

AMENDED IN SENATE AUGUST 9, 2010

AMENDED IN SENATE JUNE 29, 2010

AMENDED IN SENATE JUNE 14, 2010

AMENDED IN ASSEMBLY JANUARY 4, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1524

Introduced by Assembly Member Hayashi

February 27, 2009

An act to amend Sections 1630 and 1632 of, to add Sections 1632.1 and 1632.6 to, and to repeal Section 1631 of, the Business and Professions Code, relating to dentistry.

LEGISLATIVE COUNSEL'S DIGEST

AB 1524, as amended, Hayashi. Dentistry: examination requirements.

The Dental Practice Act provides for the licensure and regulation of dentists and associated professions by the Dental Board of California within the Department of Consumer Affairs. Existing law requires an applicant for a license to practice dentistry to complete various examinations, including the National Board Dental Examination, an examination in California law and ethics developed by the board, and a clinical and written examination administered either by the board or the Western Regional Examining Board. Existing law prescribes the maximum amount of fees to be charged for examination, licensure, and renewal, for deposit into the State Dentistry Fund.

This bill would abolish the clinical and written examination administered by the board. The bill would instead replace that examination with a portfolio examination of an applicant's competence

to enter the practice of dentistry, which would be conducted while the applicant is enrolled in a dental school program at a board-approved dental school. The bill would require this examination to utilize uniform standards of clinical experiences and competencies, as ~~established~~ *approved* by the board. At the end of that dental school program, the bill would then require the passage of a final assessment of the applicant’s portfolio, subject to certification by his or her dean and payment of a \$350 fee. Under the bill, the portfolio examination would not be conducted until the board adopts regulations to implement the portfolio examination. The bill would require the board to provide specified notice on its Internet Web site and to the Legislature and the Legislative Counsel when these regulations have been adopted by the board. The bill would require the board to oversee the portfolio examination and final assessment process, and would require the board to biennially review each dental school with regard to the standardization of the portfolio examination. The bill would also set forth specified examination standards.

The bill would also, as part of the ongoing implementation of the portfolio examination, require the board, by December 1, 2016, to review the examination to ensure compliance with certain requirements applicable to all board examinations under the department’s jurisdiction. The bill would provide that the examination shall cease to be an option for applicants if the board determines the examination fails to meet those requirements. The bill would require the board to submit its review and certification or determination to the Legislature and the department, by December 1, 2016.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

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

- 1 SECTION 1. Section 1630 of the Business and Professions
- 2 Code is amended to read:
- 3 1630. The examination of applicants for a license to practice
- 4 dentistry in this State, as described in Section 1632, shall be
- 5 sufficiently thorough to test the fitness of the applicant to practice
- 6 dentistry, and both questions and answers shall be written in the
- 7 English language.
- 8 SEC. 2. Section 1631 of the Business and Professions Code is
- 9 repealed.

1 SEC. 3. Section 1632 of the Business and Professions Code is
2 amended to read:

3 1632. (a) The board shall require each applicant to successfully
4 complete the Part I and Part II written examinations of the National
5 Board Dental Examination of the Joint Commission on National
6 Dental Examinations.

7 (b) The board shall require each applicant to successfully
8 complete an examination in California law and ethics developed
9 and administered by the board. The board shall provide a separate
10 application for this examination. Applicants shall submit this
11 application and required fee to the board in order to take this
12 examination. In addition to the aforementioned application, the
13 only other requirement for taking this examination shall be
14 certification from the dean of the qualifying dental school attended
15 by the applicant that the applicant has graduated, or will graduate,
16 or is expected to graduate. Applicants who submit completed
17 applications and certification from the dean at least 15 days prior
18 to a scheduled examination shall be scheduled to take the
19 examination. Successful results of the examination shall, as
20 established by board regulation, remain valid for two years from
21 the date that the applicant is notified of having passed the
22 examination.

