

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1760 (Arambula)
Version: June 3, 2026
Hearing Date: June 23, 2026
Fiscal: Yes
Urgency: No
AM

SUBJECT

Dentistry

DIGEST

This bill makes various changes to the Dental Practice Act, including authorizing the Dental Board of California to meet in closed session to consider any evidence relating to the removal of a member of the credentialing committee that reviews the qualifications of applicants for facial cosmetic surgery permits (*hereafter* credentialing committee). The bill also provides that each member of the credentialing committee serves at the pleasure of the Dental Board and authorizes the Dental Board to vote to remove any member of the credentialing committee for continued neglect of duties required by law, incompetence, or unprofessional or dishonorable conduct.

EXECUTIVE SUMMARY

This analysis will focus solely on the provisions of this bill that are the jurisdiction of this Committee, which is the authorization for the Dental Board of California (Dental Board) to meet in closed session to consider any evidence relating to the removal of a member of the credentialing committee. The credentialing committee is appointed by the Dental Board and is comprised of subject-matter experts (typically oral/maxillofacial surgeons) to review qualifications for Elective Facial Cosmetic Surgery (EFCS) permits. These permits authorize a person to perform certain advanced procedures, such as osteocartilaginous contouring like rhinoplasty or soft tissue procedures like facelifts. The credentialing committee is an advisory body and makes recommendations on the approval, denial, or limitations of EFCS permits to the Dental Board. This bill provides that each member of the credentialing committee serves at the pleasure of the Dental Board, and that the Dental Board may vote to remove any member of the credentialing committee for continued neglect of duties required by law, incompetence, or unprofessional or dishonorable conduct. In order to effectuate this authority, the bill authorizes the Dental Board to meet in closed session to consider any evidence relating to the removal of a member of the credentialing committee.

This bill is sponsored by the Dental Board of California. No timely support or opposition was received by this Committee. The bill passed the Senate Business, Profession and Economic Development Committee on a vote of 10 to 0.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Establishes the Dental Practice Act to regulate the practice of dentistry and be administered and enforced by the Dental Board of California (Board). (Bus. & Prof. Code §§ 1600 et seq.)
- 2) Requires the Board to appoint a credentialing committee to review the qualifications of each applicant for a facial cosmetic surgery permit. Requires the committee to make a recommendation to the board on whether to issue or not issue a permit to the applicant upon completion of the review of an applicant. States that the permit may be unqualified, entitling the permitholder to perform any facial cosmetic surgical procedure authorized or it may contain limitations if the credentialing committee is not satisfied that the applicant has the training or competence to perform certain classes of procedures, or if the applicant has not requested to be permitted for all procedures authorized by the permit. (Bus. & Prof. Code § 1638.1(e)(1))
- 3) Provides, pursuant to the California Constitution, that the people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies are required to be open to public scrutiny. (Cal. const. art. I, § 3(b)(1).)
 - a) Requires a statute to be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access. (Cal. const. art. I, § 3(b)(1).)
 - b) Requires a statute that limits the public's right of access to be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. (Cal. const. art. I, § 3(b)(1).)
- 4) Establishes the Bagley-Keene Act, which requires state bodies to conduct their business in open public meetings, except as provided by the Act, and establishes requirements and procedures for such meetings. (Gov. Code §§ 11120 et seq.)
 - a) "State bodies" covered by the Bagley-Keene Act include every state board, commission or body created by statute or required by law to conduct official meetings, every commission created by executive order, any board or body exercising the authority of a state body by delegation, any advisory body created by formal action of a state body, any state body that is supported by public funds and on which a member of a state body serves in their official capacity, and the State Bar of California. (§ 11121.)

- b) "State bodies" do not include specified legislative agencies, agencies subject to the Brown Act, and certain educational and health-related agencies. (Gov. Code § 11121.1.)
- c) Authorizes state bodies to meet in closed session for various purposes including an advisory body of a state body that administers the licensing of persons engaged in businesses or professions to discuss matters that the advisory body has found would constitute an unwarranted invasion of the privacy of an individual licensee or applicant if discussed in an open meeting, provided the advisory body does not include a quorum of the members of the state body it advises.
 - i. Those matters may include review of an applicant's qualifications for licensure and an inquiry specifically related to the state body's enforcement program concerning an individual licensee or applicant where the inquiry occurs prior to the filing of a civil, criminal, or administrative disciplinary action against the licensee or applicant by the state body. (Gov. Code § 11126(c)(2).)

This bill:

- 1) Makes various changes to the Dental Practice Act.
- 2) Provides that each member of the credentialing committee serves at the pleasure of the Dental Board.
- 3) Authorizes the Dental Board to vote to remove any member of the credentialing committee for continued neglect of duties required by law, incompetence, or unprofessional or dishonorable conduct.
- 4) Authorizes the Dental Board to meet in closed session to consider any evidence relating to the removal of a member of the credentialing committee.
 - a) The Dental Board shall only convene in closed session to the extent that it is necessary to protect the privacy of the member of the credentialing committee.

