

Date of Hearing: April 2, 2024

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Marc Berman, Chair

AB 2920 (Reyes) – As Introduced February 15, 2024

SUBJECT: Dentistry: dental schools.

SUMMARY: Requires the Dental Board of California (DBC) to reestablish a program for approving foreign dental schools that have not met the standards for approval by the Commission on Dental Accreditation (CODA) and requires graduates of those schools who seek to practice dentistry in California to first practice for two years in specified clinics and health centers.

EXISTING LAW:

- 1) Establishes the Dental Practice Act. (Business and Professions Code (BPC) §§ 1600 *et seq.*)
- 2) Establishes the DBC within the Department of Consumer Affairs to administer and enforce the Dental Practice Act, subject to repeal on January 1, 2025 unless that date is extended by the Legislature through the sunset review process. (BPC § 1601.1)
- 3) Provides that protection of the public shall be the highest priority for the DBC and that whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (BPC § 1601.2)
- 4) Authorizes the DBC to grant a license to practice dentistry to an applicant who satisfies certain requirements, including a requirement that satisfactory evidence be provided that the applicant has graduated from a dental school approved either by a national accrediting body approved by the DBC or by CODA, a national accreditor established within the American Dental Association. (BPC § 1634.1)
- 5) Beginning January 1, 2024, requires a school seeking approval as a foreign dental school to have successfully completed the international consultative and accreditation process with the CODA or a comparable accrediting body approved by the DBC. (BPC § 1636.4)
- 6) Allows an individual who has not graduated from a dental school approved by the DBC or CODA to apply for licensure if they meet certain other requirements, including possession of a current license to practice dentistry from another state and either 5,000 hours of clinical practice or a two-year pending contract to work in an underserved California clinic or accredited dental education program. (BPC § 1635.5)
- 7) Establishes within the DBC the Dental Corps Loan Repayment Program of 2002, which historically provided grants to qualifying dentists who agreed to work for at least three years in a clinic or dental practice located in a dentally underserved area, or in which at least 50 percent of patients are from a dentally underserved population. (BPC §§ 1970 –1976)
- 8) Creates the Licensed Physicians and Dentists from Mexico Pilot Program, which allows for up to 30 licensed dentists from Mexico to practice dentistry in California for up to three years in a nonprofit community health center. (BPC § 853)

THIS BILL:

- 1) Repeals language requiring foreign dental schools seeking approval in California to successfully complete CODA's international consultative and accreditation process.
- 2) Requires the DBC to reassume responsibility for approving foreign dental schools based upon a determination as to whether the educational program of the foreign dental school is equivalent to that of similar accredited institutions in the United States and adequately prepares its students for the practice of dentistry.
- 3) Allows for the DBC to contract with outside consultants or a national professional organization to survey and evaluate foreign dental schools and requires the consultant or organization to report to the DBC regarding its findings in the survey and evaluation.
- 4) Requires the DBC to establish a technical advisory group to review and comment upon the survey and evaluation of a foreign dental school before any final action by the DBC regarding certification of the foreign dental school.
- 5) Provides that the technical advisory group shall be selected by the DBC and shall consist of four dentists, two of whom shall be selected from a list of five recognized United States dental educators recommended by the foreign school seeking approval; prohibits any of the members of the technical advisory group from being affiliated with the school seeking certification.
- 6) Provides that no technical advisory group shall be established if the DBC does not contract for an evaluation and that the evaluation team for the schoolsite shall provide its report directly to the DBC.
- 7) Requires curriculum, faculty qualifications, student attendance, plant and facilities, and other factors to be reviewed and evaluated during the foreign dental school approval process.
- 8) Requires the DBC, with the cooperation of the technical advisory group, to identify by rule the standards and review procedures and methodology to be used in the approval process, and prohibits the DBC from granting approval if deficiencies found are of such magnitude as to prevent the students in the school from receiving an educational base suitable for the practice of dentistry.
- 9) Provides that periodic surveys and evaluations of all approved schools shall be made to ensure continued compliance with the law, and provides that approval by the DBC includes both full approval and up to three years of provisional approval to provide reasonable time for the school seeking permanent approval to overcome deficiencies found by the DBC.
- 10) Upon denial of approval or reapproval, requires the DBC to give a school a specific listing of the deficiencies that caused the denial and the requirements for remedying the deficiencies, and allows the school, upon request, to demonstrate by satisfactory evidence, within 90 days, that it has remedied the deficiencies listed by the DBC.
- 11) Requires foreign dental schools to pay the DBC an initial registration fee not to exceed \$1,000 and a renewal application fee not to exceed \$500 every seven years, and to pay all reasonable costs and expenses the board incurs for the conduct of the approval survey.

