

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

April 9, 2024

2. Department

Department of Consumer Affairs

3. Organizational Placement (Division/Branch/Office Name)

Dental Board of California

4. CEA Position Title

Assistant Executive Officer - CEA A

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The Dental Board of California (DBC or Board) protects and serves Californians by establishing, communicating, and enforcing standards for safe competent dental health services. The DBC is a semi-autonomous entity under the Department of Consumer Affairs (DCA).

The Assistant Executive Officer (AEO) is responsible for ensuring the efficient and effective daily operations of DBC, the delivery of operational services, and compliance with statutes and regulations. The AEO responsibilities include development of policy initiatives based on the Board's strategic planning goals and statutory mandates.

6. Reports to: (Class Title/Level)

Executive Officer - None

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain): The DBC protects and serves Californians by establishing, communicating, and enforcing standards for safe competent dental health services. The DBC is a semi-autonomous entity under DCA.

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

Under the general direction of the Executive Officer (EO) of the Dental Board of California (Board or DBC), the Assistant Executive Officer (AEO) is second in the organizational level that is responsible for ensuring the efficient and effective daily operations of the Board, the delivery of program services, and compliance with state laws. The AEO responsibilities include development of policy initiatives based on the Board's strategic planning goals and statutory mandates. The AEO provides expertise regarding complex business processes, planning, and sensitive legal and regulatory issues related to dental service professions regulated by the Board.

The AEO plans, organizes, and directs the activities of all the Board's operations, which include administration, licensing, examination, enforcement, and legislative and regulatory functions. The AEO acts as a consultant for the Board Members, EO, and departmental executive management. The AEO attends Board and Dental Assisting Council (Council) meetings, presents agenda items, and performs or assists the EO in handling administrative and executive matters relating to the Board. The AEO has full-delegated authority to act on behalf of the EO in their absence in the full range of policy and administrative duties. The incumbent independently accepts or proposes alternatives for stipulated settlements, which required formal adoption by the Board. Duties include, but are not limited to, the following:

Acts on behalf of the EO in their absence, with full-delegated authority over all policy, resource allocation, personnel and licensee/registrant disciplinary matters, including approval of legal documents such as Accusations, Statements of Issues, Stipulated Settlements, and other legal documents. Acts as the principal administrator for Board programs. Reviews and approves correspondence prepared for the Governor, Legislators, Constitutional Officers, Business, Consumer Services, and Housing Agency (BCSHA), Department of Finance (DOF), and DCA officials.

Delegates through subordinate managers assignments, program issues, and special projects. Assigns staff to various permanent and ad hoc committees of the Board. Provides guidance and expertise to the Board's managers and staff. Identifies inefficient and ineffective program operations and implements business process improvements and performance standards. Directs subordinate staff to develop solutions, implement changes and evaluate the effectiveness and efficiency of the changes. Oversees and participates in the development of the Board's Annual Report. Identifies and analyzes studies, legislation, and various issues affecting the Board.

Represents the Board before the DCA, DOF, BCSHA the Legislature, professional associations and public organizations, and other interested parties on the Board's functions, including budget, legislation, regulations, personnel, licensing, examination, and enforcement matters.

Directly selects, supervises, trains and evaluates the performance of direct reporting management and staff. Sets Board policies for hiring, training, evaluating, and retention. Administers the provisions of civil service law and regulations and oversees the progressive discipline processes. Manages, plans, and directs the activities of professional, technical, and clerical staff to carry out the Board's policies and directives to achieve the Board's mission.

Directs the development of the Board's budget. Assigns and monitors special projects, including but not limited to Sunset Review. Implements organizational reorganizations. Reviews and evaluates the Board's Strategic Plan to ensure it is current with changing environmental and emerging issues. Assures the development of staff and allocation of resources to ensure organizational effectiveness through consistent, uniform policies and procedures. Ensures all Board policies and procedures are documented and updated on an ongoing basis. Ensures that the Board maintains and upgrades automated systems to keep the Board current with evolving technology and compliance with state security objectives. Ensures the provisions of the State Administrative Manual are adhered to.

