

LEGISLATIVE SUMMARY FOR END OF 2021 LEGISLATIVE YEAR



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

Legislative Summary for 2021 Legislative Session

Compiled by
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**LEGISLATIVE SUMMARY FOR
2021 LEGISLATIVE YEAR**

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BILL SUMMARY

[AB 107](#)

Salas (Chapter 693, Statutes of 2021)

LICENSURE: VETERANS AND MILITARY SPOUSES.

On and after January 1, 2023, the bill 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 bill 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 bill 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. The bill requires, if necessary to implement the bill's provisions, a board to submit to the department for approval draft regulations necessary to administer these provisions. The bill exempts from these provisions a board that has a process in place by which an out-of-state licensed applicant in good standing who is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States is able to receive expedited, temporary authorization to practice while meeting state-specific requirements for a period of at least one year or is able to receive an expedited license by endorsement with no additional requirements superseding those for a temporary license, as described above.

On and after July 1, 2023, 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 bill 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.

This bill requires the Department of Consumer Affairs to compile an annual report to the Legislature containing specified information relating to the professional licensure of veterans, servicemembers, and their spouses. The bill also requires the Department of Consumer Affairs and each board within the department to post specified information on their internet websites relating to licensure for military spouses, the availability of temporary licenses, and permanent licensure by endorsement or credential for out-of-state applicants.

[AB 361](#)

Rivas (Chapter 165, Statutes of 2021)

**OPEN MEETINGS: STATE AND LOCAL AGENCIES:
TELECONFERENCES.**

Existing law, the Bagley-Keene Open Meeting Act, requires that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities.

This bill authorizes 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 bill suspends 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 bill requires that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda. The bill urges state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law.

This bill is to take effect immediately as an urgency statute.

[AB 526](#)

Wood (Chapter 653, Statutes of 2021)

**DENTISTS AND PODIATRISTS: CLINICAL LABORATORIES AND
VACCINES.**

This bill 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 bill authorizes the board to adopt regulations to implement these provisions. The bill 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.

[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.

Existing law establishes within the Business, Consumer Services, and Housing Agency the Department of Consumer Affairs, which is under the control of the Director of Consumer Affairs, and is composed of various boards that license and regulate various professions and vocations. Existing law, the Consumer Affairs Act, establishes the powers and duties of the director.

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

This bill 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 bill makes these provisions operative on January 1, 2024.

[SB 534](#)

Jones (Chapter 491, Statutes of 2021)
DENTAL HYGIENISTS.

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

1. Requires a special permit to remain valid for 4 years and thereafter prohibits the board from renewing it. The bill 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 mobile dental hygiene clinic with the board. The bill 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 bill authorizes the board to conduct announced and unannounced reviews and inspections of a mobile dental hygiene clinic, as specified. The bill 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 bill 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 bill imposes registration requirements on the physical facilities of the registered dental hygienist in alternative practice. The bill 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 bill 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 bill 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 bill 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.

BUSINESS AND PROFESSIONS.

Existing law, the Dental Practice Act, provides for the licensure and regulation of dentists and dental auxiliaries, including registered dental assistants in extended functions, by the Dental Board of California within the Department of Consumer Affairs. Existing law requires a person who applies to the board for a license as a registered dental assistant in extended functions on and after January 1, 2010, to successfully complete a clinical or practical examination administered by the board. Existing law authorizes a registered dental assistant in extended functions who was licensed before January 1, 2010, to perform certain additional duties only if they pass the clinical or practical examination.

Deletes the clinical or practical examination requirement for registered dental assistants in extended functions and make related technical amendments.

The Dental Practice Act authorizes a dentist to administer or order the administration of minimal sedation on pediatric patients under 13 years of age if the dentist possesses specified licensing credentials, including holding a pediatric minimal sedation permit, and follows certain procedures. Existing law requires a dentist who desires to administer or order the administration of minimal sedation to apply to the board, as specified, and to submit an application fee.

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

The bill 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 bill 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 bill provides that upon the expiration of that board approval, the foreign dental school is required to comply with the CODA or comparable accreditation process.

2021 ENROLLED BILLS

<u>BILL NUMBER</u>	<u>AUTHOR</u>	<u>FINAL STATUS</u>	<u>CHAPTER NUMBER</u>	<u>STATUTE YEAR</u>
<u>AB 107</u>	Salas	Chaptered	693	2021
<u>AB 361</u>	Rivas	Chaptered	165	2021
<u>AB 526</u>	Wood	Chaptered	653	2021
<u>AB 1273</u>	Rodriguez	Chaptered	477	2021
<u>SB 534</u>	Jones	Chaptered	491	2021
<u>SB 607</u>	Min and Roth	Chaptered	367	2021