- 12) Allows applicants for licensure through the standard examination pathway to demonstrate that they have graduated from a dental school approved by a national accrediting body approved by the DBC, in addition to dental schools approved by the DBC or by CODA.
- 13) Makes applicants who have graduated from a foreign dental school approved by the DBC eligible to obtain licensure through residency.
- 14) Requires graduates of a foreign dental school approved by the DBC who obtain licensure through residency to practice dentistry full-time for two years in one or more of the following:
 - a) A nonprofit primary care clinic that is licensed as a community clinic or free clinic by the California Department of Public Health.
 - b) A clinic conducted, maintained, or operated by a federally recognized Indian tribe or tribal organization.
 - c) A clinic owned and operated by a public hospital or health system.
 - d) A clinic owned and operated by a hospital that maintains the primary contract with a county government to fill the county's responsibility to provide care to patients who are incompetent, poor, indigent, or incapacitated by age, disease, or accident.
 - e) A federally qualified health center.
- 15) Authorizes the DBC to revoke the license of a foreign dental school graduate who is found not to be in compliance with the two-year practice requirement.
- 16) Requires the DBC to provide information about areas of the state that are experiencing a shortage of dentists in the application packet for licensure to practice dentistry.

FISCAL EFFECT: Unknown; this bill is keyed fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by the **Dolores Huerta Foundation**. According to the author:

“AB 2920 addresses dental inequities and increases greater public oversight on foreign dental schools. First, it continues to provide a process for California accreditation. Second, it requires graduates of foreign dental schools to work two years following their licensure in marginalized communities. Specifically, the bill will reauthorize the Dental Board of California (DBC) to accredit foreign dental schools. Previously, the DBC had the authority to accredit foreign dental schools which led to two foreign dental schools being accredited, La Universidad De La Salle Bajío (“De La Salle”) in Mexico and the State of Medicine and Pharmacy “Nicolae Testemintanu” in Moldova. These schools have produced graduates who have gone on to provide dental services in underserved communities like mine and the Legislature should be encouraging the growth of culturally competent dentists given the inequities low-income communities of color face with oral health. This bill would once again allow the DBC to accredit foreign dental schools to ensure that there is no delay in their accreditation and would require graduates from these schools who are licensed to work in underserved communities for the first two years of their careers.”

Background.

Applicants for licensure as dentists in California are required to submit proof to the DBC that they have met specified requirements based on the pathway to licensure for which they are applying. With the exception of the Licensure by Credential pathway, all applicants must demonstrate that they have “completed at dental school or schools the full number of academic years of undergraduate courses required for graduation.” For schools located within the United States and Canada, the DBC has long accepted the findings of CODA, an accrediting body within the American Dental Association, when they approve or reapprove a dental school located within the United States. These schools are accredited and re-evaluated by CODA every seven years.

Prior to 2015, CODA did not offer an accreditation process for foreign dental schools located outside the United States and Canada. Education programs offered outside those countries could therefore not become approved through the same CODA process. As a result, foreign-trained dental students could not present their degrees to the DBC for purposes of applying for licensure as dentists through the typical pathways.

