



JOINT DENTAL BOARD AND DENTAL ASSISTING COUNCIL MEETING MINUTES

Thursday, August 27, 2015

Hilton Arden West
2200 Harvard Street
Sacramento, CA 95815

BOARD MEMBERS PRESENT

Fran Burton, MSW, Public Member, President
*Bruce Witcher, DDS, Vice President (Also a Council member)
*Judith Forsythe, RDA, Secretary (Also a Council member)

Stephen Casagrande, DDS
Yvette Chappell-Ingram, Public Member
Luis Dominicis, DDS
Kathleen King, Public Member

Ross Lai, DDS
Huong Le, DDS, MA
Meredith McKenzie, Public Member
Steven Morrow, DDS, MS
Thomas Stewart, DDS
Debra Woo, DDS

DENTAL ASSISTING COUNCIL MEMBERS PRESENT

Chair - Judith Forsythe, RDA
Vice Chair - Anne Contreras, RDA
Pamela Davis-Washington, RDA
Teresa Lua, RDAEF
Tamara McNealy, RDA
Bruce Witcher, DDS

BOARD MEMBERS ABSENT

Steven Afriat, Public Member
Katie Dawson, RDH

DAC MEMBERS ABSENT

Emma Ramos, RDA

JNT 1 - Call to Order/Roll Call/Establishment of Quorum

President Fran Burton called the meeting to order at 1:50 p.m. Judith Forsythe, Board Secretary, called the roll and a quorum was established.

JNT 2 - Staff Update on:

A. The Recruitment Of Registered Dental Assistants in Extended Functions 2's (RDAEF2) as Examiners for the RDAEF Examination

Sarah Wallace, Assistant Executive Office, discussed that we are starting the process of actively recruiting for RDAEF Examiners for upcoming examinations. Staff is preparing recruitment statement and working with legal counsel in order to post the information on the website.

B. Streamlining the Program Application Process for Registered Dental Assisting Educational Programs with Multiple Campuses

Ms. Wallace discussed that this topic has been brought up at multiple Board meetings and will be included in the comprehensive rulemaking package. The sub-committee, consisting of Emma Ramos and Pamela Davis-Washington, put together recommendations of what changes could be made on the application that staff will be reviewing on the near future.

C. Draft Regulatory Language for the Dental Assisting Comprehensive Rulemaking Package

Ms. Wallace discussed the regulatory workshop that was held on June 19, 2015 in Sacramento where the DAC and about twenty-five other stakeholders participated in the development of the Radiation Safety Course requirements. Additionally, there will be additional workshops in the future.

D. Publish RDAEF examination results by provider

Ms. Wallace discussed that staff is compiling the publication of the RDAEF examination results by the provider. Though staff has already published the examination results, they are looking at presenting the information in a different format. This should be updated in the very near future.

Public Comment:

Joan Greenfield, EF Association, asked if we would publish the results from the EF written examination. Staff acknowledged that they would be.

JNT 3 - Discussion and Possible Action Regarding the Feasibility of Having the RDAEF Examination Given at Each of the Provider's Classroom Sites on the Last Day of the Course and for Two Consecutive Days

Jana Adams, Examination Coordinator, mentioned that this topic had been brought up at the May 2015 Board meeting and that staff has contacted all four programs (UOP, J-Production's, EFDA and UCLA) regarding upcoming graduation dates and sizes, contracting requirements due to liability issues and that the programs would need to be open to letting candidates from any program take the examination at their site. UOP, J-Productions, and EFDA agreed that they would want to move forward, while UCLA had concerns about testing directly after graduation. Staff asked that the Board discuss this. In the event staff would not plan the examinations at each individual program, Ms. Adams has been contacting different sites to see where we can hold examinations. Ms. Wallace also brought up that while some of the programs were in agreement, they did mention liability issues with accommodating students from other programs.

Public Comment:

Joan Greenfield, EF Association and J-productions Program Director, mentioned that she hopes these issues can be worked through in order to hold the examination in this manner. Current locations do not have appropriate settings to accommodate each candidate's typodont and bench mount needs. She hopes that we can try this idea.

Board Comment:

