

AMENDED IN SENATE AUGUST 21, 2002
AMENDED IN SENATE AUGUST 5, 2002
AMENDED IN ASSEMBLY MAY 28, 2002
AMENDED IN ASSEMBLY MAY 23, 2002
AMENDED IN ASSEMBLY MAY 9, 2002
AMENDED IN ASSEMBLY APRIL 9, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2818

Introduced by Assembly Member Aanestad
(Coauthor: Assembly Member Zettel)
(Coauthors: Senators Figueroa and Perata)

February 25, 2002

An act to amend Section 1758 of the Business and Professions Code, relating to dental hygienists, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2818, as amended, Aanestad. Registered dental hygienists.

Existing law requires the Dental Board of California to license a person as a dental hygienist who completes a board-approved education program, and performs satisfactorily on certain exams. Existing law authorizes the board to impose various fees upon dental hygienists for deposit in the State Dental Auxiliary Fund, a continuously appropriated fund.

This bill would authorize the board to license a person who has not taken an examination as a dental hygienist if the person is licensed in another state and meets additional specified requirements.

By providing for the licensure of additional registered dental hygienists and thereby increasing the source of funds from fees and fines for deposit into a continuously appropriated fund, the bill would make an appropriation.

The bill would require the board to report to the Legislature by January 1, 2006, on the impact of the bill.

This bill would incorporate additional changes in Section 1758 of the Business and Professions Code, proposed by SB 2022, to be operative only if SB 2022 and this bill are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to increase
2 access to preventive dental care for children and adults in
3 California, particularly in those areas of the state that have few or
4 no registered dental hygienists and in the health care safety net
5 facilities identified in paragraph (3) of subdivision (b) of Section
6 1758 of the Business and Professions Code.

7 SEC. 2. Section 1758 of the Business and Professions Code
8 is amended to read:

9 1758. (a) The board shall license as a registered dental
10 hygienist a person who satisfies all of the following requirements:

11 (1) Completion of an educational program for registered dental
12 hygienists, approved by the board, and accredited by the
13 Commission on Dental Accreditation, and conducted by a
14 degree-granting, postsecondary institution.

15 (2) Satisfactory performance on an examination required by
16 the board.

17 (3) Satisfactory completion of a national written dental
18 hygiene examination approved by the board.

19 (b) The board may grant a license as a registered dental
20 hygienist to an applicant who has not taken an examination before
21 the board if the applicant submits all of the following to the board:



1 (1) A completed application form and all fees required by the
2 board.

3 (2) Proof of a current license as a registered dental hygienist
4 issued by another state that is not revoked, suspended, or otherwise
5 restricted.

6 (3) Proof that the applicant has been in clinical practice as a
7 registered dental hygienist or has been a full-time faculty member
8 in an accredited dental hygiene education program for a minimum
9 of 750 hours per year for at least five years preceding the date of
10 his or her application under this section. The clinical practice
11 requirement shall be deemed met if the applicant provides proof
12 of at least three years of clinical practice and commits to
13 completing the remaining two years of clinical practice by filing
14 with the board a copy of a pending contract to practice dental
15 hygiene in any of the following facilities:

16 (A) A primary care clinic licensed under subdivision (a) of
17 Section 1204 of the Health and Safety Code.

18 (B) A primary care clinic exempt from licensure pursuant to
19 subdivision (c) of Section 1206 of the Health and Safety Code.

20 (C) A clinic owned or operated by a public hospital or health
21 system.

22 (D) A clinic owned and operated by a hospital that maintains
23 the primary contract with a county government to fill the county's
24 role under Section 17000 of the Welfare and Institutions Code.

25 (4) Proof that the applicant has not been subject to disciplinary
26 action by any state in which he or she is or has been previously
27 licensed as a registered dental hygienist or dentist. If the applicant
28 has been subject to disciplinary action, the board shall review that
29 action to determine if it warrants refusal to issue a license to the
30 applicant.

31 (5) Proof of graduation from a school of dental hygiene
32 accredited by the Commission on Dental Accreditation.

