



DENTAL BOARD OF CALIFORNIA

2005 Evergreen St., Suite 1550, Sacramento, CA 95815

P (916) 263-2300 | F (916) 263-2140 | www.dbc.ca.gov



DENTAL BOARD OF CALIFORNIA MEETING MINUTES August 15, 2024

Pursuant to Government Code section 11213.2, the Dental Board of California (Board) met by teleconference/WebEx Events on August 15, 2024, with the following location available for Board and public member participation:

Department of Consumer Affairs
1625 N. Market Blvd., Hearing Room #102
Sacramento, CA 95834

Board Members Present:

Alan Felsenfeld, MA, DDS
Joanne Pacheco, RDH, MAOB, Vice President
Lilia Larin, DDS, Secretary
Steven Chan, DDS
Kevin R. Cheng, JD, Public Member
Robert P. David, Public Member
Joni Forge, DDS (remote participant)
Meredith McKenzie, Esq., Public Member
Angelita Medina, MHS, Public Member
Sonia Molina, DMD, MPH
Rosalinda Olague, RDA, BA
Yogita Thakur, DDS, MS
James Yu, DDS, MS

Staff Present:

Tracy A. Montez, Ph.D., Executive Officer
Carlos Alvarez, Enforcement Chief (South)
Jodi Ortiz, Chief of Licensing and Examination Division
Paige Ragali, Chief of Administration and Compliance
Ricky Eaddy, Licensing Manager
Jessica Olney, Anesthesia Unit Manager
Wilbert Rumbaoa, Administrative Services Unit Manager
Mirela Taran, Administrative Analyst
Joseph Tippins, Investigator
Jerry Fuhrman, Investigator
Melissa Gear, Deputy Director, Board and Bureau Relations, Department of Consumer Affairs (DCA)
David Bouilly, Moderator, SOLID, DCA
Bryce Penney, Television Specialist, Office of Public Affairs, DCA

Dental Board of California
August 15, 2024 Meeting Minutes

Tara Welch, Board Counsel, Attorney IV, Legal Affairs Division, DCA

10:00 a.m., Thursday, August 15, 2024

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

The Board President, Dr. Alan Felsenfeld, called the meeting to order at 10:05 a.m. The Board Secretary, Dr. Lilia Larin, called the roll; 13 Board Members were present, and a quorum was established. Board Member Joni Forge, DDS, participated remotely and confirmed there were no individuals present in the room at the remote location with her in compliance with Government Code section 11123.2, subdivision (j)(4).

Agenda Item 2: Public Comment on Items Not on the Agenda

The Board received public comment on this item.

Ana Maria Quintana, Councilmember of the City of Bell, noted that she attended the last Board meeting to talk about the foreign dental school program. Her group, which has been working toward bringing discussion and validity and talk about the success of the program, came before the Board. She added that they were under the impression that this topic was going to come up for discussion. When they looked at the agenda, they realized that it was not. Therefore, she reached out to one Board Member and was told that she was not allowed to communicate with them. Ms. Quintana expressed that she wants us to give thought as to what our roles are as public servants. She added that she is an elected official who has been tasked with the duty of advocating for the needs of her community. She conveyed that is what she has been doing by: (1) taking on this task because this program has served the community needs; and (2) reaching out to the Board Members, as they are the policy makers on the Board. She voiced her surprise to be told that the Board Members were not permitted to speak to the public. She stated councilmembers have an obligation to be as fully informed as possible and be involved with stakeholders so that when decisions come before them, they are better informed. She encouraged the Board Members to take on that role for the betterment of the profession.

Francisco Leal, speaking on behalf of De La Salle University, School of Dentistry and Nicolae Testemitanu State University of Medicine and Pharmacy of the Republic of Moldova (SUMP), voiced his intention to be at the meeting in person to participate in a discussion regarding the possibility that the Board would consider recommending approval of these schools while they go through the Commission on Dental Accreditation (CODA) accreditation process as a pilot program. He noted that Board Member Sonia Molina specifically requested that this issue be placed on the agenda. He was disappointed to learn that President Felsenfeld refused, citing that the Board does not have the authority to consider this issue. Mr. Leal expressed that it was back in 2019 that the Board voted to terminate the program. He noted that the current Board Members who were on the Board back then he believes in good faith voted but did so relying on misinformation regarding the time frame for CODA accreditation. He affirmed that the CODA accreditation is not two to four years but 10 to 12 years or more. During

this time, schools cannot admit students. Mr. Leal stated that other members who were not part of the decision naturally have questions; he tried to reach out to those members to explain the facts, so they could personally hear his message. Mr. Leal indicated that it is disturbing that the Board Members are prohibited or at least discouraged from meeting with stakeholders on the basis that there may be a conflict of interest where no such conflict of interest clearly exists. He pointed out it was disturbing that Board Counsel admonishes Board Member Molina to guard her words as she may have a conflict of interest due to the fact that her daughter graduated from SUMP; he asserted there was no legal basis for that. He conveyed that through the process for over four years they have attempted in good faith to communicate with Board staff, requesting a thorough assessment of the value of this program and addressing access to care dental issues. He stated that over 800 dentists have graduated from these schools; many, including Board Secretary Larin's children, are practicing in underserved communities. Mr. Leal asserted Board staff has not been helpful, and now they cannot even have a discussion with Board members.

Dr. Howard Kim, one of the Regional Dental Directors for Via Care Community Health Center in Southern California, spoke in support of having this topic of a possible reinstatement of the Board's ability to approve foreign dental schools as an agenda item for the future or next Board meeting, as this is a step in the right direction towards finding solutions for the shortage of dentists in rural and low-income and minority communities. He conveyed that it is well known that California has a shortage of healthcare professionals that include dentists, and the lack of healthcare providers has a more significant negative impact on rural and low income and minority communities. Dr. Kim disclosed that it has been difficult to attract and retain dentists, even in the East Los Angeles area, where he practices. Dr. Kim stated he could only imagine how difficult it can be to hire and retain dentists in more rural areas of California. He stated having a pipeline of dentists from more foreign dental schools will be very helpful in hiring culturally competent dentists that can communicate better with patients and serve patients better.

