinger provide a copy of the manual with all of the changes marked, so that legal and staff could review the manual and prepare it to be presented to the Board at the next meeting.

Kristy Schieldge, DCA Legal Counsel, recommended that the Board policy regarding "Tape Recording" be changed to state: "Tape recordings may be disposed of upon Board approval of the minutes, or 30 days for the date of recording, whichever is later." to comply with the law.

M/S/C (Dominicis/Bettinger) to table the acceptance of the Board Member Administrative Procedure Manual. The motion passed unanimously.

Agenda Item 6: Future Meeting Dates

M/S/C (Bettinger/Dominicis) to establish the following meeting dates and locations for future Board meetings:

- November 9-10, 2009 – Los Angeles, California
- February 10-11, 2010 – San Diego, California
- May 5-6, 2010 – Sacramento, California

The motion passed unanimously.

Agenda Item 7: Creation of the Dental Assisting Forum

Dr. McCormick, President, reported that the Board was approached by representatives of the Dental Assisting Alliance in regards to creating a Dental Assisting Forum. According to Business and Professions Code Section 1742, it was the intent of the Legislature that the Dental Board create and implement a "forum where dental assistant services and regulatory oversight of dental assistants can be heard and discussed in full and where all matters relating to dental assistants in this state can be discussed".

Dr. McCormick recommended that the Dental Assisting Forum be organized in a similar manner to the Elective Facial Cosmetic Surgery Program. She suggested that the forum consist of seven or nine members, and have two Board members serve as liaisons to the Forum. Dr. McCormick clarified that the Dental Assisting Forum would meet independently and the liaisons would attend the meeting. The liaisons would be able to report back to the Dental Assisting Committee and then to the full Board at meetings.

Joan Greenfield, Dental Assisting Alliance, stressed the importance of implementing the forum as soon as possible in the interest of time. There are many changes in dental assisting including the creation of specialty licenses that will need to be addressed by the Board. Ms. Greenfield offered assistance to the Board to recommend applicants that have the background and knowledge to work on the forum.

LaDonna Drury-Klein, California Association of Dental Assisting Teachers, urged the Board to organize a forum as soon as possible due to the fact that the regulatory process can be time consuming. She stated that it can be difficult to find qualified applicants that have experience with the legislative and regulatory process.

Judith Forsythe, RDA, suggested that the Board review the organization of the Dental Assisting Forum in one year to determine if any changes or improvements need to be made to its composition.

M/S/C (Bettinger/Dominicis) to create a Dental Assisting Forum composed of seven members with 2-year staggered term and two Board members to serve as liaisons; and the Board will review the Dental Assisting Forum in one year. The motion passed unanimously.

LaDonna Drury Klein requested that the Board president set a deadline to appoint members to the Dental Assisting Forum, and she requested that Judith Forsythe, RDA, be considered to serve as one of the Board liaisons.

Public Comment:

There was no public comment.

Adjournment:

The meeting adjourned at 5:42 p.m.