



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites	
------	------------------	----------------	--------------	-----------------	------------------	--------------	--

Code: Section:

[Up^](#) [Add To My Favorites](#)

BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 2. HEALING ARTS [500 - 4999.129] (Division 2 enacted by Stats. 1937, Ch. 399.)

CHAPTER 4. Dentistry [1600 - 1976] (Chapter 4 added by Stats. 1937, Ch. 415.)

ARTICLE 1. Administration [1600 - 1621] (Article 1 added by Stats. 1937, Ch. 415.)

1600. This chapter constitutes the chapter on dentistry of the Business and Professions Code. It may be known and cited as the Dental Practice Act.

Whenever a reference is made to the Dental Practice Act by the provisions of any statute, it shall be construed as referring to the provisions of this chapter.

(Added by Stats. 1937, Ch. 415.)

1601.1. (a) There shall be in the Department of Consumer Affairs the Dental Board of California in which the administration of this chapter is vested. The board shall consist of eight practicing dentists, two registered dental assistants, and five public members. Of the eight practicing dentists, one shall be a member of a faculty of any California dental college, and one shall be a dentist practicing in a nonprofit community clinic. The appointing powers, described in Section 1603, may appoint to the board a person who was a member of the prior board. The board shall be organized into standing committees dealing with examinations, enforcement, and other subjects as the board deems appropriate.

(b) For purposes of this chapter, any reference in this chapter to the Board of Dental Examiners shall be deemed to refer to the Dental Board of California.

(c) The board shall have all authority previously vested in the existing board under this chapter. The board may enforce all disciplinary actions undertaken by the previous board.

(d) This section shall remain in effect only until January 1, 2029, and as of that date is repealed. Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

(Amended by Stats. 2024, Ch. 483, Sec. 1. (SB 1453) Effective January 1, 2025. Repealed as of January 1, 2029, by its own provisions.)

1601.2. Protection of the public shall be the highest priority for the Dental Board of California in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

(Added by Stats. 2002, Ch. 107, Sec. 2. Effective January 1, 2003.)

1601.3. (a) All committees of the board have the authority to evaluate all suggestions or requests for regulatory changes related to their committee. Committees shall have the authority to hold informational hearings in order to report and make appropriate recommendations to the board, after consultation with departmental legal counsel and the board's chief executive officer. The committees shall include in any report regarding a proposed regulatory change, at a minimum, the specific language or the proposed change or changes and the reasons therefor and any facts supporting the need for the change.

(b) No part of this section shall restrict the Dental Hygiene Board of California from adopting, amending, or revoking regulations authorized by Article 9 (commencing with Section 1900).

(Amended by Stats. 2018, Ch. 858, Sec. 3. (SB 1482) Effective January 1, 2019.)

1601.4. (a) (1) The board shall review both of the following:

(A) Available data on all adverse events related to general anesthesia and deep sedation, moderate sedation, and minimal sedation in dentistry.

(B) Relevant professional guidelines, recommendations, or best practices for the provision of dental anesthesia and sedation care.

(2) By January 1, 2022, the board shall report to the Legislature any findings pursuant to this subdivision that are relevant to inform dental anesthesia and sedation standards.

(3) A report to be submitted pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

(b) The board shall provide a report on pediatric deaths related to general anesthesia and deep sedation in dentistry at the time of its sunset review pursuant to subdivision (d) of Section 1601.1.

(c) The board shall retain available data on all adverse events related to general anesthesia and deep sedation, moderate sedation, and minimal sedation in dentistry for not less than 15 years.

(Amended by Stats. 2018, Ch. 929, Sec. 1. (SB 501) Effective January 1, 2019.)

1601.8. For purposes of training standards for general anesthesia, deep sedation, and moderate sedation, the board may approve a training standard in lieu of Pediatric Advanced Life Support (PALS) certification if the training standard is an equivalent or higher level of training for pediatric dental anesthesia-related emergencies than PALS certification that includes, but is not limited to, pediatric life support and airway management.

(Added by Stats. 2018, Ch. 929, Sec. 3. (SB 501) Effective January 1, 2019.)

1602. All of the members of the board, except the public members, shall have been actively and lawfully engaged in the practice of dentistry in the State of California, for at least five years next preceding the date of their appointment. The dental hygienist member shall have been a registered dental hygienist, and the dental assistant member shall have been a registered dental assistant, in the State of California for at least five years next preceding the date of their appointment. The public members shall not be licensees of the board or of any other board under this division or of any board referred to in Sections 1000 and 3600. No more than one member of the board shall be a member of the faculty of any dental college or dental department of any medical college in the State of California. None of the members, including the public members, shall have any financial interest in any such college.

(Amended by Stats. 2019, Ch. 865, Sec. 6. (AB 1519) Effective January 1, 2020.)