Bruce Witcher, DAC member, mentioned that he understands this is merely a liability and contract issue and if this can be worked out and we have enough examiners, this would be a good idea to move forward with. But since staff is setting that schedule, he would have to rely on staff's recommendations. Ms. Wallace said that though we may be able to work out logistical issues, we would need a commitment from each program that they can accommodate candidates from other programs. Ms. Greenfield mentioned that she asked that the examination be a 2-day examination to accommodate candidates that fail so they could re-take the next day. Ms. Wallace brought up that the financial concern with having candidates who failed re-take the examination the next day since staff would not know which candidates are re-taking ahead of time and would not know if the facility was needed (since we can back out of a contract within thirty days of the examination) or how many examiners and proctors are needed to be scheduled. Also, having candidates not pay ahead of time (staff has to process these fees ahead of time) could become costly to the Board. Ms. Greenfield commented back that the tradeoff could be a huge savings to the Board if we didn't have to pay the facilities. Ms. Wallace responded with clarification that once an examination is over, staff enters in results and those that failed would need to fill out a re-examination form with a fee that needs to be processed. This could become very difficult to do in a 24-hour period. Ms. Greenfield suggested that we check with the Regional Boards on their examination process. Tamara McNealy, DAC member, asked if this is just a processing issue and said since the examination process is not listed in regulations, this is something that could easily be changed. She sees this as a benefit, especially in regards to patient safety. She mentioned and Dr. Morrow, Board member, brought up at the last Board meeting that we do not want the work on patients to be delayed. Kathleen King, Board member, asked if there are any cons to moving forward with scheduling the examination at each program. Ms. Wallace responded that cons would include that staff would need to have the appropriate contracts in place, working out the logistics of whether we can hold a re-examination on the second day and making sure the programs are in agreement with letting any candidate take the examination at their site. Ms. King clarified that she wasn't asking about the re-examination part, but if there were any cons in changing when we hold the examination. Ms. Wallace clarified that we would just need to work out the logistics of the exact dates and the availability of the examiners and proctors availability. Teresa Lua, DAC member, asked how we would go about letting candidates re-apply for the examination on the second day. Ms. Wallace commented that those would be logistics we would have to work out. Ms. Greenfield asked that the Board vote on this today so providers could work on the issues that have been discussed and because this would be better for patients and students. Fran Burton, Board President, reminded Ms. Greenfield that this is just an update and there wouldn't be a vote. Ms. Burton also mentioned that we would need to look into how easily we could go about having re-exams on the second day. Huong Le, Board member, commented that, though other boards may be able to hold re-examinations the next day, we would need to look at regulation processes to see if we could do this. Ms. Lua asked the question of why the DAC member cannot attend the examinations. Spencer Walker, Senior Legal Counsel, responded that since this topic is just an update, that question would need to become an agenda item at a future meeting. Karen Fischer, MPA, Executive Officer asked that Ms. Lua ask if she wants this question to be a future agenda item. Ms. Lua responded that she did.

Ms. Fischer stated that it seemed the Board and DAC had no objection to holding the examinations at the end of each program and that staff should research to see if this can work. Steven Morrow, DDS, MS, Board member, stated that he believes it's reasonable to schedule the examinations at the program sites but has concerns of having a re-examination the second day. This is because if the candidate fails the exam on the first day, how can the candidate learn the competence enough to pass twenty-four hours later. This would seem in order to pass the exam it would be luck of the draw. Ms. Greenfield disagreed with this comment.

Action Items:

Can DAC members attend examinations? Why or why not?

JNT 4 - Discussion and Possible Action Regarding Registered Dental Assistants in Extended Functions (RDAEF) June 2015 Examination Results – Low Pass Rates for University of the Pacific (UOP) Students

Ms. Adams explained the examination statistics listed from the June 13, 2005 and July 25, 2015 examination. Ms. Adams also discussed the high failure rate of UOP students compared to other students who took the examination. Most of the failure rate was due to the composite restoration and the amalgam restoration components. Staff asked that the Board discuss these results and consider if a review of UOP's program is warranted to be sure the program is in compliance with Board requirements.

Ms. Wallace also mentioned that staff has researched past statistics from previous examinations and has noticed a downward trend in the passing rate from UOP. It seems that candidates are having the most trouble with the composite restoration component. Also, the Board is able to do program re-evaluations through site visits every seven years or as the Board deems appropriate.

Board Comment:

Dr. Morrow asked if the program has been notified of the outcome of their students and the deficiencies of where students are failing. Ms. Wallace responded that we would notify them after the Board's discussion. She also mentioned that the students did receive their results and staff was contacted by UOP with concerns of the failures. Stephen Casagrande, DDS, Board member, asked what the costs of these programs are. Ms. Greenfield said that the programs range in cost from \$14,000 - \$25, 000. Dr. Witcher thinks we should start with a letter outlining the reasons for failures and see how that goes before we hold a program review. Ms. Lua mentioned that every program is completely different with cost and what is provided. She also asked if DAC members are able to visit the different programs. Mr. Walker asked that she let Ms. Burton and Ms. Fischer know ahead of time so they can notify the programs beforehand. Ms. McNealy asked if there have been any faculty changes from UOP that the Board has been made aware of and do these programs have to follow the same procedures of letting the Board know of these changes like the RDA programs do? Ms. Wallace responded that we would need to look into if any faculty changes have been made recently and that they do have the same procedures. Ms. Forsythe mentioned that pass rate is disturbing and would like to move forward with an evaluation of UOP.