33 (6) Proof of satisfactory completion of the Dental Hygiene
34 National Board Examination and of a state or regional clinical
35 licensure examination.

36 (7) Proof that the applicant has not failed the examination for
37 licensure to practice dental hygiene under this chapter more than
38 once and that, if he or she has failed the examination once, the
39 failure was not within the five years prior to the date of his or her
40 application for a license under this section.



1 (8) Documentation of completion of a minimum of 25 units of
2 continuing education earned in the two years preceding
3 application, including completion of any continuing education
4 requirements imposed by the board on registered dental hygienists
5 licensed in this state at the time of application.

6 (9) Any other information as specified by the board to the
7 extent that it is required of applicants for licensure by examination
8 under this article.

9 (c) The board may periodically request verification of
10 compliance with the requirements of paragraph (3) of subdivision
11 (b), and may revoke license upon a finding that the employment
12 requirement or any other requirement of paragraph (3) has not
13 been met.

14 (d) The board shall provide in the application packet to each
15 out-of-state dental hygienist pursuant to this section the following
16 information:

17 (1) The location of dental manpower shortage areas in the state.

18 (2) Any not-for-profit clinics, public hospitals, and accredited
19 dental hygiene education programs seeking to contract with
20 licensees for dental hygiene service delivery or training purposes.

21 (e) The board shall review the impact of this section on the
22 availability of actively practicing dental hygienists in California
23 and report to the appropriate policy and fiscal committees of the
24 Legislature by January 1, 2006. The report shall include a separate
25 section providing data specific to dental hygienists who intend to
26 fulfill the alternative clinical practice requirements of subdivision
27 (b). The report shall include, but not be limited to, the following:

28 (1) The number of applicants from other states who have
29 sought licensure.

30 (2) The number of dental hygienists from other states licensed
31 pursuant to this section, the number of licenses not granted under
32 this section, and the reason why the license was not granted.

33 (3) The practice location of dental hygienists licensed pursuant
34 to this section.

35 (4) The number of dental hygienists licensed pursuant to this
36 section who establish a practice in a rural area or in an area
37 designated as having a shortage of practicing dental hygienists or
38 no dental hygienists or in a safety net facility identified in
39 paragraph (3) of subdivision (b).



1 (5) The length of time dental hygienists licensed pursuant to
2 this section practiced in the reported location.

3 (f) In identifying a dental hygienist's location of practice, the
4 board shall use medical service study areas or other appropriate
5 geographic descriptions for regions of the state.

6 *SEC. 3. Section 1758 of the Business and Professions Code is*
7 *amended and renumbered to read:*

8 ~~1758.~~

9 *1766. (a) The board shall license as a registered dental*
10 *hygienist a person who satisfies all of the following requirements:*

11 ~~(a)~~

12 (1) Completion of an educational program for registered dental
13 hygienists, approved by the board, and accredited by the
14 Commission on Dental Accreditation, and conducted by a
15 degree-granting, ~~post-secondary~~ *postsecondary* institution.

16 ~~(b)~~

17 (2) Satisfactory performance on an examination required by
18 the board.

19 ~~(c)~~

20 (3) Satisfactory completion of a national written dental
21 hygiene examination approved by the board.

22 (b) *The board may grant a license as a registered dental*
23 *hygienist to an applicant who has not taken an examination before*
24 *the board, if the applicant submits all of the following to the board:*

25 (1) *A completed application form and all fees required by the*
26 *board.*

27 (2) *Proof of a current license as a registered dental hygienist*
28 *issued by another state that is not revoked, suspended, or otherwise*
29 *restricted.*

30 (3) *Proof that the applicant has been in clinical practice as a*
31 *registered dental hygienist or has been a full-time faculty member*
32 *in an accredited dental hygiene education program for a minimum*
33 *of 750 hours per year for at least five years preceding the date of*
34 *his or her application under this section. The clinical practice*
35 *requirement shall be deemed met if the applicant provides proof of*
36 *at least three years of clinical practice and commits to completing*
37 *the remaining two years of clinical practice by filing with the board*
38 *a copy of a pending contract to practice dental hygiene in any of*
39 *the following facilities:*



