

**Assembly Bill No. 1277**

CHAPTER 413

An act to add Section 1601.6 to the Business and Professions Code, relating to dentistry.

[Approved by Governor October 2, 2017. Filed with  
Secretary of State October 2, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1277, Daly. Dentistry: Dental Board of California: regulations.

The Dental Practice Act provides for the licensure and regulation of persons engaged in the practice of dentistry by the Dental Board of California, which is within the Department of Consumer Affairs. Existing law requires a licensee to register his or her place of practice with the board, as specified, and authorizes the board to inspect the books, records, and premises of any dentist licensed under the act in response to a complaint that a licensee has violated any law or regulation that constitutes grounds for disciplinary action by the board. Existing law, the Administrative Procedure Act, governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. That act authorizes state agencies to adopt emergency regulations if certain procedures are followed, including making a finding of emergency and the need for immediate action.

This bill would require the board to amend regulations on the minimum standards for infection control to require water or other methods used for irrigation to be sterile or contain recognized disinfecting or antibacterial properties when performing dental procedures that expose dental pulp. The bill, until December 31, 2018, would deem the adoption and readoption of the regulation an emergency and would exempt the board from describing facts showing the need for immediate action and from review by the Office of Administrative Law. The bill would require the board to adopt final regulations on or before December 31, 2018. The bill would also state the intent of the Legislature.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1601.6 is added to the Business and Professions Code, to read:

1601.6. (a) Consistent with and in addition to the federal Centers for Disease Control and Prevention recommendations for water quality, the board shall amend the regulations on the minimum standards for infection control (Section 1005 of Title 16 of the California Code of Regulations) to

require water or other methods used for irrigation to be sterile or contain recognized disinfecting or antibacterial properties when performing dental procedures that expose dental pulp.

(b) Until December 31, 2018, the adoption and readoption of a regulation by the board consistent with this section shall be deemed to be an emergency necessary for the immediate preservation of the public peace, health and safety, or general welfare for purposes of Sections 11346.1 and 11346.9 of the Government Code and the board is hereby exempted from the requirement that it describe facts showing the need for immediate action and from review of the emergency regulations by the Office of Administrative Law.

(c) The board shall adopt final regulations consistent with this section on or before December 31, 2018.

(d) It is the intent of the Legislature that the requirements established by this section and any regulations adopted pursuant to this section apply to individuals licensed to practice dentistry. This section shall not be construed to impose any new duty or obligation on a water district.