Motion/Seconded/Carried (M/S/C) (Forsythe/Lua) to move forward with this evaluation.

Mr. Walker and Ms. Forsythe explained they need the DAC to give a recommendation and then have a vote.

Dr. Witcher mentioned that problem will most likely take care of itself once communication is started and doesn't think a site evaluation is necessary. Ms. Greenfield says she asked for this because this has been an ongoing issue. Debra Woo, DDS, Board member, asked if there is a cost for evaluation. Ms. Wallace responded that there is a cost for the special matter experts that would be traveling.

M/S/C (Forsythe/Lua) to recommend to the Board that staff move forward with this evaluation.

Support: Forsythe, Contreras, Davis-Washington, Lua, McNealy, **Oppose:** Witcher
Abstain: 0

The motion passes. Ms. King asked that at the next meeting, we break examination results down by school. Ms. Wallace responded that we would add past history trends.

M/S/C (Burton/Dominicis) to approve the DAC's motion. Dr. Morrow agrees with Dr. Witcher that this is premature to do an evaluation without giving them any warning. Ms. Forsythe says that the warning is the low pass rate and we should go in right away with an evaluation and take action before another exam with low pass rates occur. Dr. Woo said that we should let the school respond to a letter of the low pass rates first. Dr. Lai says we should support the DAC since UOP should be on top of this. Dr. Morrow agreed that we need to look into problem but we need to figure out how to solve it.

Public Comment:

Tammy Lane, RDA and Educator, said we should open up dialogue and that site evaluation is not punitive, but an opportunity to fix this.

Support: Burton, Forsythe, Casagrande, Chappell-Ingram, Dominicis, King, Lai, Le, McKenzie, Stewart. **Oppose:** Witcher, Morrow, Woo **Abstain:** 0

The motion passed. Dr. Casagrande commented that by voting yes, he feels that this should be a staff driven event. Staff should work with the DAC to see this through.

JNT 5 - Joan Greenfield Requests

Joan Greenfield gave an overview of the information provided.

- A. Change RDAEF Function from “Cord Retraction” to “Soft Tissue Management for Prosthodontics”**
- B. Remove Cord Retraction from RDAEF Examination as a Graggable Item**
Dr. Woo stated that she has an RDAEF2 and Cord Packing should stay because it is very important. Ms. McNealy asked if patient is looked at before and after cord placement. Joan responded that they are. Dr. Witcher stated that there would need to be a change in regulation and to add this to the list of changes that need to be done. Ms. McNealy

commented that Joan doesn't want it removed from curriculum, just not tested on licensure examination. Joan agreed.

C. Test Anterior and Posterior Composites. Remove Amalgams from Test, Not from Curriculum

Dr. Lai mentioned that there are currently final stages of a new material being created so if there is understanding of how to condense the amalgam, the new material will act the same way. He feels that amalgam is still the most widely used material and should still be tested. Dr. Casagrande stated that the RDAEF examination is designed for mass clinic use. There is no real cause to get rid of this examination. He also explained that since they are testing for competence, they need to know how to perform with amalgam. Dr. Woo thought maybe the candidates could have a choice of what to test on just as testing is done on the portfolio process. Dr. Le stated that a good amalgam restoration is harder to do than a good looking composite restoration. She feels that amalgam should still be tested. Dr. Whitcher reminded that to move forward with any of these ideas, it would need a legislative proposal. Mr. Fischer reminded us that there is an Occupational Analysis (OA) being conducted. Ms. McNealy asked what questions are being asked in the OA. Ms. Wallace responded that staff is not in control of what questions are being asked and that OPES is in charge of that. Mr. Walker said we could table this until the OA is completed. Ms. Forsythe recommended that we do that.

D. Remove Amalgam Requirement from Restoration Performed on Patients

Dr. Morrow explained that the quality of care should not be compromised in order for students to meet their graduation requirements. Ms. Lua asked how many other programs have this problem. Joan wasn't sure. Ms. Lua also asked why a patient is willing to submit to have these procedures done. Joan said that it is normally a friend or family member willing to do it. Ms. Lua feels that a student should be able to find a patient if they really need to. She feels it should stay a requirement. Ms. Burton stated that she wanted to bring this to an end as it is not a Board issue. Mr. Walker then explained that the Board does not select candidates and, therefore, this would be a school issue. Dr. Casagrande stated that this should stay and if it is removed, then the candidate should never be allowed to do an amalgam (removing from duties). Ms. McNealy and Ms. Davis-Washington suggested students find patients at an underprivileged school or office. Dr. Whitcher suggested we table this until the OA is done.

JNT 6 - Update Regarding Assembly Bill 178 and Assembly Bill 179 – Dental Board of California Sunset Review Legislation

Ms. Fischer gave an update on the Assembly Bills listed.

