

LEGISLATIVE SUMMARY FOR END OF 2021-2022 LEGISLATIVE SESSION



**DEPARTMENT OF CONSUMER AFFAIRS
DENTAL BOARD OF CALIFORNIA**

Legislative Summary for 2021-2022 Legislative Session

Compiled by
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**LEGISLATIVE SUMMARY FOR
2021-2022 LEGISLATIVE SESSION**

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BILL SUMMARY

AB 107

Salas (Chapter 693, Statutes of 2021)

LICENSURE: VETERANS AND MILITARY SPOUSES.

The law expands the requirement to issue temporary licenses to practice a profession or vocation to include licenses issued by any board within the department, except as provided. The law requires an applicant for a temporary license to provide to the board documentation that the applicant has passed a California law and ethics examination if otherwise required by the board for the profession or vocation for which the applicant seeks licensure. The law requires a board to issue a temporary license within 30 days of receiving the required documentation if the results of a criminal background check do not show grounds for denial and would require a board to request the Department of Justice to conduct the criminal background check and to furnish the criminal background information in accordance with specified requirements.

On and after July 1, 2023, the law provides that temporary licenses for an applicant married to, or in a domestic partnership or legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders are nonrenewable and shall expire 12 months after issuance, upon issuance or denial of a standard license, upon issuance or denial of a license by endorsement, or upon issuance or denial of an expedited license, whichever occurs first. The law also requires the board to revoke a temporary license if the board finds that the temporary license holder engaged in unprofessional conduct or any other act that is cause for discipline by the board.

AB 361

Rivas (Chapter 165, Statutes of 2021)

OPEN MEETINGS: STATE AND LOCAL AGENCIES: TELECONFERENCES.

This law authorized a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body until January 31, 2022. With respect to a state body holding a public meeting pursuant to these provisions, the law suspended certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically satisfies any requirement that the state body allow members of the public to attend the meeting and offer public comment. The law required that each state body that holds a meeting through teleconferencing provide notice of the

meeting, and post the agenda. The law urged state bodies utilizing these teleconferencing procedures to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law.

This law took effect once signed (September 19, 2021) as an urgency statute.

[AB 526](#)

Wood (Chapter 653, Statutes of 2021)

DENTISTS AND PODIATRISTS: CLINICAL LABORATORIES AND VACCINES.

This law authorizes a dentist or podiatrist, if the dentist or podiatrist complies with specified requirements, to independently prescribe and administer influenza and COVID-19 vaccines approved or authorized by the United States Food and Drug Administration for persons 3 years of age or older. The law authorizes the board to adopt regulations to implement these provisions. The law counts vaccine training provided through the federal Centers for Disease Control and Prevention toward the fulfillment of a podiatrist's continuing education requirements, and would count vaccine training provided through the federal Centers for Disease Control and Prevention or the California Pharmacists Association toward the fulfillment of a dentist's or dental hygienist's continuing education requirements.

This law took effect on signing (October 8, 2021) as an urgency statute.

[AB 1102](#)

Low (Chapter 684, Statutes of 2022)

TELEPHONE MEDICAL ADVICE SERVICES.

The law amends Business and Professions Code section 4999.2 which requires telephone medical advice services to comply with certain requirements. The law adds a requirement that such services comply with all direction and requests for information from healing arts licensing boards. It also adds a requirement of health care professionals providing advice from out-of-state locations. The law would require those professionals to operate consistent with the laws governing their licenses.

The law allows the Board to contact telephone medical advice services directly rather than asking the Department of Consumer Affairs to do so on their behalf.

[AB 1273](#)

Rodriguez (Chapter 477, Statutes of 2021)

INTERAGENCY ADVISORY COMMITTEE ON APPRENTICESHIP: THE DIRECTOR OF CONSUMER AFFAIRS AND THE STATE PUBLIC HEALTH OFFICER: EARN AND LEARN TRAINING.

This law makes the Director of Consumer Affairs an ex officio member of the Interagency Advisory Committee on Apprenticeship.