COMMENTS

1. Author statement

The author writes:

AB 1760, sponsored by the Dental Board of California, contains various technical and substantive cleanup provisions to the Dental Practice Act approved by the Board between November 2024 and February of this year. This bill serves as a

comprehensive omnibus vehicle to refine the Business and Professions Code, ensuring statutory language reflects current Board policies, corrects outdated cross-references, and removes expired pathways to licensure. The justification for pursuing this bill now, rather than waiting for the Board's next sunset review in 2028, centers on the need to protect the dental consumers of California with administrative urgency, and legislative efficiency. While "Sunset" bills are most common for traditional substantive and non-substantive changes, waiting for the Board's next Sunset cycle would leave in place several statutory impediments and inconsistencies for effective administration of the Dental Practice Act in California.

2. Public access to the open meetings is a constitutional and statutory right

In 2004, the right of public access was enshrined in the California Constitution with the passage of Proposition 59 (Nov. 3, 2004, statewide gen. elec.),¹ which amended the California Constitution to specifically protect the right of the public to access and obtain government records: "The people have the right of access to information concerning the conduct of the people's business, and therefore the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny." (Cal. Const., art. I, sec. 3 (b)(1).) The California Constitution requires a statute to be broadly construed if it furthers the people's right of access and narrowly construed if it limits the right of access, and requires a statute that limits the public's right of access to be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. (Cal. const. art. I, § 3(b)(1).)

Bagley-Keene generally requires state bodies to conduct their meetings openly and make them accessible to the public. The first section of Bagley-Keene lays out the public policy of the act, stating:

It is the public policy of this state that public agencies exist to aid in the conduct of the people's business and the proceedings of public agencies be conducted openly so that the public may remain informed. In enacting this article the Legislature finds and declares that it is the intent of the law that actions of state agencies be taken openly and that their deliberation be conducted openly.

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created. (Gov. Code § 11120.)

¹ Prop. 59 was placed on the ballot by a unanimous vote of both houses of the Legislature. (SCA 1 (Burton, Ch. 1, Stats. 2004))

A state body includes boards, commissions, committees, councils, and any other public agencies created by state statute or executive order, with some exceptions, and the State Bar. (Gov. Code § 11121.) The law does not apply to individual officials, advisory committees with no decision-making authority, or the California State Legislature. The law also requires state bodies to provide advance notice of their meetings and agendas and to allow public comments on matters under consideration. (Gov. Code § 11125.) Bagley-Keene allows state bodies to meet in closed sessions for the purposes of discussing personnel issues, pending litigation, or real estate purchases. (Gov. Code § 11126.) Additionally, there are several authorizations to meet in closed session granted to specific state bodies for certain reasons or purposes, such as to protect the information being discussed. (*Id.*)

3. This bill authorizes closed session for the credentialing committee

This bill authorizes the Dental Board to meet in closed session to consider any evidence relating to the removal of a member of the credentialing committee. The bill provides that the Dental Board shall only convene in closed session to the extent that it is necessary to protect the privacy of the member of the credentialing committee. This authorization is consistent with the existing provision under Bagley-Keene that allows an advisory body of a state body that administers the licensing of persons engaged in businesses or professions to discuss matters that the advisory body has found would constitute an unwarranted invasion of the privacy of an individual licensee or applicant if discussed in an open meeting. (Gov. Code § 11126(c)(2).) The Dental Board argues that discussing evidence in closed session allows for thorough, confidential review before any public action is taken and ensures that the credentialing committee remains composed of qualified, diligent experts. It also safeguards the privacy of member's on the credentialing committee. In light of the limited scope of the authorization and privacy implications, this limitation on the access to public meetings seems warranted.

4. Statements in support

The Dental Board of California, the sponsor of the bill, writes:

This bill consolidates technical, non-controversial, and substantive cleanup items approved by the Board – in public meetings between November 2024 and February 2026 – to refine various provisions of the Dental Practice Act and ensure statutory language aligns with current regulatory standards and consumer protection needs.

While these items are typically addressed during the Sunset Review process, waiting for the Board's next cycle in 2028 – 2029 would leave in place several statutory impediments and inconsistencies for effective administration of the Dental Practice Act (DPA). This bill serves as a comprehensive omnibus vehicle to optimize the Board's efficiency and protect the public [...]

SUPPORT

Dental Board of California (sponsor)

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation: None known.

PRIOR VOTES

Senate Business, Professions and Economic Development Committee (Ayes 10, Noes 0)

Assembly Floor (Ayes 74, Noes 0)

Assembly Appropriations Committee (Ayes 13, Noes 0)

Assembly Business and Professions Committee (Ayes 19, Noes 0)