1603. (a) Except for the initial appointments, members of the board shall be appointed for a term of four years, and each member shall hold office until the appointment and qualification of the member's successor or until one year shall have elapsed since the expiration of the term for which the member was appointed, whichever first occurs.

(b) A vacancy occurring during a term shall be filled by appointment for the unexpired term, within 30 days after it occurs.

(c) No person shall serve as a member of the board for more than two terms.

(d) The Governor shall appoint three of the public members, the dental hygienist member, the dental assistant member, and the eight licensed dentist members of the board. The Senate Committee on Rules and the Speaker of the Assembly shall each appoint a public member.

(e) Of the initial appointments, one of the dentist members and one of the public members appointed by the Governor shall serve for a term of one year. Two of the dentist members appointed by the Governor shall each serve for a term of two years. One of the public members and two of the dentist members appointed by the Governor shall each serve a term of three years. The dental hygienist member, the dental assistant member, and the remaining three dentist members appointed by the Governor shall each serve for a term of four years. The public members appointed by the Senate Committee on Rules and the Speaker of the Assembly shall each serve for a term of four years.

(Amended by Stats. 2019, Ch. 865, Sec. 7. (AB 1519) Effective January 1, 2020.)

1603.1. A member of the Dental Board of California who has served two terms shall not be eligible for reappointment to the board. In computing two terms hereunder, that portion of an unexpired term that a member fills as a result of a vacancy shall be excluded.

(Added by renumbering Section 1603a by Stats. 2019, Ch. 865, Sec. 8. (AB 1519) Effective January 1, 2020.)

1604. Each member of the board, upon qualification, shall file with the executive officer the member's post office address, and thereafter any notice of any change thereof. Any notice mailed to the address so on file, shall be deemed to comply with the requirements of this chapter as to notice to that member of the board.

(Amended by Stats. 2019, Ch. 865, Sec. 9. (AB 1519) Effective January 1, 2020.)

1605. Each appointing authority has power to remove from office at any time any member of the board appointed by that authority under Section 1603 pursuant to Section 106.

(Amended by Stats. 2019, Ch. 865, Sec. 10. (AB 1519) Effective January 1, 2020.)

1606. The board shall elect a president, a vice president and a secretary from its membership. This section controls over the provisions of section 107 of this code with respect to the selection of officers.

(Added by Stats. 1937, Ch. 415.)

1608. Special meetings may be held at such times as the board may elect, or on the call of the president of the board, or of not less than four members thereof. A written notice of the time, place, and object of the special meeting shall be mailed by the executive officer to all the members not parties to the call, at least 15 days before the day of the meeting.

(Amended by Stats. 1984, Ch. 47, Sec. 4. Effective March 21, 1984.)

1609. Meetings may be held at any time and place by unanimous consent evidenced either by writing or by the presence of any member whose consent is necessary.

(Amended by Stats. 1983, Ch. 380, Sec. 1.)

1610. Eight members of the board shall constitute a quorum for the transaction of business at any meeting.

(Amended by Stats. 1986, Ch. 1092, Sec. 4.)

1611. The board shall carry out the purposes and enforce the provisions of this chapter. It shall examine all applicants for a license or permit to practice dentistry and dental assisting, according to the provisions of this chapter, and shall issue licenses and permits to practice dentistry and dental assisting in this state to such applicants as successfully pass all applicable licensing and permitting examinations administered by the board, or any regional or national testing entity designated to administer licensing or permitting examinations, and otherwise comply with the provisions of this chapter. The board shall collect and apply all fees as directed by this chapter.

(Amended by Stats. 2018, Ch. 703, Sec. 7. (SB 1491) Effective January 1, 2019.)

1611.3. The board shall require that the notice required under Section 138 includes a provision that the board is the entity that regulates dentists and dental assistants and provides the telephone number and internet website of the board. The board shall require the notice to be posted in a conspicuous location accessible to public view and accessible electronically for patients receiving dental services through telehealth.

(Amended by Stats. 2019, Ch. 865, Sec. 12. (AB 1519) Effective January 1, 2020.)

1611.5. (a) The board may inspect the books, records, and premises of any dentist licensed under this chapter and the licensing documents, records, and premises of any dental assistant permitted under this chapter in response to a complaint that a dentist or dental assistant has violated any law or regulation that constitutes grounds for disciplinary action by the board, and may employ inspectors for this purpose.

(b) Failure to allow an inspection or any part thereof shall be grounds for suspension or revocation of the license or permit in accordance with Section 1670.

(Amended by Stats. 2018, Ch. 703, Sec. 9. (SB 1491) Effective January 1, 2019.)

1612. The board shall keep a record of the names of all persons to whom licenses or permits have been granted by it to practice dentistry, dental assisting, or any other function requiring a permit, and such other records as may be necessary to show plainly all of its acts and proceedings.