Jessica Shoemaker expressed that it surprises her that the several requests Board Member Molina made at the last Board meeting, which she was told that the agenda item regarding foreign dental schools would need to be agendized later for discussion, was not on this meeting's agenda. She added that they are finally seeing that the Board has looked into the CODA International dental program issue and may be starting to realize that the timeline that has been stated since the effective elimination of the program in 2019 was incorrect. She stated the documents given to the Legislature from the Board has been incorrect, and the information given to the Board Members of the Board has been incorrect. She communicated that she was looking forward to the opportunity for an agenda item to actually address the misinformation that the Board has been given so that there could possibly be a way to agree on how to move forward. Ms. Shoemaker expressed that she has yet to see the Board address the maldistribution of dentists, address how it is going to replace the dentists that these programs graduated into California, and also address what the actual CODA process is

and how California may help in fixing some of the issues to make CODA efficient and a viable solution as an accrediting agency for these schools. She added that she hoped to see it on the next Board meeting agenda.

Dr. Tom Tu, one of the Regional Directors for Via Care Community Health Center in Los Angeles, voiced that he supports the previous comments. He stated that having a guaranteed pipeline for culturally competent and willing dentists to serve low-income patients is important to the community he serves and would address the pain points that he faces as a dental director at his health center. He implored the Board to add it to the next agenda item for the next meeting so that the public can have open discussion on it.

Dr. Mohlab Al Sammarraie, Dental Director at AltaMed Health Services, expressed that AltaMed is one of the largest federally qualified health centers (FQHC) in California providing critical care to over half a million patients for more than 50 cities in Los Angeles and Orange counties, including oral and dental health. He requested to include the foreign dental schools as an agenda item to discuss at the next Board meeting. He voiced that he has firsthand knowledge about the exceptional qualities of education provided by the foreign dental school that have been accredited by the Board, especially De La Salle University, School of Dentistry, where he graduated from. Dr. Mohlab Al Sammarraie expressed that at AltaMed, they have the privilege of hiring highly skilled graduates from these international programs who have consistently demonstrated their excellence as practitioners within the organization. He stated many of these professionals have advanced into leadership and senior leadership roles where they contribute to the delivery of high quality care to patients. Dr. Mohlab Al Sammarraie stated their contribution has been significantly enhanced by the quality and accessibility of dental service not only at AltaMed but across the board for healthcare landscape in the United States. As a graduate from De La Salle University, School of Dentistry, Dr. Mohlab Al Sammarraie noted that he is honored to be recognized among the American Dental Association's (ADA) top 10 dentists and also alternate delegates for the House of Delegates. He voiced that he has also served as a subject matter expert in law and ethics for the Board. Together with his colleagues, he believes they are actively driving positive change and delivering tangible results with the communities they serve, regardless of the practice setting in which they operate. Dr. Al Sammarraie indicated that he is seeking the Board's support to continue the conversation on foreign trained dentists.

Due to technical difficulties, Juanita Chávez typed her comment into the WebEx Question and Answer feature and commented "I am from the Dolores Huerta Foundation. I concur with those who have spoken".

Agenda Item 3: Discussion and Possible Action on May 14-15, 2024 Board Meeting Minutes

Mirela Taran requested an amendment to the meeting minutes on page 8, Agenda Item 12(c), first paragraph, to strike the text "Arrendando" and replace it with "Arredondo".

(M/S/C) (Yu/Pacheco) to approve the May 14-15, 2024 meeting minutes as corrected.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: David.

Absent: None.

Recusals: None.

The motion passed.

Agenda Item 4: Board President Report

President Felsenfeld reported that Dr. Tracy Montez and he attended the DCA Board Leadership meeting in June as well as the Dental Hygiene Board of California (DHBC) meeting in July, and he recently had a telephone meeting with the new State Dental Director, Dr. Shakalpi Pendurkar.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 5: Report on Department of Consumer Affairs Activities, which may include updates on the Department's Administrative Services, Human Resources, Enforcement, Information Technology, Communications and Outreach, as well as Legislative, Regulatory, and Policy Matters

Melissa Gear provided a departmental update, which included the following. In regard to Budget Letter (BL) 24-20 regarding vacancy saving position elimination, the Department of Finance issued this letter implementing the Governor's proposal to reduce the workforce by 10,000 positions and \$1.5 billion. DCA's Budget Office is working closely with each board and bureau to identify appropriate reductions while maintaining consumer protection. The final budget reduction plan will need to be approved by [the Business, Consumer Services, and Housing Agency] and ultimately the Department of Finance. The budget reduction will be starting in 2024/25 and ongoing, while the position elimination will be effective starting 2025/26 and ongoing. The reductions will impact DCA boards and bureaus, and DCA will share further information and guidance from the Department of Finance once it becomes available.

Ms. Gear discussed SB 553 [Cortese, Chapter 289, Statutes of 2023], which amended the California Labor Code to require California employers to develop and implement a workplace violence prevention plan and train employees by January 1, 2024. As a

result, DCA updated its workplace violence prevention policy to include all elements of SB 553. Training is mandatory for all DCA employees and Board members; training must be completed by August 30, 2024. Ms. Gear noted that training completed by Board members through California employers will not satisfy the DCA-specific training requirement.

Ms. Gear noted that on July 31, 2024, DCA participated in a virtual military licensing webinar hosted by Navy Region Southwest. The webinar showcased DCA military licensing resources to active military veterans and military spouses throughout California and navy bases. DCA's Deputy Director of Communications provided an overview of licensing resources, and DCA's Deputy Director of Information Services provided a demonstration of the Federal Professional License Portability and State Registration online portal. DCA received positive feedback and looks forward to continuing its partnerships with the military community.