This law prohibits the Department of Consumer Affairs and its various boards from approving an accrediting program that prohibits earn and learn programs for training in a profession licensed or certified by the board. The bill would require boards of the Department of Consumer Affairs to use licensing or certification standards that authorize the use of earn and learn training. The law makes these provisions operative on January 1, 2024.

[AB 1982](#)

Santiago (Chapter 525, Statutes of 2022)

TELEHEALTH: DENTAL CARE

The law amends the Health and Safety Code and the Insurance Code to permit a licensed dentist to be considered a 'contracting individual health professional' for the purposes of providing services through a third-party telehealth provider. The dental insurer or the dental health care service plan shall disclose to their enrollees the impact of third-party telehealth visits on their benefit limits.

[AB 2145](#)

Davies (Chapter 157, Statutes of 2022)

DENTAL SERVICES: LONG-TERM HEALTH CARE FACILITIES

The law permits registered dental hygienists in alternative practice to provide dental hygiene services (to patients) and oral health inservice training (to staff) in long-term health care facilities

[SB 534](#)

Jones (Chapter 491, Statutes of 2021)

DENTAL HYGIENISTS.

The law makes changes to operations of Registered Dental Hygienists, Registered Dental Hygienists in Alternative Practice, and the Dental Hygiene Board of California. Specifically, this law does the following:

1. Requires a special permit to remain valid for 4 years and thereafter prohibits the board from renewing it. The law specifies that an applicant for a special permit is required to comply with the fingerprint submission requirements described above and would require an applicant, if teaching during clinical practice sessions, to furnish satisfactory evidence of having successfully completed a course in periodontal soft-tissue curettage, local anesthesia, and nitrous oxide-oxygen analgesia approved by the board.
2. Requires an applicant for licensure who has not taken a clinical examination before the board to additionally submit satisfactory

evidence of having successfully completed a course or education and training in local anesthesia, nitrous oxide-oxygen analgesia, and periodontal soft-tissue curettage approved by the board.

3. Requires a new educational program for registered dental hygienists in alternative practice or registered dental hygienists in extended functions to comply with the specified requirements.
4. Makes it unprofessional conduct for a licensee to knowingly make a statement or sign a certificate or other document that falsely represents the existence or nonexistence of a fact directly or indirectly related to the practice of dental hygiene.
5. Requires additional training for probation to be in a remedial education course approved by the board.
6. Authorizes a registered dental hygienist in alternative practice to operate a mobile dental hygiene clinic in specified settings, if the registered dental hygienist in alternative practice registers a mobile dental hygiene clinic with the board. The law removes the requirement that a mobile dental hygiene clinic be provided by the property and casualty insurer as a temporary substitute site because the registered place of practice has been rendered and remains unusable due to loss or calamity. The law authorizes the board to conduct announced and unannounced reviews and inspections of a mobile dental hygiene clinic, as specified. The law makes it unprofessional conduct for a registered dental hygienist in alternative practice to operate a mobile dental hygiene clinic in a manner that does not comply with these provisions. The law authorizes the board to issue citations that contain fines and orders of abatement to a registered dental hygienist in alternative practice for a violation of these provisions and related provisions.
7. This law imposes registration requirements on the physical facilities of the registered dental hygienist in alternative practice. The law requires a registered dental hygienist in alternative practice who utilizes portable equipment to practice dental hygiene to register the physical facility where the portable equipment is maintained with the executive officer of the dental hygiene board. The law authorizes the board to conduct announced and unannounced reviews and inspections of the physical facilities and equipment of a registered dental hygienist in alternative practice. The law makes it unprofessional conduct for a registered dental hygienist in alternative practice to maintain a physical facility or equipment in a manner that does not comply with these provisions. The law authorizes the board to issue citations that contain fines and orders of abatement to a registered dental hygienist in alternative practice for a violation of these provisions and related provisions.

[SB 607](#)

Min (Chapter 367, Statutes of 2021)

BUSINESS AND PROFESSIONS.

This law deletes the clinical or practical examination requirement for registered dental assistants in extended functions and makes related technical amendments.

This law specifies that the application fee for a pediatric minimal sedation permit cannot exceed \$1,000, and the renewal fee cannot exceed \$600.

