



August 16, 2021

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

Re: Amended Petition 591
Submitted via email to cshupe@dir.ca.gov

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

On behalf of the working dental assistants and dental assisting educators in California, we are requesting the support of the OSH Standards Board relative to the training dental assistants receive in bloodborne pathogens and infection control.

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). It currently reads:

(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.

However, a dental assistant has no minimum educational requirements prior to being hired, so there are many dental assistants who enter the workforce with *no prior knowledge of dentistry, infection control or the hazards they will encounter while in the dental office.*

Also, there is no current requirement that an unlicensed dental assistant update their infection control skills, so this and on-the-job-trained dental assistants only education relative to infection control required to work in a dental office.

The Dental Board of California currently requires an unlicensed, on-the-job- trained dental assistant to complete an approved eight-hour infection control course, which provides 4 hours of didactic training as well as 4 hours of clinical, hands-on training by an approved provider. However, the Business and Professions Code 1750 currently **allows up to twelve months for completion of this course.** That means the training the on-the-job- trained dental assistant receives would be provided by another employee in the dental office. However, training by other employees (who often are people who have not completed



official education/training in infection control themselves) does not meet the safety standards we should be striving to meet and improve. This training is inadequate and unnecessarily exposes employees to risks of cross-contamination and contraction of a communicable disease.

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 approved 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.

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

Acquiring documented data that would add support to this is difficult to find as the Dental Board is complaint driven, which relies on knowledge and the willingness to file a complaint. However, unless egregious, patients will not be aware of breaches in the standards or inadequacies of training provided to employees. Additionally, employees are reticent to file a complaint for fear of reprisal.

Documentation from other agencies is also difficult to acquire because of the way the data is stored and privacy provided, requiring knowledge of specific information to access. Lack of documented data does not equate to a lack of a problem.

We respectfully request the Occupation Safety & Health Standards Board help us protect our dental assistants who are on-the-job trained. Dental assistants should be required to take a DBC approved course **prior** to the performance of tasks that expose a dental assistant to infectious materials (rather than getting their 'education' and training from another staff member in the dental office).

There are approximately 90 DBC approved courses throughout California with a variety of providers, including dentists, dental assisting schools and private providers at an average cost of \$300 that can be completed in one day. We do not believe that this creates an unnecessary barrier to potential employment.

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. We understand that the dental community has a vested interest in protecting the interests of the employers, however we believe that an increased level of accountability in infection control standards is long overdue and long-held practices need to change.

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 (potential language is included below in red).

(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.

**Prior to performing any basic supportive dental procedures an on-the-job-trained dental assistant must receive infection control training that is consistent with the current Dental Board of CA infection control requirement.*

We also request that language be added that would more clearly define and specify what constitutes 'knowledgeable in the subject matter' in the section below:

(H) The person conducting the training shall be knowledgeable in the subject matter covered by the elements contained in the training program as it relates to the workplace that the training will address.

Thank you for taking the time to consider our request. 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