Ms. Gear disclosed that DCA's Diversity, Equity, and Inclusion (DEI) Steering Committee met on July 26, 2024. The meeting included information on DEI training, development, and workforce development survey from a DEI perspective, expanding language access, and DEI activities for inclusion in the DCA annual report. She added the DEI Steering Committee is memorializing the Department's DEI activities in a report, which is provided to the Administration and the Legislature. This year's report will include DCA specific updates on training, outreach, language access, and tools and resources for staff and will also highlight board and bureau accomplishments.

She shared a reminder that boards are urged continue to be vigilant and cautious of potential phishing attempts and deceptive emails and calls which trick individuals into revealing sensitive information or installing malicious software. If Board Members suspect any phishing attempt or get a suspicious email, she urged them to report it immediately to their executive officer or DCA's Office of Information Security, as this will help them take swift actions to protect everyone.

Board Member Robert David encouraged Board staff to push back on the Department of Finance drill related to position cuts mainly due to the fact that the Board is a special funded agency. He added that dental professionals are paying fees for the Board to provide them a service, and there will be the potential for Board service levels to be diminished. He noted there will be no impact to the General Fund if those positions are cut as the Board is special funded.

Secretary Larin noted that she is curious to find out how the approval process works for the Mexico Pilot Program. Dr. Montez responded that someone will briefly go over that during the meeting, and there will be some information on that during the legislative update of the Board meeting.

Board Member Molina asked whether the Board will have a discussion on the dental part as she is aware that the physician part going is ahead but not the dental. Dr. Montez responded that will be addressed in the legislative item.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 6.: Discussion and Possible Action on Board, Council, and Committee Member Administrative Policy and Procedure Manual

Dr. Montez provided the report, which is available in the meeting materials.

Board Member David expressed support for the amendments to the manual as long as it is an exception not the standard, and he does think the Board should be involved in discussing legislation whenever possible.

(M/S/C) (Chan/Olague) to adopt the revised Board, Council, and Committee Member Administrative Policy and Procedure Manual to include the amended language on page 16 of the Manual, in Chapter 5.

President Felsenfeld requested public comment before the Board acted on the motion. The Board received public comment.

Mr. Leal voiced that Board policy appears to state that all communications go through the President and wanted to clarify what that means with regard to whether someone like himself can reach out to a Board Member and have a conversation about issues that he cares about. Dr. Montez advised Mr. Leal to refer to page 16 of the manual under "Communications with Other Organizations and Individuals," which is the guidance given to Board Members and clarified that this manual is modeled after policy manuals of other DCA boards and bureaus. She conveyed that the Board is a regulatory board and functions differently than other public entities. Therefore, the Board does have guidance that is given specifically to its Board Members to ensure that their roles are defined and appropriate protocols are followed.

Mr. Leal voiced that on page 21 of the manual, the Conflict of Interest Code is recited, based on the Government Code; this mostly goes through general counsel. As he has read it thoroughly, there have been some insinuations that the public reaching out to the Board Members on issues is or may be a conflict of interest. He asked for clarification so that the public or members do not venture into an area where they may be essentially violating this rule.

Ms. Shoemaker verbalized that in meeting with Board Members, she would not be expecting them to be speaking on behalf of the Board and generally that is what these policies are and that they do not prohibit individual members from meeting with stakeholders as an individual member. Ms. Shoemaker inquired why the Board Members have to go through President Felsenfeld to speak to a member or stakeholder

as an individual Board Member with the understanding they are not speaking on behalf of the Board in general. She asked whether she should send an email requesting clarification on why an individual Board Member cannot speak to stakeholders as an individual Board Member.

President Felsenfeld advised Ms. Shoemaker to email her question to the Board.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Olague, Pacheco, Thakur, Yu.

Nays: Molina.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

Agenda Item 7: Update, Discussion, and Possible Action on 2023/2024 Legislation Impacting the Board, the Department of Consumer Affairs, and/or the Dental Profession
Agenda Item 7.a.: 2024 Tentative Legislative Calendar – Information Only

Dr. Montez provided an overview of the 2024 Tentative Legislative Calendar, which is available in the meeting materials. Dr. Montez pointed out that September 30, 2024, is the last day for the Governor to sign or veto bills passed by the Legislature before September 1, 2024.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 7.b.: Update Regarding the Board's 2024 Sunset Review Oversight Hearing

Dr. Montez provided the report, which is available in the meeting materials.

Tara Welch noted that agenda item 7.b. is informational only, and if the Board Members want to discuss the text of the sunset bill itself, which is Senate Bill (SB) 1453, that is agenda item 7.d.

President Felsenfeld requested public comment on this item. The Board received public comment.

Tooka Zokaie, representing California Dental Association (CDA), applauded Dr. Montez on her comments at the legislative committee hearing and the collaboration to make these equitable pathways, understanding that there is the different time for the pathway

programs to come six months after everything. She reiterated that it is a great bill and thanked the Board for their work.

Agenda Item 7.c.: Legislative Proposal to Amend Business and Professions Code Section 1680, Subdivision (z), Regarding Patient Death or Hospitalization Reports
Dr. Montez provided the report, which is available in the meeting materials.

Board Member Steven Chan noted, on page 101 of the meeting materials, in Business and Professions Code (BPC) section 1680, subparagraphs (6) and (7), there is conversation with a different board and asked how that works.

