



# DHCC

## Dental Hygiene Committee of California

### Welcome!

This is our first newsletter! The purpose of the newsletter will be to inform licensees and consumers about:

- Legislative changes affecting licensure or practice.
- Disciplinary actions against licensees\*.
- Frequently asked questions and answers.
- General information about the DHCC (committee members, meeting dates, and locations, Web site updates, etc.).

\*Coming in future issues.

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### Dental Hygiene Committee of California

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Executive Officer

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## Executive Officer's message

In 2009, something very special and unique happened: Legislation (Senate Bill 853) created the Dental Hygiene Committee of California (DHCC). While creating a new State regulatory body is rare, what makes this instance special is that the DHCC is the only dental hygiene regulatory body in the United States that is not directly tied to a State dental board.

The nine-member Committee consists of:

- Four licensed registered dental hygienists
  - One licensed in alternative practice or in extended functions; currently this position is held by J. Noel Kelsch;
  - One dental hygiene educator; currently Michelle Hurlbutt;
  - Two registered dental hygienists; currently Evangeline Ward and Nicolette Moultrie;
  - One practicing general or public health dentist, currently Dr. Timothy S. Martinez; and;
- Four public members. However, all four of these seats are vacant at this time.

Committee members are charged with protecting the public when “exercising licensing, regulatory, and disciplinary functions.” They set policy that helps guide the day-to-day actions of the seven-person DHCC staff headed by the Executive Officer.

In the past three years, DHCC has:

- Hired staff for licensing, enforcement, and administrative functions.
- Developed a strategic plan.
- Promulgated regulations concerning enforcement, licensing, and administrative matters.
- Promoted clean-up legislation, Senate Bills 1202 and 1575. (See Legislative Update page 6.)
- Modified the RDH and RDHAP written law and ethics examinations.
- Continued development of the RDH clinical examination.
- Developed subject matter expert pools for examinations and expert opinions.
- Maintained business operations during the budget impasse.
- Added a customer survey to the DHCC Web site.
- Continued development of the DHCC Web site.

The Committee meets twice a year, once in Northern California and once in Southern California. The meetings are open to the public and comments are encouraged.

### Upcoming meetings are:

May 4 and 5, 2013 – Los Angeles area

December 6 and 7, 2013 – Sacramento

Visit the DHCC Web site two weeks before the meeting date for meeting locations and materials.

# Dental Hygiene Committee of California members



**Michelle Hurlbutt**

RDH Educator

Appointed August 23, 2012. Ms. Hurlbutt was reappointed to the Dental Hygiene Committee of California, where she has served since 2009. She has been an assistant professor at the Loma Linda University School of Dentistry since 1999 and a registered dental hygienist at the office of Nathan Pfister, DDS, and William Domb, DMD, since 1998.



**J. Noel Kelsch**

RDHAP

Appointed August 23, 2012. Ms. Kelsch has been the learning and development manager at Coast Dental since 2012. She has served as an infection control columnist at *RDH Magazine*, a national dental magazine and has been an international speaker and consultant since 2002. Ms. Kelsch was a registered dental hygienist for Steven Kaminsky, DDS, from 2003 to 2007 and for Philip Wolff, DDS, from 1999 to 2003. She has been a registered dental hygienist in alternative practice since 2008 and a registered dental hygienist since 1992.



**Timothy S. Martinez**

DMD

Appointed August 23, 2012. Dr. Martinez has been associate dean for community partnerships and access to care at the Western University of Health Sciences since 2009 and president of Outer Cape Dental Center since 2003. He served as program evaluator at the Forsyth Institute from 2010 to 2011, state dental Medicaid director at the Commonwealth of Massachusetts' Executive Office of Health and Human Services from 2006 to 2009 and dental consultant at the Office of Public Protection, Board of Registration in Dentistry, Massachusetts Department of Public Health from 2005 to 2009. He was the owner of Mid-Cape Dental Center from 2000 to 2005 and the dental director at South End Community Health Center from 2000 to 2003. Dr. Martinez served as dental director for Harbor Health Services Inc. from 1999 to 2003 and dental director at Boston Healthcare for the Homeless from 1994 to 2003. He earned a doctor of dental surgery degree from the Harvard School of Dental Medicine.



**Nicolette Moultrie**

RDH

Appointed August 23, 2012. Ms. Moultrie has served in multiple positions at the Contra Costa County Regional Medical Center since 2010, including program manager of the children's oral health program and project liaison. She has been the owner and registered dental hygienist in alternative practice at Strategies for Healthy Smiles since 2008 and a dental hygienist at the Contra Costa Health Services Children's Oral Health Program since 2007. She was a registered dental hygienist for Jess J. Santucci, DDS, from 2000 to 2009. Moultrie received a master of science degree in dental hygiene from the University of California, San Francisco.



**Evangeline Ward**

RDH

Appointed February 10, 2012. Ms. Ward has been a dental hygienist for Dr. Duwad Muhammin since 2009 and for Dr. Tom Sharp since 2007. She was a dental hygienist for Dr. Michael Carpentier and Dr. Grace Mary Hume from 2007 to 2011 and for Dr. John Bristow and Dr. Scott Swoboda from 2009 to 2010. She was a probation counselor for the Contra Costa County Probation Department from 2001 to 2009 and for the Fresno County Probation Department from 1999 to 2001.

# DHCC fingerprinting update

The Director of the Department of Consumer Affairs has requested all healthcare boards and committees to obtain fingerprints from all licensees no matter when they were first licensed. In June 2011, the DHCC sent out its first notices informing licensees of the need to submit Live Scan fingerprints or proof of recent Live Scan fingerprinting for the DHCC. DHCC staff expects to conclude this notification by May 31, 2013.