Attempts to solve this issue began in the 1970s, when California allowed international graduates who could pass a restorative technique (RT) examination performed to qualify to take the state’s licensure exam, without additional education at a CODA-accredited school. However, concerns grew that this process risked licenses being granted to underqualified foreign-trained dentists, as the RT exam tested only basic dental skills on a mannequin. Stakeholders engaged in extensive discussions and negotiations to determine what type of alternative accreditation process could be established for purposes of international schools not eligible for accreditation by CODA.

In 1997, Assembly Bill 1116 (Keeley) was introduced, sponsored by the California Dental Association and ultimately supported by the DBC. In its statements supporting the bill, the California Dental Association argued that “California’s licensing standards for foreign dental graduates are unusually lenient and out of sync with the requirements of the rest of the U.S.” and that “it is time for California to move to a stricter and more uniform educational standard to assure that all licensed dentists are equally qualified.” AB 1116 sunset the RT exam pathway for foreign dental school graduates beginning in 2003. The bill instead required graduates of foreign dental schools to complete a minimum of two academic years of education at a dental college approved by the DBC prior to being eligible to take the license examination. Because only three of California’s five dental schools at the time offered this type of program, the bill urged those schools “to provide a two-year course of study that may be utilized by graduates of foreign dental schools to attain the prerequisites for licensure in California.”

Additionally, AB 1116 created a new accreditation process for foreign dental schools through the DBC. Under the bill, schools seeking approval would apply to the DBC for a determination as to whether its educational program is “equivalent to that of similar accredited institutions in the United States and adequately prepares its students for the practice of dentistry.” The DBC would perform an evaluation of the school in consultation with a technical advisory group and could subsequently issue a provisional and then full approval. Once a foreign dental school was approved by the DBC, its graduates would immediately be eligible for licensure in California and would no longer be required to complete two additional years of dental education prior to taking the examination.

Analysis published by the Senate Committee on Business and Professions, chaired by Senator Richard Polanco, raised potential issues with creating a new approval process within the DBC, given an historical lack of precedent for foreign dental school accreditation:

“Apparently the only dental schools currently approved for licensure in California and virtually all other states are in the U.S. There does not appear to be any current program for accrediting foreign dental schools. Consequently, it is not clear what the likelihood is for ultimate board-accreditation for such schools, nor the full cost thereof to the schools beyond the \$1000 maximum fee. Committee staff does not have any information on how many foreign schools have graduates applying for California licensure, the numbers of those applicants, nor the location of those schools.”

The purpose of creating a program within the DBC to approve foreign dental schools was expressly due to the lack of an existing international accreditation process through CODA or any other organization. The goal was to create a process for approving international schools that resembled the process required for schools within the United States and Canada. According to an issues summary published by the California Dental Association in 2007:

“Although AB 1116 allowed the Dental Board to approve non-CODA accredited schools, the intent has always been for the board’s process to mirror CODA’s to the greatest extent possible. In fact, the Dental Board approached CODA about the possibility of contracting with it to evaluate foreign schools. CODA’s organizational structure at the time prevented the possibility of contracting. Nevertheless, the board utilized CODA accreditation standards in developing their own approval process regulations, and the board has since consistently included former CODA members in its site visits to applicant schools.”

The process subsequently implemented by the DBC for reviewing applications from foreign dental schools, as outlined in its regulations, required schools to meet basic curriculum requirements as well as administrative and programmatic standards to ensure a certain degree of equivalency with schools operating within the United States. An “onsite inspection and evaluation team” appointed by the board was then responsible for making “a comprehensive, qualitative onsite review of each institution that applies for approval.” This review included examining documents, inspecting facilities, auditing classes, and interviewing administrators, faculty, and students. Reviewed schools were required to reimburse the DBC for all reasonable costs incurred by staff and the site team relating to the inspection. The DBC was then required to ultimately notify the school of whether it had been approved within 225 days of a completed application.