Ms. Welch pointed out this is actually existing law, and these provisions are not technically being added because they currently exist under the strikethrough text [meeting materials, p. 100, paragraph (D)]. However, if there is another licensed professional involved, a licensee of the DHBC, the licensee has to submit a report to that board as well, so that board can review the actions of the hygienist. She added that boards frequently communicate between themselves; the Board will communicate with the Medical Board of California and the DHBC to interact. When the Board receives a complaint or a report such as this and it is not within the jurisdiction of the Board, it will get transferred to the other board, that likely has jurisdiction. Regarding complaints that have no bearing on licensure, the Board would not send it to another board and would likely recommend to the complainant a different state agency where they would send that complaint. As far as these reports go, the two boards communicate internally to ensure that each board that has jurisdiction over the license is informed of the situation.

Board Member David asked whether this legislation is to be proposed next session or whether the Board is amending a bill and asked if an author has been found. President Felsenfeld responded that it will be next session.

(M/S/C) (Chan/Thakur) to approve submission to the California State Legislature the legislative proposal to amend Business and Professions Code section 1680, subdivision (z).

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

Agenda Item 7.d.: Legislation of Interest

Dr. Montez provided the report, which is available in the meeting materials, and went over the eight bills, Assembly Bill (AB) 2269, AB 2630, AB 2860, AB 2862, SB 1067, SB 1453, SB 1468, and SB 1526. She commended the Board on the positions that it took at the May 2024 Board meeting. Dr. Montez stated she had the opportunity to see a legislator at a public event and noted that he made a comment that he appreciated the Board's thoughtful letter. She added that he clearly articulated what the Board had put in the opposition letter and appreciated that.

Regarding AB 2860, Dr. Montez noted that she had been in some communications with the sponsor and an individual involved in this program and conveyed that the Board has not participated in it because it required funding that the Board does not have. It is something that has sort of been there, but the Board has never been able to implement as it does not have the funding for it. She articulated that the Medical Board of California has been able to proceed with their program, and they are now where they have actual data of the success of this program. This bill is currently being amended to split off the two pilot programs and make some amendments to the positions. There is interest now in taking what has been learned from the physician piece of it, how to apply it, to the Board. Dr. Montez declared that she is excited about this because she believes this appears to be more of what the Board would like to get access to care.

Board Member Molina inquired how the Board would go about not having funding. Dr. Montez responded that she would be happy to explore that and would get back to Board Member Molina on that.

President Felsenfeld requested public comment on this item. The Board received public comment.

Arnoldo Torres, consultant to Clinicas de Salud del Valle de Salinas (CSVS) and author of the legislation that started the pilot, verbalized that on the dental issue, they did not move and amend the original bill, AB 1045, which is still in AB 2860. Mr. Torres stated the focus has been the doctors because the shortage is so phenomenally worsened every year. The problem is very severe with dentists as well, but the community health centers that they work with have prioritized health, and their bill this time includes psychiatry, which is a significant improvement as there are virtually no Spanish speaking psychiatrists that are up out there willing recruited to come and work. Mr. Torres indicated that they have never expected the federal government to fund any of this and do not want state money to fund administration and the creation this program. Their concern from the very beginning was California consumers would query why money was being spent on the undocumented population. They have spent general fund dollars and secured money from foundations. As this program is expanding, it will be financed by the health centers that they are recruiting. He added this is a

phenomenal program and has grown beyond what anybody thought, and there is no reason to believe that the dental program, as they will structure it, will be different. He voiced that in 1980, it was said to be the decade of the Hispanic. The state of California had more Hispanics in the state at that time than any other state. However, the medical and dental schools in the State of California did nothing to prepare and dentists to be culturally linguistically confident to see the population that was continuing to grow. Mr. Torres pointed out that it has now gotten to a point where the state cannot deal with this on its own and must involve Mexico in some form or another. Rather than focus on one bill, he strongly recommended the Board, as the Medical Board of California will be doing, to hold a hearing that focuses on what it is going to do as a Board to address the phenomenal diversity that California has and the ability of its academic institutions.

Dr. Montez responded that she has scheduled a meeting with the DCA Director discuss to the Medical Board of California and its role with the Mexico Pilot Program.

At 11:30 a.m., the Board recessed for a break.

At 12:04 p.m., the Board reconvened.

Dr. Montez addressed two letters the Board received. She disclosed that a letter was received by the Dental Assisting Alliance on July 28, 2024, and they expressed general support for SB 1453. They did have some concerns about the unlicensed dental assistant having no prior work experience other than the 8-hour infection control, CPR, and the 12-hour coronal polishing course. Additionally, they wanted the Board to reconsider the coronal polishing, putting back in that requirement with regard to the work experience and so forth. Dr. Montez verbalized that the [Senate Business, Professions and Economic Development Committee did not seek to include that amendment, so that was not included in the latest version. She reminded the Board that although this is the Board's Sunset bill, this is really the bill of [Senator Ashby and the Senate Business, Professions and Economic Development Committee]; the Board can support or take positions on the bill and collaborate as a stakeholder on various amendments.

The other letter received by the Board was from the California Association of Orthodontists (CAO), dated August 13, 2024. Dr. Montez noted that CAO expressed appreciation for the majority of SB 1453 and did have comments and questions on the six-month Registered Dental Assistant (RDA) work requirement before an application is submitted, as well as some issues regarding the time frames for taking the course, sitting for the exam, and so forth. She added that the actual Board, at the time, did support a reduction from 12 months to six months on work experience requirements. However, on further amendments from the Senate Business, Professions and Economic Development Committee, they asked the Board to remove the work experience requirement for both the class and taking exam.

Board Member Yogita Thakur commented that for the orthodontic assistant program, she noticed that the Board is taking away the six-month requirement completely and asked if the work experience would also be taken away. Dr. Montez responded that both of those have been removed.

President Felsenfeld requested public comment on this item. The Board received public comment.