(Amended by Stats. 2018, Ch. 703, Sec. 10. (SB 1491) Effective January 1, 2019.)

1613. The board shall have and use a seal bearing the name "Dental Board of California."

(Amended by Stats. 2013, Ch. 473, Sec. 1. (SB 821) Effective January 1, 2014.)

1614. The board may adopt regulations pursuant to this chapter concerning:

- (a) The holding of meetings.
- (b) The holding of examinations.
- (c) The manner of issuance and reissuance of licenses.

(d) The establishment of standards for the approval of dental colleges and dental assisting programs and educational courses.

(e) Prescribing subjects in which applicants are to be examined.

(f) The administration and enforcement of this chapter.

Such rules shall be adopted, amended, or repealed in accordance with the provisions of the Administrative Procedure Act.

(Amended by Stats. 2018, Ch. 703, Sec. 11. (SB 1491) Effective January 1, 2019.)

1615. Each member of the board shall receive a per diem and expenses as provided in Section 103.

(Amended by Stats. 2018, Ch. 703, Sec. 12. (SB 1491) Effective January 1, 2019.)

1616. The board shall have full power to employ all necessary investigators, clerical and other assistants and appoint its own attorney, prescribe his duties and fix his compensation. Members and employees of the board shall be entitled to other necessary traveling expenses. The investigators employed by the board shall be specifically trained to investigate dental practice activities.

(Amended by Stats. 1979, Ch. 573.)

1616.6. There is hereby established within the board a full-time management level staff position, under the direction of the executive officer, whose responsibilities shall include the management of matters related to dental assisting, including, but not limited to, education, examination, licensure, and enforcement.

(Amended by Stats. 2019, Ch. 865, Sec. 14. (AB 1519) Effective January 1, 2020.)

1617. A copy of any part or all of the books of the board duly certified by the executive officer shall be primary evidence in any court of this state.

(Amended by Stats. 1984, Ch. 47, Sec. 6. Effective March 21, 1984.)

1618. (a) The original books, records, and papers of the board shall be kept at the office of the executive officer, which shall be at such place as may be designated by the board.

(b) The executive officer shall furnish to any person making application a copy of any part thereof, certified by the executive officer as executive officer, upon payment of the fee specified in Section 163. The fee shall be deposited in the State Dentistry Fund.

(Amended by Stats. 2019, Ch. 865, Sec. 15. (AB 1519) Effective January 1, 2020.)

1618.5. (a) The board shall provide to the Director of the Department of Managed Health Care a copy of any accusation filed with the Office of Administrative Hearings pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, when the accusation is filed, for a violation of this chapter relating to the quality of care of any dental provider of a health care service plan, as defined in Section 1345 of the Health and Safety Code. There shall be no liability on the part of, and no cause of action shall arise against, the State of California, the Dental Board of California, the Department of Managed Health Care, the director of that department, or any officer, agent, employee, consultant, or contractor of the state or the board or the department for the release of any false or unauthorized information pursuant to this section, unless the release is made with knowledge and malice.

(b) The board and its executive officer and staff shall maintain the confidentiality of any nonpublic reports provided by the Director of the Department of Managed Health Care pursuant to subdivision (i) of Section 1380 of the Health and Safety Code.

(Amended by Stats. 2015, Ch. 426, Sec. 7. (SB 800) Effective January 1, 2016.)

1619. All examination documentation of any applicant shall be preserved by the board for a period of no less than one year from the date of final successful examination, after which time the documentation shall be destroyed. Prior to destruction, examination documentation shall be open to inspection only by members of the board, by the applicant or by someone appointed by the latter to inspect them, by a court of competent jurisdiction in a proceeding where the question of the contents of the papers is properly involved, or by the director in accordance with Section 110 or 153.

(Amended by Stats. 2019, Ch. 865, Sec. 16. (AB 1519) Effective January 1, 2020.)

1619.1. Notwithstanding Section 1619, the board need not retain the National Board of Dental Examiners' examination papers.

(Added by Stats. 1975, Ch. 872.)

1621. The board shall utilize in the administration of its licensure examinations only examiners whom it has appointed and who meet the following criteria:

(a) Possession of a valid license to practice dentistry in this state or possession of a valid license in one of the registered dental assistant categories licensed under this chapter.

(b) Practice as a licensed dentist or in a licensure category described in subdivision (a) for at least five years preceding the examiner's appointment.

(c) Hold no position as an officer or faculty member at any college, school, or institution that provides instruction in the same licensure category as that held by the examiner. This subdivision shall not apply to a portfolio examiner.

(Amended by Stats. 2019, Ch. 865, Sec. 18. (AB 1519) Effective January 1, 2020.)