

CHRONOLOGY

CDHA'S 23-YEAR STRUGGLE TO EXPAND ACCESS TO DENTAL CARE

For more than two decades, the California Dental Hygienists' Association (CDHA) has fought for the right to expand access to dental care to the millions of underserved and impoverished Californians who fail to receive the critical care they need to combat oral disease and other serious dental problems. Historically, one of the biggest obstacles to this effort has been the California Dental Association, which has resisted CDHA at every turn. The following chronology provides an overview of events leading up to Assembly Bill 1334 (Salinas), which represents the next step in CDHA's ongoing struggle to ensure that every Californian who needs dental hygiene care receives it. (or preventive care)

1980 – CDHA members submitted an application to allow a new category of dental hygienist to independently provide care to underserved populations, including the elderly, low-income families and ethnic minorities. Since the Legislature often looks for research to prove the need for such a practitioner, CDHA applied for a Health Manpower Pilot Project (HMPP). This program is sponsored by the Office of Statewide Health Planning and Development (OSHPD). CDHA received approval in 1981 to begin HMPP #139.

1983 to 1996 – Over a period of 13 years and despite a lawsuit by CDA to block the pilot project, participating California dental hygienists worked unsupervised and saw over 1500 patients without a single incidence of harm.

1997 – Given the success of the Health Manpower Pilot Projects (HMPP 135 and HMPP 159) the CDHA sponsors legislation – Assembly Bill 560 (Perata) – which would permanently allow hygienists to practice independently.

At the insistence of the California Dental Association, the measure is amended to include the requirement that dental hygienists can only see a patient if they receive a "prescription" from a dentist. CDHA fought to allow a physician to also provide. CDHA agrees in order to keep the bill alive even though there was no evidence to support the need for the prescription requirement.

October 1997 – AB 560 is signed into law and establishes a new category of licensure was established by law which Committee on Dental Auxiliaries (COMDA) examines and licenses: Registered Dental Hygienist in Alternative Practice (RDHAP). The California Dental Board is charged with setting regulations for "duties" and educational programs.

January 1, 1998 – AB 560 goes into effect. The RDHAP category is officially “chaptered” into law.

January 1998 – The Dental Board of California (DBC) – made up primarily of dentists – initiates a series of taskforce meetings on educational issues and requirements for RDHAPs. This process takes one full year to determine what the educational programs need to include -- even though the legislation listed the coursework needed. CDA opposes allowing dental hygienists to provide a range of care, including applying dental sealants. The Board was advised that omitting certain duties (some of which can be performed by an unlicensed dental assistant) would violate the legislative intent of the bill. The recommendations also significantly altered the legislative intent of the prescription requirement.

1999 – The DBC addresses the prescription issue. CDA convinces the board to ensure that the prescription must spell out exactly what the RDHAP can do. This debate lasts eight months. CDHA challenges this ruling and with the assistance of Perata and Senator Steve Peace, CDHA ultimately prevails in changing the prescriptions requirement so that RDHAPs only need a prescription that states that the patient can receive dental hygiene care.

2000 – CDHA reaches agreement with CDA that if CDHA places hygienists' duties in statute they will support a separate Dental Hygiene Board.

2002 – With input from CDA, language is drafted to define dental hygiene scope of practice. The bill passes in 2002. As part of the language in the bill, the legislature commissions an independent task force study on scopes of practice for all "auxiliaries."

2002 – The mandate that any RDHAP Program having to be associated with a dental school effectively stalled the development of any educational programs until the requirement was lifted, under pressure to finally fulfill the word of law, to allow programs developed by the community college system.

2003 – Independent Task Force report concludes that the prescription requirement is restrictive and needs to be removed. COMDA accepts the task force recommendations and sends its recommendation to the board to accept the report. The DBC agrees to accept.

August 2003 – West LA Community College receives approval for its RDHAP curriculum. The first program opens, twenty-one years after the Health Manpower Project begins, six years after the law is passed and three years after the law finally went into effect.

May 2003 – CDHA gives \$25,000 to establish an online program at the University of the Pacific to help boost the ranks of RDHAPs.

August 2004 – The first RDHAP online class is offered.

August 2004 COMDA approves recommendation to go forward with legislation to remove prescription spring 2005.

November 2004 – The Dental Board sets up task force to investigate removal of the prescription requirement.

January 1, 2005 – Yet another year begins with thousands and potentially millions of Californians being denied the preventive and therapeutic care offered by RDHAPs, due to the deliberate, systematic efforts of CDA and individual dentists bent on preventing this category of licensure from becoming truly effective.

January 2005 -- Task force reports back with a recommendation to remove prescription requirement. Despite this, the Dental Board votes down in 5-4 decision with the chair breaking the tie. All opposed are DDSs. Supporting the recommendation are one RDH, one DDS and two public members.

February 2005 – Assembly Bill 1334 (Salinas) is introduced; the CDHA-sponsored measure seeks to eliminate the restrictive prescription requirement.

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