Melodi Randolph, representing the Dental Assisting Alliance, indicated that they are surprised and do not understand how at the last Board meeting, the Board unanimously voted to keep the work experience requirement, yet two or three people in an Executive Committee can overturn a decision by the full Board. Dr. Montez responded that this is not the Board's bill, and [Senator Ashby] is the author of the bill, and therefore they are working with various stakeholders, which includes the Board. Dr. Montez added that there are additional conversations and discussions that take place, and the Executive Committee is allowed to offer their opinion and involve their input in those discussions. Ultimately, it is [Senator Ashby and the] Senate Business, Professions and Economic Development Committee that makes the decision. Ms. Randolph responded that she hopes it was communicated that when the Board voted on this, it was a unanimous decision, and that the Board's Executive Committee spoke by themselves, not representing what the Board had said, as this is a big issue to dental assistants, and they are extremely disappointed.

Shari Becker, representing the Dental Assisting Alliance, agreed with and supported Ms. Randolph's comments. Regarding the Alliance's letter that they had submitted regarding the coronal polish concern with the work experience and eliminating that language that had been previously approved and agreed upon and having that stricken is a great grievance for them as well for the work experience.

Dr. Sheetal Patil, presenting CAO, conveyed that she appreciates the Board being flexible and streamlining the licensing processes for RDA, removal of the 6-month work requirement, and orthodontic assistant application submission will be made easier. She emphasized that orthodontic assistants have a lot narrower scope of duties compared to the RDA and taking the experience in the workforce being there for a longer duration delays the processes in applying to these programs. Regarding ultrasonic scaling requirements, she noted that she cannot fathom that any other orthodontic office uses ultrasonic scaling in their offices to remove the band cement. Currently, the band cements have changed, and it is rare for an ultrasonic scaler to be in an office. Dr. Patil verbalized that it is crucial to have more orthodontic assistants quickly.

Ms. Becker, representing herself as an RDA, expressed that as she is listening and going through this process, it is feeling as if the criteria is getting watered down for permits for licensure and noted that it is difficult to think of someone coming off the streets and being able to do certain duties and things with no work experience. Ms. Becker noted that saying they have to do an educational pathway per se by taking away

any work experience at all is contributing to watering down parts and pieces of the dental assisting profession.

Agenda Item 8: Status Update on Pending Regulations

Dr. Montez provided the report, which is available in the meeting materials.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 9: Dental Assisting Council Meeting Report

Agenda Item 9.a.: Discussion and Possible Action to Evaluate the Dental Anesthesia Assistant National Certification Examination for Use in the California Dental Sedation Assistant Permit Process

Dental Assisting Council (DAC) Chair, Cara Miyasaki, introduced the report, which is available in the meeting materials. Dr. Montez mentioned that the Board administers this exam and had difficulty with ongoing exam development and occupational analysis as per BPC section 139. Therefore, the Office of Professional Examination Services (OPES) has recommended that the Board consider using a national exam possibly as a replacement or in an addition. She added that Board staff would like the Board to authorize that the Board expend funds to move forward with the project and then report back for further discussion as whether this would be viable for the Board in terms of access to care and portability.

Board Member Thakur conveyed that during the August 15, 2024 DAC meeting, it was brought up that scope would be a little bit limited, but she could not find what would be the limitations on the scope from what they are currently. She inquired what dental assistants who have the sedation assisting certification can do that they will not be able to do with the national examination. Dr. Montez responded that would be part of the report. At this point, it is merely saying research to see if the exam is fair, valid, and legally defensible and how does it link up with the Board's exam and requirements. Afterwards, they would then produce a comprehensive report that lays it all out for the Board then to vet.

President Felsenfeld disclosed that he was a member of the AAOMS and the committee that put this together and noted that he was there eight years. He voiced that he wrote many of the questions and disclosed that the exam is incredibly psychometrically driven. Every year they go through it to see whether questions are working or not working, and they obtain all the data. President Felsenfeld voiced that the Board should look at it and vet it to see if it could be used.

(M/S/C) (Olague/Felsenfeld) to approve the request to have OPES conduct a comprehensive review of the AAOMS DAANCE.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

Agenda Item 9.b.: Discussion and Possible Action to Evaluate the Dental Assisting National Board's Certified Orthodontic Assistant Examination for Use in the California Orthodontic Assistant Permit Process

DAC Chair Miyasaki introduced the report, which is available in the meeting materials.

(M/S/C) (Olague/Medina) to approve the request to have OPES conduct a comprehensive review of the Dental Assisting National Board's (DANB) Certified Orthodontic Assistant (COA) Examination.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

Agenda Item 9.c.: Discussion and Possible Action to Translate the Registered Dental Assistant General Written and Law and Ethics Examination

Dr. Montez introduced the report, which is available in the meeting materials. DAC Chair Miyasaki expressed that the DAC is not making a formal recommendation but wanted to convey observations mentioned during the DAC meeting. Arguments for translation include student textbooks are available electronically in other languages, and DANB has had success with the dental assisting examination translated in Spanish. However, the exam has only been available for a few months, and it would be helpful to monitor the

data to see if pass rates continue to track with the English exam. Arguments against translation for the exam include: the Spanish version for an examination, which is administered by the California Board of Barbering and Cosmetology (BBC), has had the lowest pass rates. It was also noted in one program that dental hygiene students who are taught in English will be able to pass the licensing exam in English successfully.

Board Member Molina asked for clarification on the BBC exam in Spanish having a lower passing rate. Ms. Miyasaki responded that the exam is in English and there are four different languages that include Chinese, Vietnamese, Korean, and Spanish. Out of those four, Spanish had the lowest pass rates.

Board Member Molina asked whether BBC had made any correlation; is the exam given in English and Spanish and then in Spanish they have a lower pass rate, or just the individuals who take it in Spanish are not as successful and they have a lower pass rate.