JNT 7 - Discussion and Possible Action Regarding the Registered Dental Assistant Practical Examination Results for July 2015 and August 2015

Ms. Adams gave an update on the RDA examination results listed.

JNT 8 - Discussion and Possible Action Regarding Dental Assisting Council Self-Assessment, Review of Expectations and Guidance from the Board

Ms. Fischer discussed the information listed as to why the Joint meeting was created. She wanted to make sure there was an open dialogue to see how the DAC can further progress. Ms. Davis-Washington expressed that she likes having the joint meeting. Being the clinical RDA of the council and working more hands on, she didn't have much background in regulations and appreciates this setting. Dr. Stewart felt the energy is positive and thinks there was good dialogue to move forward. Dr. Casagrande discussed the fact that even though the Board dynamic changed from COMDA to DAC, he feels comfortable sitting next to his RDA's, even though there are uncomfortable discussions. He wants to keep working together. Yvette Chappell-Ingram, Board member, commented that she personally studies boards and realizes when there's diversity you always come out with a healthy and productive board. Ms. Lua mentioned that she didn't understand one of the memos so she called and talked to Ms. Wallace and the Board Office and thought it was very helpful and appreciated the open communication. Ms. McNealy stated that since she's the newest DAC member, she has been asked what suggestions she has. She thought it would be great to start a mentorship program where an experienced member can work with a new member. Ms. Fischer wanted to clarify that opening this dialogue is not a personal attack on the DAC. Since the Board has taken over the DAC in 2009, there have been ongoing comments that all parties are not responsive. While Ms. Fischer doesn't think that's true, she feels that we are moving forward and figuring out how best to work as a team. Is Dr. Whitcher mentioned that the last workshop had great participation and gratified that we are holding this joint meeting. Ms. Forsyth feels as if her whole family is sitting here since she is part of the DAC and the Board. This is a continuing learning process and the joint meeting has been very positive. Ms. Fischer reminded everyone that the legislature realized that learning these processes takes time and the DAC is still very new. The legislature is behind the DAC and knows that they will work hard even though stakeholders have brought their opinions forward. Ms. Burton mentioned that there has to be balance and everyone has to participate. She wants to hear all aspects from everyone. Ms. Contreras stated that she didn't know what to expect at first, but talking with one another in this joint meeting has opened communication and is very beneficial. She feels that coming from an educator and chairside RDA aspect, this is best for the profession. Ms. Burton asked if our meeting should always be joint style meetings. Ms. Forsythe thought maybe just occasionally having a joint style meeting. For example, if there are big controversial issues. Ms. King feels that allowing joint meetings are important when issues arise for both the DAC and the Board. Dr. Woo felt that the joint style was more efficient. Ms. McNealy expressed that the joint style should be more limited and doesn't need to be at every meeting, but this was very effective with the open dialogue and different opinions. Dr. Morrow stressed that the need to feel safe in this environment is very important so we can all express opinions. Dr. Stewart suggested that the next two meetings be a joint style meeting to keep working together. Dr. Le felt the joint meeting has allowed the communication to be open and questions to be asked in a timely manner. Ms. Fischer reminded everyone that statute allows that the DAC can meet on its own time instead of meeting in conjunction with the Board. Her recommendation is that the DAC still meets at the same time as the Board so they can experience the conversations happening. Ms. Fischer wanted to make sure the DAC felt that it was valuable that the DAC continues to have the meeting at the same time.

Ms. Lua feels that it is very valuable. Ms. Forsythe feels that having the DAC meet with the Board would be a good idea. Dr. Casagrande agrees that the next meeting should be a joint style meeting and then go from there.

Adjournment

Ms. Forsythe adjourned the council meeting at 3:58 p.m.

Public Comment:

Cara Miyasaki, RDA, RDHEF and Program Director at Foothill College, wanted clarification on what Ms. Greenfield was asking about and whether it had to do with the OA or would be incorporated in the regulatory workshops in the future. Spencer clarified that Ms. Greenfield's comments would not be covered in the regulatory workshops. Claudia Pohl, CDAA, wanted to know when there would be another regulatory workshop scheduled. Ms. Fischer reminder her that Ms. Wallace mentioned that the key analyst that would be leading these workshops had left the department so as soon as that employee is replaced, another meeting will be scheduled. Ms. Pohl also wanted to know the protocol for publishing Board meeting dates on the website as this meeting's location was not published until one week prior. Ms. Fischer explained that we can't publish locations until we have executed contracts and will try to get the 2016 schedule up much earlier.

JNT 9 - Public Comment on Items Not on the Agenda

There was no further public comment.

JNT 10 - Adjourn Joint Meeting of the Dental Board and the Dental Assisting Council

Since Ms. Forsythe had already adjourned the meeting at 3:58pm, Ms. Burton recessed the meeting at 4:03pm until 9:00am on Friday, August 28, 2015.