Develops and implements specific policies and procedures for the efficient and effective administration of the various programs under the jurisdiction of the Board. Analyzes performance metrics and implements business process improvements and or resource allocations as needed to achieve the Board's mission. Provides information, policies, procedures, and recommendations on behalf of the Board. Provides programmatic oversight for the administration, licensing, examination, and enforcement programs including promulgating and interpreting policies established by the Board members and EO.

Participates in meetings, seminars, workshops, and other forums related to Board programs. Represents the Board, including Enforcement, Licensing, and Examination, in meetings, negotiations, hearings, and other forums.

Provides guidance to staff, Board members, professional organizations, licensees, registrants, applicants, educators, and the public about the laws governing the functions of the Board. Proposes solutions to problems identified by Board members, EO, Board management and staff, consumers, licensees, and registrants.

Reviews draft Accusations and Statement of Issues to ensure action is appropriate and warranted. Reviews and approves investigations for disciplinary action (referral to Attorney General Office, approve or deny application).

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: DCA's mission is to provide outstanding support services, oversight, and innovative solutions to boards and bureaus that regulate California professionals and vocations so that through this partnership all Californians are informed, empowered, and protected. The work of DBC is vital to consumer protection and the DCA Mission.

The Board licenses, monitors, and disciplines approximately 200,000 dentists, registered dental assistants (RDAs), and registered dental assistants in extended functions (RDAEFs) and various permit holders (e.g., Additional Office Permits, Board-Approved Continuing Education Provider Permits, Dental Sedation Assistant Permits, Extramural Dental Facility Permits, Elective Facial Cosmetic Surgery Permits, General Anesthesia Permits (Dentist), Fictitious Name Permits, Medical General Anesthesia Permits (Physician), Mobile Dental Clinic Permits, Moderate Sedation Permits, Oral Conscious Sedation for Adult Patients Permits, Oral and Maxillofacial Surgery Permits (Dually Licensed Dentist/Physician), Orthodontic Assistant Permits, Pediatric Minimal Sedation Permit, and Special Permits (For Faculty)). The Board sets the duties and functions of unlicensed dental assistants. The Board issues many types of permits to administer dental anesthesia and sedation, as well as orthodontic assistant (OA) and dental sedation assistant (DSA) permits. Finally, the Board approves dental educational programs and courses required for practice, licensure, and continuing education. The Board's highest priority is the protection of the public when exercising its licensing, regulatory and disciplinary functions. The primary methods by which the Board achieves this goal include issuing licenses to eligible applicants; investigating complaints against licensees and disciplining licensees for violations of the Dental Practice Act; monitoring licensees whose licenses have been placed on probation; and managing the Diversion Program for licensees whose practice may be impaired due to abuse of dangerous drugs or alcohol.

DBC evaluates each application for licensure or permit to ensure compliance with licensing/permitting laws. The DBC denies licensure to applicants who are identified as potentially unsafe practitioners. The applicant can appeal the denial through disciplinary due process. The DBC conducts fingerprint and background checks, license renewal, and reports discipline as well as convictions.

The DBC Enforcement Division is comprised of two separate units; Investigative Analysis (non-sworn) and Enforcement (sworn). The work of the Enforcement Division removes unsafe professionals from practice and monitors professionals on probation to ensure California consumers are protected. DBC is only one of three DCA entities that have sworn peace officers.

DBC engages in ongoing communication with its stakeholders. The use of social media and listservs, attendance at outreach events, updated website, and publication of newsletters and informational brochures achieve the legislative mandate to educate DBC stakeholders and consumers.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

The Board is undergoing its Sunset Review and 11 legislative proposals have been undertaken over the past four years (e.g., SB 501 when overhauled dental anesthesia/sedation permits) or are in the process of being included in the Board's Sunset bill. In addition, the Board is revisiting a dental assisting regulation package that had been tabled for 13 years due to vacancies, the COVID-19 pandemic, and other higher priority items. Numerous high-level policy actions and decisions are anticipated due to expected statutory changes.

The SSM III job classification is not appropriate for this executive management position. The scope of the SSM III does not accurately reflect the duties and responsibilities that are required for this critical executive management position. The AEO will be extensively involved in all policy making decisions, which is more appropriately reflected within the scope of a CEA.