23 (c) Except as otherwise provided in Section 1632.5, the board
24 shall require each applicant to have taken and received a passing
25 score on one of the following:

26 (1) A portfolio examination of the applicant's competence to
27 enter the practice of dentistry. This examination shall be conducted
28 while the applicant is enrolled in a dental school program at a
29 board-approved school located in California. This examination
30 shall utilize uniform standards of clinical experiences and
31 competencies, as ~~established~~ *approved* by the board pursuant to
32 Section 1632.1. The applicant shall pass a final assessment of the
33 submitted portfolio at the end of his or her dental school program.
34 Before any portfolio assessment may be submitted to the board,
35 the applicant shall remit to the board a three hundred fifty dollar
36 (\$350) fee, to be deposited into the State Dentistry Fund, and a
37 letter of good standing signed by the dean of his or her dental
38 school or his or her delegate stating that the applicant has graduated
39 or will graduate with no pending ethical issues.

1 (A) The portfolio examination shall not be conducted until the
2 board adopts regulations to carry out this paragraph. The board
3 shall post notice on its Internet Web site when these regulations
4 have been adopted.

5 (B) The board shall also provide written notice to the Legislature
6 and the Legislative Counsel when these regulations have been
7 adopted.

8 (2) A clinical and written examination administered by the
9 Western Regional Examining Board, which board shall determine
10 the passing score for that examination.

11 (d) Notwithstanding subdivision (b) of Section 1628, the board
12 is authorized to do either of the following:

13 (1) Approve an application for examination from, and to
14 examine an applicant who is enrolled in, but has not yet graduated
15 from, a reputable dental school approved by the board.

16 (2) Accept the results of an examination described in paragraph
17 (2) of subdivision (c) submitted by an applicant who was enrolled
18 in, but had not graduated from, a reputable dental school approved
19 by the board at the time the examination was administered.

20 In either case, the board shall require the dean of that school or
21 his or her delegate to furnish satisfactory proof that the applicant
22 will graduate within one year of the date the examination was
23 administered or as provided in paragraph (1) of subdivision (c).

24 SEC. 4. Section 1632.1 is added to the Business and Professions
25 Code, to read:

26 1632.1. (a) With regard to the portfolio examination specified
27 in paragraph (1) of subdivision (c) of Section 1632, the board shall
28 independently monitor and audit the standardization and calibration
29 of dental school competency instructors at least biennially to ensure
30 standardization and an acceptable level of calibration in the grading
31 of the examination. Each dental school’s competency examinations
32 shall be audited biennially by the board.

33 (b) The board shall oversee all aspects of the portfolio
34 examination process specified in paragraph (1) of subdivision (c)
35 of Section 1632 and under this section, but shall not interfere with
36 the dental school authority to establish and deliver an accredited
37 curriculum. The board shall determine an end-of-year deadline, in
38 consultation with the current board-approved dental schools, to
39 determine when the portfolio examinations shall be completed and
40 submitted to the board for review by the board’s examiners.

1 (c) The board, in consultation with the current board-approved
2 dental schools, shall ~~determine~~ *approve* portfolio examination
3 competencies and the minimum number of clinical experiences
4 required for successful completion of the portfolio examination.

5 (d) The board shall require and verify successful completion of
6 competency examinations that were performed on a patient of
7 record of a board-approved dental school, including, but not limited
8 to, the following:

9 (1) Comprehensive oral diagnosis and treatment planning.

10 (2) Periodontics.

11 (3) Direct restorations.

12 (4) Indirect restorations.

13 (5) Removable prosthodontics.

14 (6) Endodontics.

15 SEC. 5. Section 1632.6 is added to the Business and Professions
16 Code, to read:

17 1632.6. (a) As part of the ongoing implementation of paragraph
18 (1) of subdivision (c) of Section 1632, the board shall review the
19 portfolio examination to ensure compliance with the requirements
20 of Section 139 and to certify that the portfolio examination process
21 meets those requirements. If the board determines that the portfolio
22 examination fails to meet those requirements, paragraph (1) of
23 subdivision (c) of *Section 1632* shall cease to be implemented and
24 the portfolio examination will no longer be an option for applicants.
25 The board's review and certification or determination shall be
26 completed and submitted to the Legislature and the department by
27 December 1, 2016.

28 (b) A report to the Legislature pursuant to this section shall be
29 submitted in compliance with Section 9795 of the Government
30 Code.

31 (c) This section shall become inoperative on December 1, 2020,
32 pursuant to Section 10231.5 of the Government Code.