Between 1997 and 2019, only two foreign dental schools were ever approved by the DBC. The first, La Universidad De La Salle Bajío (“De La Salle”) was first approved in 2004 and is located in Leon, Guanajuato, Mexico. The second, the State of Medicine and Pharmacy “Nicolae Testemintanu” of the Republic of Moldova, received a two-year provisional approval in December 2016 and full approval in May 2018. While the DBC conducted site visits for one other applicant, no other schools were ever approved.

Years after the implementation of AB 1116, state policymakers began to question whether continuing to charge the DBC with responsibility for approving foreign dental schools continued to make sense. In the background paper published by the Senate Committee on Business, Professions, and Economic Development and the Assembly Committee on Business and Professions for the DBC’s sunset review hearing in March of 2015, Issue #6 posed the question:

“Is the process for approving foreign dental school sufficient? Should the Board consider heavier reliance on accrediting organizations for foreign school approvals if those options become available?” The Committees raised a concern that “in developing standards and procedures to be utilized in the evaluation and approval process of foreign dental schools, the Board has relied significantly on CODA standards. However, the Board has not updated its regulations to reflect changes that have been made to CODA standards over the years since the inception of this legislation. As a result, the Board may be assessing new programs using old standards.”

At the time of the DBC’s 2015 sunset review, only De La Salle had ever been approved by the DBC. The Moldova dental school had recently applied for approval in October of 2014 and was struggling to complete its application. The Committees noted that “this school’s dental program would only serve students from the United States. This school is not CODA-approved, and has not applied for accreditation from any other state.” Following discussion of the issues surrounding the DBC’s foreign dental school approval program, the 2015 sunset background paper made the following recommendations:

“The Board should keep the Committees informed of any concerns relating to foreign school approvals. The Board should update its school approval standards, which were based on CODA standards in effect at the time, to reflect current CODA standards. The Board should inform the Committees of any advancements made by CODA with regards to foreign school approvals. If CODA, which is the national and soon-to-be international accrediting body for dental schools, is stepping into the realm of foreign dental school approvals, the Board may consider whether it should be involved in approving foreign dental schools, or whether it could rely on accrediting bodies like CODA to approve such schools.”

While changing the process for approving foreign dental schools was contemplated during the 2015 sunset review, this ultimately did not occur due to a lack of identifiable alternatives to the DBC’s process. While CODA adopted its first International Policies and Procedures back in 2006, a full review process had never been formally established, and no foreign dental schools had ever completed a review or received approval. The Committees consequently determined that it was not the appropriate time to sunset the DBC’s foreign dental school approval process, as there was not yet a functional replacement process for those schools to undergo.

Shortly after the completion of the DBC’s sunset review in 2015, major developments occurred in relation to foreign dental school approval, specifically in the successful establishment of a new process through CODA for foreign dental school approval. In November 2015, the American Dental Association House of Delegates officially established the CODA Standing Committee on International Accreditation (SCIA) to replace the prior Joint Advisory Committee on International Accreditation. Through the SCIA, CODA began to receive requests for fee-based requests for consultation from international dental education programs. CODA had finally established a review and approval process for foreign dental schools from the same accrediting entity that had long approved schools located within the United States and Canada.

Following the establishment of the CODA accreditation program for international dental schools, the issue of whether the DBC should still be responsible for approving foreign dental schools was raised once again during the board’s next sunset review. In the joint sunset review background paper published in February 2019, the Committees asked the question again: *“Should the current process by which the DBC approves foreign dental schools continue?”*

The recommendation in the background paper urged the DBC to provide background on “whether accrediting organizations such as CODA should play a larger role in the approval process.” In its formal response to the background paper, the DBC made the following statement: “The DBC believes that the best way to meet the legislature’s need to ensure that graduates of foreign dental schools have received an education that is equivalent to that of accredited institutions in the United States is to require foreign dental schools to successfully complete the CODA international consultation and accreditation process that is currently available to all foreign dental schools.”

