



July 2, 2021

Christina Shupe, Executive Officer
Occupational Safety and Health Standards Board
2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833

Re: Infection Control Education for on-the-job-trained dental assistants
Submitted via email to cshupe@dir.ca.gov

Dear Ms. Shupe and Members of the OSH Standards Board:

We are requesting the support of the OSH Standards Board in two separate but related requests relative to the training dental assistants receive in infection control.

- A letter of support for a proposed change to California Business Professional Code (BPC) section 1750.1 via the Dental Board of California.
- A petition relative to *CCR Title 8 Section 5193 Bloodborne Pathogens. 2.Information and Training B1.*

Request for Letter of Support:

Individuals may enter the dental assisting workforce in one of two ways:

- 1) graduation from a board approved dental assisting program where they have received training and education in infection control standards and practices, or
- 2) "on-the-job training" with no requisite formal education or training.

The Dental Board currently requires an unlicensed, on-the-job- trained dental assistant to complete an eight-hour infection control course, however, the Business and Professions Code 1750 currently allows up to twelve months for completion of this course. Of significant concern is that during those twelve months in which dental assistants have potentially not completed the requisite training, they are responsible for workspace disinfection, instrument cleaning/packaging, sterilization, handling of hazardous waste, waterline maintenance as well as direct patient care. Allowing dental assistants to perform these duties without the requisite formal education and training in infection control places the patient's health and safety, as well as all the dental health care workers in the office, at risk.

We believe the current Business and Professions Code 1750.1 does not adequately reflect the present-day risks and standards of infection control education and training for the unlicensed dental assistant. A proposal by our organizations has been approved by the Dental Assisting Council and forwarded to the Dental Board of California for discussion at their August 19-20, 2021 meeting. This proposal would require this 8-hour course to be taken *PRIOR TO* exposure to any blood, saliva or other potentially infectious material. We believe this will improve infection control standards and practices, enhance the health and safety for patients and employees while ensuring compliance with regulatory standards. This would also align with the Cal-OSHA standard (CCR Title 8 Section 5193 Bloodborne Pathogens 2. Information and Training B1), which requires that employees receive training "at the time of the initial assignment tot asks where occupational exposure may take place".



The California Dental Assistants Association and the California Association of Dental Assisting Teachers are requesting your support by providing a letter supporting the proposed language in California Business Professional Code (BPC) section 1750.1. It is also being supported by the American Dental Assistants Association and the Dental Assisting National Board. Due to time constraints, we are asking that the letter be submitted to the DBC by August 1, 2021. Here is the proposal (changes in red):

(a) A dental assistant is an individual who, without a license, may perform basic supportive dental procedures, as authorized by Section 1750.1 and by regulations adopted by the board, under the supervision of a licensed dentist. "Basic supportive dental procedures" are those procedures that have technically elementary characteristics, are completely reversible, and are unlikely to precipitate potentially hazardous conditions for the patient being treated.

(b) The supervising licensed dentist shall be responsible for determining the competency of the dental assistant to perform the basic supportive dental procedures, as authorized by Section 1750.1.

(c) The employer of a dental assistant shall be responsible for ensuring that they have completed a board-approved eight hour course in infection control prior to performing any basic supportive dental procedures involving potential exposure to blood or other potentially infectious materials.

(d) The employer of a dental assistant shall be responsible for ensuring that the dental assistant who has been in continuous employment for 120 days or more, has already successfully completed, or successfully completes, all of the following within a year of the date of employment:

(1) A board-approved two-hour course in the Dental Practice Act.

~~(2) A board-approved eight-hour course in infection control.~~

(2) ~~(3)~~ A course in basic life support offered by an instructor approved by the American Red Cross or the American Heart Association, or any other course approved by the board as equivalent and that provides the student the opportunity to engage in hands-on simulated clinical scenarios.

(e) ~~(d)~~ The employer of a dental assistant shall be responsible for ensuring that the dental assistant maintains certification in basic life support.

(f) ~~(e)~~ This section shall become operative on January 1, 2010.

Petition Request:

While CCR Title 8 Section 5193 Bloodborne Pathogens. 2. Information and Training B1. does require that training take place when an employee is first given the initial assignment (when hired), there is no provision for what content that training would provide nor who would provide it.

(2) Information and Training.

(A) Employers shall ensure that all employees with occupational exposure participate in a training program which must be provided at no cost to the employee and during working hours.

(B) Training shall be provided as follows:



1. At the time of initial assignment to tasks where occupational exposure may take place;
2. At least annually thereafter.

We request that language be added that would require an on-the-job-trained dental assistant to have infection control training prior to performing any basic supportive dental procedures involving potential exposure to blood or other potentially infectious materials that is consistent with the current Dental Board of CA requirement.

Reason for the Request:

We respectfully request the Occupation Safety & Health Standards Board help us protect our dental assistants who are on-the-job trained. Dental employers have previously opined that providing the time and cost of the Dental Board Infection Control course early in employment is overly burdensome to the employer and that in-office training is sufficient, at least during the first 12 months. However, training by other employees does not meet the safety standards we should be striving to meet and improve. This training is inadequate and unnecessarily exposes employees to risk of cross-contamination. In February 2021 a small sampling of on-the-job-trained, unlicensed dental assistants showed that:

- 40% have less than 6 hours of training in the office
- 15% of them were not taught about hand washing, PPE, waterline maintenance or handling hazardous waste and impressions in the office
- 100% did not receive the office training prior to exposure to blood, saliva or OPIM

Requiring a Dental Board approved course prior to the performance of tasks that expose a dental assistant to infectious materials provides education from an approved provider rather than another staff member in the dental office. Considering the current environment following the pandemic and emphasis on disease transmission, it is imperative that requirements that protect employees be consistent throughout the industry. There have been many dental employees who have not returned to their job because of the concerns for their health and potential exposure.

As stakeholders, we have witnessed violations in the current implementation of the standards and have had concerns for many years. This concern is not limited to California but is a national concern as well because of the lack of mandatory education for dental assistants, which affects the safety and health of all employees in the dental office.

Thank you for taking the time to consider our requests. We urge the OSH Standards Board to give this matter its highest priority. Should you have any questions, please contact us at info@cdaaweb.org or president@cadat.org.

Respectfully,

Kelly Thomas, CDA, RDA

Susan Dahn, RDA

Kelly Thomas, President
California Dental Assistants Assoc.

Susan Dahn, President
California Assoc. of Dental Assisting Teachers