Dr. Montez responded that BBC has been evaluating this issue for years ;and they put a task force together to better evaluate this. They have worked with OPES and with their other test vender. She added that they started simple adaptation, have added dictionaries at one point, and now they have the English version next to the Spanish version. It continues to have a very low pass rate, and OPES has not been able to pin down what is happening other than the dialects and challenges with having to adapt an exam. It can be very difficult, depending on the extent of the individual's version of Spanish and what they are most comfortable with. BBC has been looking at this for years; it was a Sunset issue for them, and BBC has been unable to find a specific reason for the low pass rate, but they continue to look at the issue.

Secretary Larin expressed that she would like to see the Board explore translating the exam, but she was not sure about translating. She suggested some sort of possibility of the individual being able to have a translator if they wanted. She recommended exploring every option. Dr. Montez responded that if the Board wishes, it can certainly explore different options. She added that using translators is tricky because it goes into security issues and comes with an expense. As there have been other boards in the past do that, she voiced that she can gather information if the Board does not want to make a particular decision at the moment, other than to gather more information. She can talk to other boards and get more information about what those boards are doing.

Board Member Rosalinda Olague noted there was a comment during the DAC meeting about how DANB translated their exam to Spanish. That exam has been out for a few months, and their [English and Spanish] pass rates are very similar. She recommended continued discovery and the Board reach out to DANB to see what that looks like.

Board Member Kevin Cheng asked if there have been any specific advocacy groups or interest groups that have requested this be researched specifically. Dr. Montez responded that it pops up under access to care, and stakeholders approach her on a

regular basis asking for this. She added that looking at DANB's exam is a good idea because one of her questions as a trained psychometrician is whether they are doing full range of adaptation, are they doing translate and then retranslate on all their forms, and do they have subject matter experts.

Board Member Joni Forge asked whether the discussion was merely about translating into Spanish or looking into other languages, as well. Dr. Montez responded that at this point, only Spanish because that tends to be the largest population. There are some parameters about 5% of the candidate population and how decisions are made on translating.

(M/S/C) (Larin/Olague) to further explore translating the RDA General Written and Law and Ethics Examination into Spanish.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

Ms. Miyasaki reported that the DAC met on August 15, 2024. She reported the DAC discussed DAC Agenda items 1-7 and 9-10, which included establishment of a quorum, approval of past meeting minutes, information items, and customary updates.

President Felsenfeld requested public comment on the DAC Report. There were no public comments made on the DAC Report.

Agenda Item 10.: Update from the Access to Care Committee

Secretary Larin provided a verbal report on this item.

Board Member Thakur asked to further look at how these survey responses relate to pass or fail, if that is possible, because what the Committee is really trying to figure out is should people be aided to pass the tests and become licensed.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 11: Enforcement

Agenda Item 11.a.: Review of Statistics and Trends

Carlos Alvarez provided the report, which is available in the meeting materials. Mr. Alvarez expressed that on page 128 of the meeting materials, there was a typing error on the number of investigative cases that were closed. The number that was reported was 53 but should be 73. On page 129, there was a typing error on the number of citations issued. The number that was reported was 9 but should be 15. Mr. Alvarez pointed out that bi-weekly, all the enforcement managers meet with Dr. Montez to provide updates on the enforcement program and statistics. He added that more recently, different societies and dental schools throughout California have contacted the Board and have been requesting a presentation on the Board's enforcement program. His experience presenting the enforcement program has been positive, and he has been receiving very positive feedback on that. He added that there are licensees that genuinely want to know what the enforcement program does. Mr. Alvarez disclosed that the Board was contacted by Univision to conduct an interview in Spanish regarding the Board's enforcement program. He noted that he presented on behalf of the Board on the enforcement program and provided information on how consumers could reach out to the Board for assistance.

Dr. Montez thanked Mr. Alvarez for conducting the interview and conveyed that Board staff coordinated with the DCA Communications Division. She added that Board staff consistently work with them on any media request as they are the experts.

Secretary Larin thanked Mr. Alvarez for his presentation to the San Diego County Dental Society and voiced that they immensely liked the presentation and want him back for a longer presentation.

Board Member Molina asked Mr. Alvarez to keep the Board Members posted when the Univision episode is aired.

Board Member David asked that of the complaints that the Board receives every month or quarterly, what percentage come in via the Board's website. Mr. Alvarez responded that the majority come in via mail but as far as the percentages, he could present those at a future meeting.

Board Member Chan inquired whether there is an advantage, or is it within the Board's scope, to look at trends or categories on what to watch out for. Mr. Alvarez responded that the Board's newsletter has a section, Did You Know?—Notes from the Enforcement Program, where information is provided on the Board's laws and regulations.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 11.b.: Diversion Program Report and Statistics

Dr. Montez provided the report, which is available in the meeting materials.

Board Member Chan noted that in the past, the Board has had the Chair of the Diversion Evaluation Committee give compelling testimony and presentation and voiced that it is worthwhile to relook at.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 12: Anesthesia and Sedation

Agenda Item 12.a.: General Anesthesia and Sedation Permits: Inspections and Evaluations Statistics

Jessica Olney provided the report, which is available in the meeting materials.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 12.b.: Discussion and Possible Action on Recommendation from the Board's Anesthesia Committee Regarding Renewal of Moderate Sedation Permit Following Failure of Onsite Inspection and Evaluation

Ms. Olney provided the report, which is available in the meeting materials.

Board Member David asked why the Board could have not voted on the online system like the other cases. President Felsenfeld responded that it is because it is a second denial and not enforcement.

(M/S/C) (Chan/Felsenfeld) to adopt the Anesthesia Committee recommendation to deny renewal of the MS permit; if permitholder K.K. seeks to apply for a new Moderate Sedation Permit, the permitholder shall submit for prior Board approval and successfully complete, prior to applying for a new Moderate Sedation Permit, remedial education of 8 hours in recognizing and managing medical emergencies in the administration of moderate sedation to dental patients in an outpatient setting and 8 hours of patient evaluation for administration of moderate sedation to dental patients in an outpatient setting, and submit to and pass an onsite inspection and evaluation.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.
Absent: None.
Recusals: None.