A significant driver behind the Legislature’s reconsideration of whether the DBC should approve foreign dental schools was controversies regarding the dental school located in Moldova. Shortly following the Moldova school’s full approval, members of the DBC grew concerned that important details of its recruitment program and admission standards were not disclosed in the school’s application or to the DBC site evaluation team during the review. The DBC itself began to question whether the Moldova school should ever have been approved and whether the board was capable of sufficiently vetting applicant schools.

In the DBC’s November 2018 meeting, the board discussed a recently uncovered flyer advertising the Moldova school titled “Become a dentist... while living in Europe!” The flyer was widely distributed in California through “the University of Moldova USA Inc.”—a separate entity operating an admissions office for the Moldova school based in Encino, California. The flyer boasted that the school was “the only Dental School in English outside the United States Fully Approved by the Dental Board of California.” The flyer advertised that applicants to the school in Moldova were not required to have a college degree, or ACT or SAT scores.

In addition to the flyer, a “Frequently Asked Questions” page on the University of Moldova USA Inc. website featured various statements clearly intended to recruit United States residents to travel to Moldova to fulfill their dental education requirements before returning to California to practice. The webpage, which remains active, includes the following text:

1. What does it mean that a foreign dental school is approved by the Dental Board of California, USA?

It means the approved dental school has an educational program equivalent to that of a dental school in California, USA, and graduation from such school will allow you take all the required state examination in order to apply for a California dental license.

2. I want to become a dentist in California and to study in Europe, however, I can only speak English and I can not speak any other foreign language. Is that a problem?

No Problem! Both of USMF’s dental programs are taught entirely in English.

3. I have just graduated from a high school and I want to become a dentist. Do I need to go to college to apply to the 5 years dental program?

No, you don’t need to go to college. You can apply right after finishing high school. USMF requires high school level of basic sciences such as Biology and Chemistry.

According to the DBC, the relationship between the dental school in Moldova and the recruitment entity in Encino “was never divulged during the site evaluation conducted in October 2016.” It is apparent that the Moldova dental school actively recruited students in California, promising DBC-approved dental school education (taught entirely in English) without the need for a four-year college degree. Further, the tuition charged to students recruited in the United States appeared to be four times that of Moldovan students.

The DBC discussed the potential misrepresentations by the dental school in Moldova multiple times during its public meetings. In November 2018, the DBC posed a number of questions to the Moldova school’s official representative, former Senator Richard Polanco; who indicated that he would not be able to answer the board’s numerous questions and that school leadership would have to travel to California to provide the requested information. However, no one from the school appeared at the February 2019 board meeting. Finally, leadership for the dental school in Moldova appeared at the DBC’s May 2019 board meeting, where they were questioned extensively about the relationship between the school and the University of Moldova USA Inc.

Ultimately, the DBC’s 2019 sunset bill, Assembly Bill 1519 (Low), was amended by the Committees to at last transition the responsibility for approving foreign dental schools from the DBC to CODA. These provisions were strongly supported by the DBC itself, which stated openly that it did not feel it had either the resources or expertise to effectively review and approve foreign schools, as evidenced by its regretted approval of the dental school in Moldova. While representatives of the University of Moldova USA Inc. opposed the bill, it was not opposed by De La Salle, which was actively going through the CODA accreditation process. The bill passed both houses of the Legislature unanimously.

The provisions of the DBC’s 2019 sunset bill required that the board cease accepting new applications from foreign dental schools beginning January 1, 2020, and that the board instead direct schools to CODA to apply for their accreditation. Both foreign dental schools approved by the DBC were scheduled to remain approved until January 1, 2024, by which time they would have to have received CODA accreditation. The provisions transitioning foreign dental schools to CODA accreditation included specific language to ensure graduates of schools whose programs were approved at the time of graduation remained eligible for licensure by the DBC.