Creating the CEA position provides the DBC with opportunity to effectively and efficiently make and implement all policy decisions to achieve its goals and objectives.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The DBC works on highly visible and critical issues that directly affect the dental health of California consumer safety. The DBC is accountable to the Legislature, the public, and its stakeholders such as licensees and professional associations.

The AEO will be the principle policy maker that will have direct and continuous interaction with the DCA, Legislators, the DBC EO, Board members, and the public to assist the DBC in achieving its mission.

The AEO's decision making and advice to the EO will influence program directions; therefore, the recommendations and decisions made by the AEO have a statewide impact in the development and implementation of policies that directly affect the safety of California consumers of dental services.

The AEO will provide oversight of licensing, examination, and enforcement activities to ensure policies and procedures achieve the following outcomes:

- The implementation of Assembly Bill 2138 directly impacts a candidate's ability to obtain licensure. Additionally, the Board is proposing significant revisions for out-of-state licensee applicants, possibly to include foreign dental school graduates. The AEO will develop policies and procedures to address both of these significant changes to ensure compliance with the laws and avoid any delays or backlogs that will adversely affect an applicant's ability to enter the workforce in a timely manner.
- The AEO will serve as the Board's Executive Liaison with the DCA Office of Information Services to ensure that all proposed enhancements and revisions comply with the Board's strategic technology plans.
- The AEO will serve as the primary consultant for the Board's Enlighten Enforcement Project work group to develop policies to address deficiencies. It is critical to establish and update compliant, enforcement and disciplinary process standards to protect consumers, applicants, and licensees.
- The AEO will partner with the DCA Office of Professional Examination Services to evaluate the needs to clinical examinations in dentistry as a requirement for licensure.
- The AEO will develop monitor, and develop as needed, policies and procedures associated with the Board's review of prior criminal convictions as mandated by Assembly Bill 2138. The AEO will ensure that the policies and procedures comply with the law without compromising consumer protection.
- The AEO will develop and implement policies and procedures to improve reporting of Probation Program metrics. The Probation Program refers to statewide violations of statutes and regulations, and penalties tied to those violations.

The AEO will participate with Maximus and the Board's Diversion Evaluation Committee to ensure proper oversight of participants for consumer protection. This participation includes establishing new policies in the contracted services.

- The AEO will develop and implement policies and procedures to ensure that all Enforcement Performance Measures within the Board's direct control are consistently met or exceeded. Licensing Performance Measures are mandated by statewide Executive Order B-13-11 reporting requirements.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The AEO has full-delegated authority to act on behalf of the EO in their absence. The AEO is responsible for policy development for the efficient operations of the DBC. Further, the AEO oversees the fiscal and personnel administration.

The AEO will interpret the laws and regulations governing dental health professionals and provide direction to Board members, professional associations, licensees, educators, staff, and the public regulated by DBC. The AEO will propose solutions to problems identified by the Board members, the EO, DBC managers and staff, consumers, and licensees.

The AEO can act independently to accept or negotiate alternatives during stipulated settlement negotiations. Review stipulated settlements from the Attorney General's Office; proposed decisions from an Administrative Law Judge, and present stipulated settlement agreements to the Board members.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The AEO will be responsible for the highest level of policy development and implementation. The AEO will provide guidance to staff, Board members, professional associations, educators, licensees, and the public about the laws and regulations governing the professions regulated by the DBC. The AEO will propose solutions to problems identified by Board members, EO, Board management, consumers, and licensees. The AEO will develop and implement specific policies and procedures for the efficient and effective administration of DBC programs; analyze performance measures and implement business process improvement and/or redirect resources as needed to achieve the DBC mission. The CEA will also be responsible for supervising the Dental Assisting License and Program Compliance Division, the Licensing and Examination Division, the Administration and Compliance Division, and the Enforcement Division, including promulgating and interpreting policies established by the Board members and EO. The AEO will participate in local and national meetings, seminars, workshops, and other forums; and represent the DBC in meetings, negotiations, hearings, and other forums, as needed.