This law provides that a foreign dental school that was renewed by the board prior to January 1, 2020, through a date between January 1, 2024 and June 30, 2026, maintains that approval through that date. The law also provides that notwithstanding Section 1636.4, graduates of a foreign dental school whose program was approved by the board prior to January 1, 2020, through any date before January 1, 2024, and who enrolled in the program prior to January 1, 2020, are eligible for licensure. The law provides that upon the expiration of that board approval, the foreign dental school is required to comply with the CODA or comparable accreditation process.

[SB 731](#)

Durazo (Chapter 814, Statutes of 2022)

CRIMINAL RECORDS: RELIEF

This law expands the ability of a defendant who was sentenced to a county jail for a felony and who has met specified criteria to petition for withdrawal of their plea of guilty or nolo contendere and enter a plea of not guilty. The court would then dismiss the accusations or information against the defendant and release them from all penalties and disabilities resulting from the defense, except as specified. This law makes such relief available for a defendant who has been convicted of any felony.

This law generally makes arrest record relief available to a person who has been arrested for a felony, including a felony punishable in the state prison, as specified. The bill would additionally make this conviction record relief available for a defendant convicted of a felony for which they did not complete probation without revocation if the defendant appears to have completed all terms of incarceration, probation, mandatory supervision, post release supervision, and parole.

The law would allow for some employment decisions to be made with respect to teachers and classified employees based on criminal history information that would be eligible for arrest record relief.

[SB 1184](#)

Cortese (Chapter 993, Statutes of 2022)

CONFIDENTIALITY OF MEDICAL INFORMATION ACT: SCHOOL-LINKED SERVICES COORDINATORS

The law amends the Confidentiality of Medical Information Act to allow for school-linked services coordinators (school psychologists, school nurses, and school social workers) to compel the disclosure of medical information under the Act. While this would not affect Board operations, dental licensees could receive requests for medical information that would be subject to this law.

[SB 1237](#)

Newman (Chapter 386, Statutes of 2022)

LICENSES: MILITARY SERVICE

The law amends section 114.3 of the Business and Profession Code, which permits waiving the renewal fees, continuing education requirements, and other renewal requirements as determined by the board for licensees called to active duty in the U.S. armed services or the California National Guard. The law clarifies the meaning of “called to active duty” to be equivalent to the definition of active duty in federal law with the inclusion of members called active duty in the California National Guard as permitted in the Military Code.

[SB 1443](#)

Roth (Chapter 625, Statutes of 2022)

PROFESSIONS AND VOCATIONS

The law moves the sunset date for the Dental Board one year, to January 1, 2025. The sunset review process, where legislative committees review Board operations, is delayed one year as

[SB 1495](#)

Committee on Business, Professions and Economic Development (Chapter 511, Statutes of 2022)

PROFESSIONS AND VOCATIONS

This law makes several nonsubstantive changes to the Dental Practice Act, most of them updating the references to the Office of Statewide Health Planning and Development, which is now called the Department of Health Care Access and Information. The law also changes the declaration made by dental hygienists concerning continuing education. They must now declare that they have completed the necessary continuing education credits in the two-year period before their license renewal, rather than promise to do so in the two-year period following their license renewal.

2021-2022 ENROLLED BILLS

BILL	AUTHOR	STATUS	CHAPTER NUMBER	STATUTE YEAR
AB 107	Sala	Chaptered	693	2021
AB 361	Rivas	Chaptered	165	2021
AB 526	Wood	Chaptered	653	2021
AB 1102	Low	Chaptered	684	2022
AB 1273	Rodriguez	Chaptered	477	2021
AB 1982	Santiago	Chaptered	525	2022
AB 2145	Davies	Chaptered	157	2022
SB 534	Jones	Chaptered	491	2021
SB 607	Min	Chaptered	367	2021
SB 731	Durazo	Chaptered	814	2022
SB 1184	Cortese	Chaptered	993	2022
SB 1237	Newman	Chaptered	386	2022
SB 1443	Roth	Chaptered	625	2022
SB 1495	Committee on Business, Professions and Economic Development	Chaptered	511	2022