Following the enactment of the DBC’s sunset bill in 2019, the dental school located in Mexico (De La Salle) signaled that it would begin the process of applying for CODA approval. Conversely, the dental school in Moldova immediately sought to reverse the change and restore the DBC’s responsibility for approving foreign dental schools. The Moldova school sponsored Assembly Bill 3315 (Eduardo Garcia) in 2020 to repeal the language enacted in the DBC’s sunset bill and reinstate the prior law. This bill was opposed by both the DBC and the California Dental Association and subsequently died after the author pulled it from its scheduled hearing in this committee.

The same bill was attempted again the following year, with representatives of the Moldova school supporting Assembly Bill 1552 (Eduardo Garcia) in 2021. Once again the proposal was opposed by the California Dental Association, which argued that “CODA oversight for foreign dental schools seeking approval in the U.S. is not only more efficient but a superior method to accreditation” and that “having a single accrediting agency will ensure that all dentists who receive licensure in the U.S. have received training that meets a singular minimum standard.” The bill ultimately failed passage in this committee, receiving only two votes in favor.

The Legislature was again asked to weigh in on this issue later in 2021 when action was deemed necessary to ensure students currently enrolled at DBC-approved schools were not disqualified from seeking licensure upon graduation. As noted in the DBC's 2024 sunset review background paper, it is unclear why the Moldova school enrolled students in 2019 given that it was made aware in May 2018 that its DBC-approval would expire December 31, 2023 pursuant to the terms of its approval. However, representatives of the Moldova school indicated that statutory updates were necessary in order to accommodate students whose graduation would not occur until June 2024.

In order to ensure students remained eligible for licensure, SB 607 (Min) was enacted in 2021 to specify that a foreign dental school whose program was approved prior to January 1, 2020, through any date between January 1, 2024, and December 31, 2026, can remain approved through that date, so that those schools may maintain their approval without it being prematurely terminated before they can obtain CODA approval. Further, the bill allowed for students who enrolled in a foreign dental school under those circumstances prior to January 1, 2020 to be eligible for licensure. This bill passed the Legislature and was signed into law with the DBC's support.

Legislation was attempted again the following year, when Senate Bill 1471 (Archuleta) was introduced in 2022. This bill would have extended the approval for both foreign dental schools that were approved by the DBC prior to 2020. The bill ultimately was not presented in a hearing and died in the Senate Committee on Business, Professions, and Economic Development.

The following year in 2023, yet another bill—Assembly Bill 1552 (Reyes)—was introduced to once again attempt to repeal the language in the DBC's 2019 sunset bill and restore the board's responsibility for approving foreign dental schools. The DBC again opposed the bill, arguing that CODA is more capable of reviewing foreign dental schools than the Board and that adequate pathways to licensure for internationally trained dentists exist. This bill was set for a hearing early in 2024 but was subsequently pulled by the author and died in this committee due to procedural deadlines.

This is now the fifth year in a row that a bill has been introduced to undo the changes made in the DBC's sunset bill in 2019. While the sponsor of this bill is nominally the Dolores Huerta Foundation, background materials provided by the author indicate that the source is once again representatives of the dental school in Moldova. Meanwhile, it is not clear that the Moldova school has ever seriously attempted to obtain approval through CODA, whereas De La Salle has focused its efforts on that process.

There are some provisions in this bill that were not previously included in earlier proposals. In an effort to tie restoration of the DBC's responsibility for approving foreign dental schools to important issues relating to dental health care access inequities, this bill would require graduates of foreign dental schools approved by the DBC to practice dentistry full-time for two years in specified clinics and federally qualified health centers. This language is similar to existing requirements for applicants in the Licensure by Credential pathway, which allows graduates of international schools that are not CODA-approved to become licensed in California if they have been actively practicing in another state and commit to practicing for two years in similar settings. The author presumably hopes that the inclusion of this additional language will convince the Legislature to more sympathetically consider the Moldova dental school's desire to regain its prior approval under the DBC after nearly half a decade of failed attempts.