The motion passed.

Agenda Item 12.c.: Discussion and Possible Action Regarding Appointment of General Anesthesia, Medical General Anesthesia, and Moderate Sedation Permit Evaluators
Ms. Olney provided the report, which is available in the meeting materials.

(M/S/C) (Felsenfeld/Yu) to appoint Dr. Alexander McMahon as an evaluator for the general anesthesia onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.
Abstentions: None.
Absent: None.
Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Cheng) to appoint Dr. Aldrich Sy as an evaluator for the general anesthesia onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.
Abstentions: None.
Absent: None.
Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Yu) to appoint Dr. Rajvir Bhogal as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Medina) to appoint Dr. Donald Clem as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/McKenzie) to appoint Dr. Omar Dyab as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Pacheco) to appoint Dr. Bijan Eshagh Zadeh as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Olague) to appoint Dr. Shawn Fox as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Larin) to appoint Dr. Rene Ghotanian as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Medina) to appoint Dr. Daniel Guindi as an evaluator for the moderate sedation onsite inspection and evaluation program.

Member Molina voiced that Dr. Guindi has checked prosthodontics and oral pathology on his application and asked whether that means he practices all those specialties.

Ms. Olney responded that Dr. Guindi thought that it meant that those were the offices that he would volunteer to go evaluate and did not understand that he had to identify his own specialty.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Olague) to appoint Dr. Razan Hamzeh as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (/Felsenfeld/Medina) to appoint Dr. Mohamed Hassan as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. The Board received public comment.

Dr. Guy Acheson, general dentist, representing himself, regarding all these new moderate evaluators asked if there is a standardization course or class for these new individuals so that stakeholders know whether the evaluators are conducting this examination in a standardized way.

President Felsenfeld responded that most of these are conscious sedation evaluators merely switching to become moderate sedation evaluators.

Dr. Acheson voiced that this is a new license and a new permit with new standards compared to conscious sedation. Dr. Montez responded that if Dr. Acheson would like to send an email to the Board, Board staff can clarify that.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/David) to appoint Dr. George M. Morarasu as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Olague) to appoint Dr. Charles Tozzer as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/McKenzie) to appoint Dr. Kiet Tran as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Cheng) to appoint Dr. Ngoc-Nhung Tran as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/Medina) to appoint Dr. Nelson Yen as an evaluator for the moderate sedation onsite inspection and evaluation program.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

Agenda Item 13: Licensing, Certifications, and Permits

Agenda Item 13.a.: Update on Dental Licensure and Permit Statistics

Ricky Eaddy provided the report, which is available in the meeting materials.

Board Member Chan voiced that the portfolio exam is going through a life cycle and asked whether there is an end date the Board looks at. Dr. Montez responded that it is hopefully going to end January 1, 2025, when the Board's Sunset bill would go into effect.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 14: Elective Facial Cosmetic Surgery (EFCS) Permit Credentialing Committee July 17, 2024 Meeting Report

Agenda Item 14.a.: Discussion and Possible Action on Recommendations on EFCS Permit Applications

Jodi Ortiz provided the report, which is available in the meeting materials. A brief background on the EFCS Permit and EFCS Permit Credentialing Committee was provided.

President Felsenfeld indicated that this is intended for oral and maxillofacial surgeons only and for oral and maxillofacial surgeons who have a dental degree but do not have a medical degree. If a single degree oral surgeon wants to do cosmetic surgery either osteocartilaginous hard or soft tissues, they apply and show that they have the training to do that, and they are granted the ability to do soft tissues or hard tissues or whatever they need to do. If an individual has a double degree and are operating and have a medical license that is licensed in the state, they can do what they want.

(M/S/C) (Felsenfeld/Chan) to grant the EFCS permit application of S.M., DDS, for unlimited Category I privileges only.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

(M/S/C) (Felsenfeld/McKenzie) to grant the EFCS permit application of J.Z., DDS, for unlimited Category I and II privileges.

President Felsenfeld requested public comment before the Board acted on the motion. There were no public comments made on the motion.

President Felsenfeld called for the vote on the motion. Secretary Larin took a roll call vote on the motion.

Ayes: Chan, Cheng, David, Felsenfeld, Forge, Larin, McKenzie, Medina, Molina, Olague, Pacheco, Thakur, Yu.

Nays: None.

Abstentions: None.

Absent: None.

Recusals: None.

The motion passed.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 15: Executive Officer Report

Dr. Montez shared that the goal was to have a somewhat lighter meeting this quarter in gearing up for November. She added that Board staff try to do their best to answer questions and get additional information as requested in future meetings. Board staff do not always have the ability to respond to the public but do follow up as they can. She verbalized that the Board receives requests for agenda items, and they are put on a list kept by Board staff. Before each meeting, Board staff do a debrief to discuss what items should be included on the agenda, take it to the Board President, and then organize how items should be presented. She disclosed that it is important for the public and Board Members to recognize that there is a lot going on, and things are always shifting. While the Board may get a request for an item, it has to fall along the items of priority. Dr. Montez affirmed that Board staff have a running list that gets reshuffled as Board meetings are agendaized, and she always appreciates feedback from the Board Members and the public.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 16: Budget Report

Wilbert Rumbaoa provided a report on the Board's budget for fiscal year (FY) 2023-2024 and 2024-2025. Mr. Rumbaoa conveyed that as of fiscal month 11 for 2023/24, the Board has collected approximately \$18.9 million in revenue and are projected to receive \$19.6 by the end of the fiscal year when the books close. In terms of projections for expenditures, the Board has currently expended \$16.9 million in expenditures and is projected to expend \$18.5 by the end of the FY. For FY 2024/25, in the Budget Act of 2024, the Board's allotted amount for the year is \$20,627,000, and the projected revenue amount is \$18,941,000. Mr. Rumbaoa voiced that Budget Letter (BL) 24-20, which controls section 4.12, discusses the cost savings for associated vacant position reductions. Board staff is currently working with the DCA Executive Office and Budget Office on that item. BL 24-10, which controls section 4.05 and ongoing reduction to state operations. Mr. Rumbaoa added that the Department of Finance has asked the programs to reduce their budgets by 7.95%.

