



March 5, 2024

The Honorable Marc Berman
Chair, Assembly Business and Professions Committee

The Honorable Angelique Ashby
Chair, Senate Business, Professions and Economic Development Committee

RE: Dental Board of California 2024 Sunset Hearing

Dear Assemblymember Berman and Senator Ashby,

On behalf of our 27,000 member-dentists, the California Dental Association appreciates the opportunity to share comments on the Dental Board of California (Board) 2024 sunset review. We support the continued ability of the Board to protect the health and safety of consumers and the continued regulation of licensees to ensure Californians receive safe dental care.

CDA respectfully submits the following comments on the Board’s sunset review:

Workforce Development and Job Creation

CDA is aligned with the goals of the dental board’s Access to Care Committee and the actions to explore strategies to increase pathways to licensure and accessibility of examinations. CDA’s sponsored bill AB 481 (W. Carrillo, 2023) aimed to address the committee’s goal to increase pathways to licensure for RDAs and determine if the pathways are facilitating access to practice in a fair and valid manner. The bill was held in Senate Appropriations Committee, despite having no opposition and support by the Board on the version in print. Integrating these same goals in the sunset bill will be valuable to extend the findings and goals of the Access to Care Committee. Similarly, CDA’s Smile Crew CA dental assistant training program has successfully placed most participants in open dental positions in California and expanded access to training programs for dental assisting careers, helping to diversify the dental team and address workforce shortages in multiple regions throughout the state.

To further these efforts, CDA encourages the dental board to explore how the RDA exam can be offered in different languages as a recommendation from the data collected from AB 269. In January 2024, the Dental Assisting National Board (DANB) will begin offering its radiation health and safety (RHS) exam in Spanish, making it the first Spanish-language dental assisting credentialing exam to be offered nationally. Oregon also passed HB 3223 in 2023 to allow dental assistant certification exams to be offered in plain language in English, Spanish and Vietnamese.

Board Actions and Responses to COVID-19

During the COVID pandemic, CDA sponsored an expansion of scope for dentists to become vaccinators with valuable support from the Board. In October 2021, California-licensed dentists gained permanent authority to independently administer influenza and COVID-19 vaccines to patients ages 3 years and older provided the dentists complete training as specified by statute and quickly promulgated dental board regulations. Through California Department of Public Health grant funds, CDA created one of the first courses in the state to train dentists as vaccinators. The course is titled "Dental Immunization Practice Management."

Board Action and Response to Prior Sunset Issues

SB 501 Pediatric Dental Anesthesia

CDA appreciates the dental board's willingness to engage in discussions with the profession around unintended consequences and necessary clean-up for SB 501 (Glazer, 2018) legislation focused on pediatric dental anesthesia. CDA has not identified any issues with the legislative proposals approved by the board on this issue in preparation for sunset review. CDA has also identified an additional noncontroversial area for clean-up that would enable pediatric dentists to use their pediatric residencies to apply for adult minimal sedation permits that would be required to provide sedation to patients aged 13 and older and look forward to ongoing discussions with the committee to have this provision included in sunset legislation.

Foreign Dental Schools

CDA continues to support the transition away from the dental board's role in approving foreign dental schools. Accrediting bodies such as CODA are more appropriately equipped to evaluate dental schools. CDA believes the best way to meet the Legislature's desire to ensure that graduates of foreign dental schools have received an education equivalent to that of accredited institutions in the U.S. is for foreign dental schools to complete the same CODA accreditation process as all dental schools in California and other parts of the country. CDA supports the dental board's response to AB 1552 (E. Reyes, 2023) and utilizing CODA as the appropriate accrediting body to approve foreign dental schools. While CDA continues to believe the Board is not the appropriate body to approve foreign dental schools due to the administrative burden on the Board, CDA supports efforts to increase the diversity in the dental workforce that do not compromise the quality of education of students or safety of patients.

Opioid Crisis

CDA supports the dental board's ongoing, devoted efforts to combat the opioid crisis in California. In January 2023, the board established new regulations on mandatory C.E. courses dedicated to the safe prescribing of opioids for dental pain, which stemmed from

CDA-supported legislation. CDA offers continued support for mandatory education on opioid prescribing practices for licensee renewal and was one of the first approved C.E. providers offering courses to meet this requirement.

Probation Notification

CDA disagrees with the need to extend the Patient's Right to Know Act of 2018 (SB 1448) to include dentists. There is a lack of evidence showing how a probation status disclosure outside of the [Cal. Bus. & Prof. Code Section 1673](#) requirement (part of the dental board's last sunset review) would be a valuable way to protect the public. The board actively pursues revocation of a license for violations relating to criminal convictions that directly involve harm to patient health and inappropriate prescribing, such as sexual abuse or misconduct and drug or alcohol abuse. These criminal cases appropriately result in license revocation not probation, so probation status disclosure would not be necessary.

New Issues

Course Requirements for Unlicensed Dental Assistants

Current law requires an unlicensed dental assistant who has been in continuous employment for 120 days to complete board-approved coursework on the California Dental Practice Act, infection control and basic life support within a year of their employment date. CDA supports the dental board's recommendation to require unlicensed dental assistants to complete an 8-hour board-approved infection control course prior to performing any basic supportive dental procedures involving potential exposure to blood, saliva or other potentially infectious materials. CDA respectfully asks that the board's continued support of an 8-hour didactic course option, as established in AB 481, be reflected in this proposal so that the course format will be accessible to all regions of the state and allow for the safe and immediate onboarding of new dental team staff.

Licensure by Credential

The dental board's recommended amendment to Cal. Bus. & Prof. Code Section 1635.5, which clarifies clinical practice work requirements, currently excludes nonclinical applications of licensure. The legislative proposal would add a requirement for those seeking work credit through a contractual agreement in order to teach and/or practice dentistry to submit written documentation verifying compliance with the requirement. The proposed amendment does not consider use of a license beyond clinical practice. The proposed amendment does not consider use of a license beyond clinical practice, specifically excluding dentists practicing in the field of dental public health. Supporting these licensees to work in their area of expertise in California increases licensure portability for them and enhances California's dental public

health capacity. CDA urges the dental board to consider inclusion of licensure by credential in nonclinical settings.

Licensure by Residency

CDA applauds the dental board's decision for manikin-based clinical examinations to be accepted for licensure in California on a permanent basis. Increasing pathways to licensure impacts hundreds of dental school graduates who serve patients in California. With the increased accessibility of clinical licensure pathways, CDA maintains a neutral position toward the board's sunset proposal to eliminate portfolio examinations. However, CDA encourages the board to explore whether a new pathway with a similar goal of creating "licensure by graduation" can be established for dental students, acknowledging that the Dental Hygiene Board of California's 2023 sunset bill established this for dental hygienists by eliminating the clinical licensure examination for California hygiene program graduates.

Mental Health Continuing Education

CDA's Wellness Program is a source of support and assistance for dental professionals who are battling physical and/or mental ailments, including anxiety, depression and substance dependence. The dental board's initiative to consider accepting C.E. courses focused on provider mental health and wellness, in response to the needs of licensed dentists and dental auxiliaries, aligns with CDA's efforts to support dental team mental health and wellness. This action will help ensure a healthy, robust and diverse workforce ready to serve the oral health needs of Californians.

CDA is committed to expanding access to care, training opportunities and licensure pathways aligned with the goals and issues in the Dental Board of California 2024 sunset review. For these reasons, CDA supports the extension of the dental board's sunset. Please do not hesitate to contact me at mary.mccune@cda.org if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Mary McCune". The signature is written in a cursive, slightly slanted style.

Mary McCune
Policy Director