Current Related Legislation.

AB 2860 (Garcia) would establish the Licensed Dentists from Mexico Pilot Program and revise and recast provisions of prior law relating to that program from when it was previously established as a component of the Licensed Physicians and Dentists from Mexico Pilot Program. *This bill is pending on the Assembly Floor.*

SB 1453 (Ashby) is the current sunset review vehicle for the DBC. *This bill is pending in the Senate Committee on Business, Professions, and Economic Development.*

Prior Related Legislation.

AB 1552 (Reyes) of 2023 would have repealed the requirement for foreign dental schools to receive approval from CODA and reinstated the DBC's responsibility for approving foreign dental schools. *This bill died in this committee without a hearing.*

SB 1471 (Archuleta) of 2022 would have extended the DBC's prior approval for foreign dental schools until June 30, 2026. *This bill died in the Senate Committee on Business, Professions, and Economic Development without a hearing.*

AB 1552 (Garcia) of 2021 would have extended the deadline for foreign dental schools previously approved by the DBC to become approved by CODA until January 1, 2030. *This bill failed passage in this committee.*

AB 3315 (Garcia) of 2020 would have repealed the requirement for foreign dental schools to receive approval from CODA and reinstated the DBC's responsibility for approving foreign dental schools. *This bill died in this committee without a hearing.*

AB 1519 (Low, Chapter 865, Statutes of 2019) extended the DBC's sunset date and transitioned authority for approving foreign dental schools from the DBC to CODA.

ARGUMENTS IN SUPPORT:

The **Dolores Huerta Foundation**, identified by the author as the sponsor of this bill, writes in support: "Foreign dental schools accredited under AB 1116 underwent rigorous and meticulous review by the Dental Board before receiving accreditation, however, AB 1519 (Low)'s requirement that these schools now receive accreditation through the Commission on Dental Accreditation (CODA) by January 1, 2024, essentially ended the program altogether as CODA's accreditation is a ten (10) to twelve (12) year process. AB 2920 will ensure that the process that increased the number of dentists working in our underserved areas continues to benefit them."

ARGUMENTS IN OPPOSITION:

The **California Dental Association** (CDA) opposes this bill, writing: "CDA still believes that CODA is the most appropriate entity to approve foreign and domestic dental schools, because the sole purpose of CODA is to accredit dental education programs and is the only recognized entity to do so across the country. As a licensing board with no expertise in accreditation, the dental board simply does not have the expertise or bandwidth to competently approve foreign dental schools."

POLICY ISSUE(S) FOR CONSIDERATION:

Ongoing Sunset Review. The DBC is currently going through its sunset review by the Senate Committee on Business, Professions, and Economic Development and the Assembly Committee on Business and Professions, and the issues surrounding the approval of foreign dental schools has been an active part of the discussions occurring through that process. The background paper published by the Committees as part of the DBC's sunset hearing specifically discussed this matter under Issue #3, which stated: "DBC relies on accreditation of dental schools to ensure program standards and quality. Accrediting bodies have expertise in educational program oversight that a state regulatory program like DBC does not. DBC appears to be effectively recognizing graduates of foreign dental schools who are eligible for licensure."

The staff recommendation for this issue was as follows: "The Act should not be amended to grant DBC any new role over foreign dental schools. The Act should not be amended to extend the timeframe for DBC program approval. The Act should not be amended to allow graduates to remain eligible for licensure in California if they enrolled in a foreign dental school after January 1, 2020 that is not CODA approved."

In the DBC's formal response to the Legislature regarding each of the issues in its sunset hearing background paper, the DBC concurred with the Committees' staff recommendation and stated as follows:

"DBC recognized that it did not have the expertise to accredit foreign dental schools. This accreditation is a rigorous process requiring review of much supporting documentation and a site visit by a large group of trained educators with expertise in multiple areas of clinical dentistry and educational processes.