Dr. Montez commented that DCA is working on vacancies, and the Board is required to provide information about vacant positions. There is some guidance, and DCA, on behalf of all of the boards and bureaus, is working closely with Finance as well as Agency to remind them that the Board is special fund. However, general fund and special fund are unfortunately treated the same, but sometimes there are opportunities for exemptions; additional paperwork and steps would have to be taken. She added that the Board has not had to reduce its vacancies at this point. DCA is merely looking at positions and number crunching. Dr. Montez voiced that the Board is continuing to fill all of its vacancies as quickly as possible until given instruction to stop. As far as the ongoing reductions, those are generally known, but how it is going to come to the Board has yet to be reported. She disclosed the Board is working on those two drills with DCA, and the Board is funded from licensing fees and has public protection mandates. Therefore, if the Board loses positions, it loses the ability to process applications and investigations timely and conduct inspections. As a result, it has a ripple effect on consumer protection. Dr. Montez verbalized that one of the things the Board will be discussing in November is fee increases as the Board needs to address its structural imbalance; that is a long-term goal that needs to be corrected. In the midst of budget reductions, the Board will likely be talking about fee increases and how to do this in a thoughtful manner that does not impact our licensees but allows the Board to keep performing its operations.

Member David noted the Board is scheduled to be repaid \$5 million next June, and that needs to be built into the Board's calculations.

Dr. Montez commented that before the Board can do a fee increase, Board staff have been advised that the loan has to be repaid.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

Agenda Item 17: 2025 Meeting Dates

Dr. Montez led the discussion on the selection of Board meeting dates for 2025.

Dr. Montez proposed the following meeting dates for 2025:

- February 6-7, 2025
- May 13-14, 2024; May 14-15, 2025
- August 14-15, 2025
- November 6-7, 2025

Board Member Molina expressed that not overlapping the May Board meetings with CDA Presents is beneficial because it allowed the Board Members the opportunity to participate in activities with CDA and still be present at the Board meeting.

Board Member James Yu suggested having the May 2025 Board meeting from the 14th to the 15th, as the Board meeting typically ends on the second scheduled day in the afternoon, giving the Board Members time to sign up and partake in CDA Presents courses.

Board Member David disclosed that it is his assumption that more licensees would come to the Board meeting if it was during CDA Presents. Dr. Montez responded unfortunately, that is not the case.

Board Member Molina conveyed that she believes that consumers may not realize they have the option to attend Board Meetings. Dr. Montez responded that she would like to have a booth at the 2025 CDA Presents convention due to the questions that come up.

Board Member Forge voiced that if the Board let people know that the Board is meeting is during CDA Presents, more individuals from the public would attend.

Board Member Chan declared that the leadership at CDA is aware that they are going to invite the public members of the Board to their meeting so they can see what the marketplace looks.

Secretary Larin stated she is on board with having the meeting from May 14 to 15 to avoid separation, and she supported Board Member Molina's comment that the Board should promote the May meeting more.

President Felsenfeld requested public comment on this item. The Board received public comment.

Ms. Zokaie, representing CDA, responding to the comments about CDA advertising the event, commented that it would depend on what is on the agenda and how much time there is once the agenda is shared. She voiced that it is always great to have members of the Board be able to attend CDA Presents and noted that some of their classes are

offered twice during the weekend. Ms. Zokaie reiterated that it depends what is on the agenda, and CDA is always happy to share with its dental members what is happening with the Board.

Ms. Becker, representing herself, commented that she liked that it was separate this year; as she serves as a table clinic judge, she would not be able to be in two places at once. She voiced that she could see there being more attendance if the Board meeting was advertised.

Agenda Item 18: Public Comment on Future Agenda Items

Dr. Montez invited the Board Members to share their requests for future agenda items.

Board Member Molina disclosed that at the last Board meeting, she requested the Board look into creating a pilot program with both the De La Salle University, School of Dentistry, and SUMP so that they can look into getting accreditation with CODA. She requested that this item be put on the agenda for the next Board meeting that will take place in November.

Dr. Montez asked for clarification on what is meant by a pilot program. Board Member Molina responded that it is basically allowing the schools that as of June no longer have students registering in September to continue their program so that they can pursue accreditation with CODA. If they do not have students, they cannot get accreditation.

Board Member David asked to have a discussion or a presentation on strategies to increase access in underserved communities, as this issue is not going to go away, in order to show leadership and have a good conversation about it.

President Felsenfeld requested public comment on this item. There were no public comments made on this item.

At 2:30 p.m., the Board recessed for a break.

At 2:45 p.m., the Board reconvened.

Agenda Item 19: Convene Closed Session

At 2:45 p.m., the Board convened Closed Session.

Agenda Item 20: Pursuant to Government Code Section 11126(c)(3), the Board will Meet in Closed Session to Deliberate and Vote on Disciplinary Matters, Including Stipulations and Proposed Decisions

The Board convened in Closed Session to discuss disciplinary matters.

Agenda Item 21: Adjourn Closed Session

President Felsenfeld adjourned Closed Session at 3:00 p.m.

Agenda Item 22: Reconvene Open Session

President Felsenfeld reconvened Open Session at 3:05 p.m.

Agenda Item 23: Board President's Report on Closed Session Items

President Felsenfeld provided a verbal report regarding Closed Session items. He reported that the Board adopted a proposed decision on a petition for early termination of probation.

Agenda Item 24: Adjournment

President Felsenfeld adjourned the meeting at 3:06 p.m.