Please keep in mind that if you have been fingerprinted before for another agency, your results cannot be shared with the DHCC. The law restricts third parties from sharing criminal background checks. You must be Livescan fingerprinted on DHCC forms for the DHCC. You will be notified by mail if you need to comply.

A list of Live Scan locations is available from the California Attorney General's Office at:

<http://ag.ca.gov/fingerprints/publications/contact.php>

DHCC forms are available on the Web site at:

<http://www.dhcc.ca.gov/formspubs/index.shtml#forms>

The DHCC recognizes this fingerprinting requirement represents an inconvenience to many licensees and registrants, but criminal background checks are an essential part of our mission to protect consumers. Thank you for your cooperation.



## Question corner – questions from applicants and licensees

**Q:** Can a Registered Dental Hygienist in Alternative Practice (RDHAP) be a Limited Liability Corporation (LLC)?

**A:** NO. While an RDHAP may hold a fictitious name permit, they may not be a LLC. No healthcare provider may be a LLC because it is not possible to limit the liability incurred through negligent practice.

### What is “direct supervision”?

Section 1902(c) of the California Business and Professions Code states:

“Direct supervision” means the supervision of dental procedures based on instructions given by a licensed dentist who is required to be physically present in the treatment facility during the performance of those procedures.

### What is “general supervision”?

Section 1902(c) of the California Business and Professions Code states:

“General supervision” means the supervision of dental procedures based on instructions given by a licensed dentist who is not required to be physically present in the treatment facility during the performance of those procedures.



## DHCC can issue citation and fine

Effective December 14, 2012, new regulations allow the DHCC to issue a citation and a fine up to \$5,000 for any violation of dental hygiene laws, including unlicensed practice, unprofessional conduct, failure to identify yourself in the patient record, refusal to release a patient's records, or even minor violations such as failure to notify the DHCC of a name change within 10 days or an address change or e-mail address change within 30 days.



## License renewal: Don't let it catch you by surprise

The first and last few days of each month are guaranteed to be the busiest days for DHCC phone lines! Why? DHCC staff are answering calls from licensees whose licenses are set to expire. To avoid the last-minute panic that this can cause, here are some tips:

- Know when your license expires! All licenses (except initial licenses) are on a biennial (two-year) renewal cycle and expire on the last day of the licensee's birth month. Initial licenses may be valid for two to 23 months depending on the licensee's birth month and birth year and the year the license is issued. Renewal notices are sent approximately 60 days before a license expires. Monitor your mail for the license renewal and if you do not receive it within 30 days of your license expiration, contact the DHCC at (916) 263-1978 to have a duplicate sent to you (please allow two weeks for delivery). While requesting a duplicate renewal form, please confirm your current address of record listed with the DHCC. Licensees are required to notify the DHCC of a change in physical or e-mail address within 30 days of moving. Failure to do so may result in a fine. Address changes must be faxed to (916) 263-2688 or mailed to the DHCC at 2005 Evergreen Street, Suite 1050, Sacramento, CA 95815. The name/address change form can be found at: [www.dhcc.ca.gov/formspubs/app\\_namechange\\_licensee.pdf](http://www.dhcc.ca.gov/formspubs/app_namechange_licensee.pdf)
- Please complete your renewal form by marking all applicable boxes (Box A, B G, H, I) and don't forget to include your check or money order and complete the attached survey.

You should allow four to six weeks for the check and renewal to be processed AFTER your renewal form is received.

**Please keep in mind – It is illegal to practice with an expired license.**

## Legislative update

Here's a look at new legislation that relates to dental hygienists.

### **Senate Bill 1202, Leno (Chapter 331, Statutes of 2012)**

This legislation addresses many changes that the Committee sought after reviewing Dental Hygiene Committee of California (DHCC) laws in 2010. The key changes include:

- Registered dental hygienists licensed in another state can teach in a California dental hygiene college without being licensed in California if they are issued a special permit by the DHCC.
- New educational programs must provide a feasibility study to the DHCC demonstrating the need for a new program before seeking approval for initial accreditation from the Commission on Dental Accreditation.
- Any examinee for a registered dental hygienist license who fails the California state or Western Regional Examining Board (WREB) clinical exam in three attempts or who fails the state clinical or WREB examination as a result of imposing gross trauma on a patient, is not eligible for further examination until he or she successfully completes remedial education in a setting approved by the DHCC.
- All applicants must complete DHCC-approved courses in soft tissue curettage, administration of local anesthesia, and administration of nitrous oxide and oxygen for licensure. The new law clarifies this requirement.
- Extramural dental hygiene facilities associated with a dental hygiene program must register with the DHCC.
- Registered Dental Hygienists in Alternative Practice (RDHAP) may operate a mobile dental hygiene unit after applying for a permit to do so.

- RDHAPs must register where they practice.
- RDHAPs who own more than one office location must obtain additional office permits from the DHCC.
- New fee caps were established. Any changes to fees must be voted on and approved by the Committee.

### **Senate Bill 1575, Committee on Business, Professions and Economic Development (Chapter 799, Statutes of 2012)**

The DHCC has the authority to do the following:

- Collect survey data from licensees as part of the initial licensure and any subsequent application for renewal of license.
- Require licensees who change their physical address of record or e-mail address to notify the Committee within 30 days of the change. Also, licensees who change their legal name must provide legal documentation of the change within 10 days.
- Deny a license to anyone who is required to register as a sex offender.

**Note:** Information regarding applications for mobile dental clinics, special permits, additional offices, and remedial education is being developed and will be included on the DHCC Web site soon.