"CODA has since developed accreditation standards and processes for international schools. To date, CODA has accredited two foreign dental schools: King Abdulaziz University Dental School in Saudi Arabia and Yeditepe University Faculty of Dentistry in Turkey. Others are in the pipeline. If the graduates of these institutions want to practice in California, they are eligible to apply for licensure using one of the several available pathways. That is, there are alternate means for internationally educated dentists to become licensed in California if they wish to do so.

"It is unreasonable that international programs should have a less rigorous pathway for approval than the 66 U.S. dental schools, potentially placing consumers of dental services at risk. DBC backs the process as it exists, took an Oppose position on AB 1552 (Garcia), and supports the Staff's recommendation."

Because the sunset review process is intended to provide the Legislature with an opportunity to comprehensively evaluate the success of each board's programs and activities, there is a preference for considering all policy questions relevant to that review within the context of the DBC's sunset bill. While it does not currently appear likely that the Committees will decide to restore the DBC's responsibility for approving foreign dental schools through language in the board's sunset bill, the decision should arguably remain part of the discussions around that vehicle so that the Legislature may consider the proposal as part of a holistic review of potential reforms to the DBC and the Dental Practice Act.

Equity Considerations. Unlike prior efforts to restore the DBC's responsibility for approving foreign dental schools since that authority was transitioned to CODA in 2019, this bill would require graduates of DBC-approved schools to practice dentistry full-time in specified settings that typically serve low-income or low-access communities, such as primary care clinics and federally qualified health centers. The intent of this requirement would appear to be a concession reflecting that while the Legislature has determined that a school approval process under the DBC is not sufficient to confirm that dental students are receiving adequate education and training to practice in California, it would nevertheless be worthwhile to allow for a pathway for these students to practice if it meant increasing the workforce for underserved communities. Similar requirements have been imposed in the past under programs for allowing practitioners licensed in Mexico to be temporarily licensed in California, as well as through prior loan forgiveness programs.

There is no doubt that many of California's communities face barriers to health care, particularly near the Mexican border and in the Central Valley. Additionally, these communities often do not have access to health practitioners who are culturally or linguistically competent to treat immigrant communities and other groups. In light of these important considerations, this committee has passed numerous bills aimed at increasing access to care, as well as diversity and cultural competence within the state's health care workforce.

However, concerns are frequently raised during these discussions that while it is imperative that low-income, low-access communities receive greater access to health care services, the services that they receive should not be of lesser quality than the care received in other parts of the state. Any efforts to increase access to care should be mindful not to establish a two-tiered system in which some parts of the state should be expected to accept lower quality care, or care with fewer patient protections, with an understanding that it is the only option afforded to them. While the author and sponsor of this bill are no doubt laudatory in their intent to increase the number of dental professionals available to patients living in access deserts, further consideration should be given to whether those communities should accept a professional standard that other parts of the state arguably would not under current law.

In addition to the above concerns, there is also no evidence that allowing graduates of foreign dental schools that have not received CODA accreditation is an effective way to enhance the availability of culturally and linguistically competent professionals in communities where these professionals are significantly needed. Of the two foreign dental schools previously approved by the DBC, one school—De La Salle—was located in Mexico, and an argument could be cogently made that graduates of that school have a greater chance of speaking Spanish or understanding the specific needs of patients whose families have immigrated from that country. However, De La Salle does not support this bill, and has historically not opposed California's efforts to require CODA approval for foreign dental schools. Meanwhile, the other previously approved school is located in Moldova, a country that has very few cultural ties in California.

Insufficient data has been provided to suggest that the DBC's prior foreign dental school approval program truly served to increase the number of culturally and linguistically competent dentists in California. More data about the overall dental professional workforce in California would be helpful to understand specific areas of need. Specific data about the demographics and practice locations of foreign-trained dentists through each of the available pathways would be further useful to know if the state's transition to CODA has in fact had a deleterious effect on access to dental care in California's underserved communities.

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California Dental Association

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