- 1 (A) A primary care clinic licensed under subdivision (a) of
2 Section 1204 of the Health and Safety Code.
- 3 (B) A primary care clinic exempt from licensure pursuant to
4 subdivision (c) of Section 1206 of the Health and Safety Code.
- 5 (C) A clinic owned or operated by a public hospital or health
6 system.
- 7 (D) A clinic owned and operated by a hospital that maintains
8 the primary contract with a county government to fill the county's
9 role under Section 17000 of the Welfare and Institutions Code.
- 10 (4) Proof that the applicant has not been subject to disciplinary
11 action by any state in which he or she is or has been previously
12 licensed as a registered dental hygienist or dentist. If the applicant
13 has been subject to disciplinary action, the board shall review that
14 action to determine if it warrants refusal to issue a license to the
15 applicant.
- 16 (5) Proof of graduation from a school of dental hygiene
17 accredited by the Commission on Dental Accreditation.
- 18 (6) Proof of satisfactory completion of the Dental Hygiene
19 National Board Examination and of a state or regional clinical
20 licensure examination.
- 21 (7) Proof that the applicant has not failed the examination for
22 licensure to practice dental hygiene under this chapter more than
23 once or once within five years prior to the date of his or her
24 application for a license under this section.
- 25 (8) Documentation of completion of a minimum of 25 units of
26 continuing education earned in the two years preceding
27 application, including completion of any continuing education
28 requirements imposed by the board on registered dental hygienists
29 licensed in this state at the time of application.
- 30 (9) Any other information as specified by the board to the extent
31 that it is required of applicants for licensure by examination under
32 this article.
- 33 (c) The board may periodically request verification of
34 compliance with the requirements of paragraph (3) of subdivision
35 (b), and may revoke license upon a finding that the employment
36 requirement or any other requirement of paragraph (3) has not
37 been met.
- 38 (d) The board shall provide in the application packet to each
39 out-of-state dental hygienist pursuant to this section the following
40 information:



1 (1) *The location of dental manpower shortage areas in the*
2 *state.*

3 (2) *Any not-for-profit clinics, public hospitals, and accredited*
4 *dental hygiene education programs seeking to contract with*
5 *licensees for dental hygiene service delivery or training purposes.*

6 (e) *The board shall review the impact of this section on the*
7 *availability of actively practicing dental hygienists in California*
8 *and report to the appropriate policy and fiscal committees of the*
9 *Legislature by January 1, 2006. The report shall include a*
10 *separate section providing data specific to dental hygienists who*
11 *intend to fulfill the alternative clinical practice requirements of*
12 *subdivision (b). The report shall include, but not be limited to, the*
13 *following:*

14 (1) *The number of applicants from other states who have sought*
15 *licensure.*

16 (2) *The number of dental hygienists from other states licensed*
17 *pursuant to this section, the number of licenses not granted under*
18 *this section, and the reason why the license was not granted.*

19 (3) *The practice location of dental hygienists licensed pursuant*
20 *to this section.*

21 (4) *The number of dental hygienists licensed pursuant to this*
22 *section who establish a practice in a rural area or in an area*
23 *designated as having a shortage of practicing dental hygienists or*
24 *no dental hygienists or in a safety net facility identified in*
25 *paragraph (3) of subdivision (b).*

26 (5) *The length of time dental hygienists licensed pursuant to*
27 *this section practiced in the reported location.*

28 (f) *In identifying a dental hygienist's location of practice, the*
29 *board shall use medical service study areas or other appropriate*
30 *geographic descriptions for regions of the state.*

31 *SEC. 4. Section 3 of this bill incorporates amendments to*
32 *Section 1758 of the Business and Professions Code proposed by*
33 *both this bill and SB 2022. It shall only become operative if (1)*
34 *both bills are enacted and become effective on or before January*
35 *1, 2003, (2) each bill amends Section 1758 of the Business and*
36 *Professions Code, and (3) this bill is enacted after SB 2022, in*
37 *which case Section 2 of this bill shall not become operative.*

