

**Rules Advisory Committee Meeting  
Senate Bill 660  
Meeting Minutes**

**Date:** Tuesday, March 10, 2026  
**Time:** 9:00 AM – 11:00 AM  
**Location:** Virtual - Zoom OHA Public Health Division

**Meeting Started:** 9:03 AM

**Meeting Recorded for Notetaking Purposes**

**RAC Committee Members Present:** Alan Roth, Alicia Riedman, Brenna Chavarin, Brett Hamilton, Britny Chandler, Carolyn Tziu, Kathy Cereghino, KayLynne Todd, Kristin Hockema, Mary Ann Wren, Molly Perino

**Absent:** Ahmed Farag, Catalina Aragón, Carmen Mons

**OHA Staff & Consultants to OHA:** Alexandria Mailo, Andrea Lara, Ashley Oneill, Ely Sanders, Karen Phillips, Sarah Kowalski

**Total Attendees: 17**

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**Summary of Meeting**

**Agenda Item: Introductions & Housekeeping**

**Summary of Discussion:** Meetings are recorded for note-taking purposes. Reviewed agenda. Welcome to the Rules Advisory Committee meeting for SB660. This is our 1st meeting of the committee. Reviewed RAC meeting guidelines. Meeting was recorded.

**Agenda Item: Review of the Rulemaking Process**

**Summary of Discussion:** Reviewed materials packet document, Draft Rulemaking Process and Timeline. The Oregon Health Authority, Public Health Division has policies and procedures that guide the rulemaking process. Reviewed requirements in the timeline process in order to have the rules effective in August 2026. Reviewed the difference between ORS and OAR. The major goals of the meeting are to review the language in the statute that passed in the 2015 legislative session under Senate Bill 660.

**Background Information:** Senate Bill (SB) 660, passed by the legislature in 2015, requires OHA to certify every Local School Dental Sealant Program (SDSP) before dental sealants can be provided in a school setting beginning for the 2016-17 school year. A RAC was convened to assist in drafting the original rule language. Original Administrative Rules, OAR 333-028, were effective January 29, 2016. OHA does not have authority over all oral health services provided in a school, only dental sealant services.

The rules have been amended four times. Amended Administrative Rules, OAR 333-028-0320, were effective November 18, 2016. Minor clarifications were made to certification requirements (4) and (6). Amended Administrative Rules, OAR 333-028-0320, were effective January 16, 2018. Rules were revised to allow for glass ionomer sealants; a benchmark for retention was established at 80%-90%; and minor fixes were made in other areas. Amended Administrative Rules, OAR 333-028-0300 through OAR 333-028-0395, were effective January 28, 2022. Rules were revised in response to the COVID-19 pandemic. Specific infection prevention and control (IPC) guidelines were incorporated, and other revisions were made throughout the rules. Amended Administrative Rules, OAR 333-028-0320 through OAR 333-028-0395 were effective August 2024 to remove all COVID-19 certification requirements due to the end of the federal COVID-19 public health emergency. Other revisions included updating quality assurance measures and clarifying the verification process for certified school dental sealant programs.

**Brief Overview of the Rule Making Process:** Fifteen people applied to serve on this RAC, and OHA accepted everyone who applied. OHA must follow a process to get final approval of amended rule language, which includes consulting with the Department of Justice (DOJ) throughout the process. Working with Brittany Hall, PHD Rules Coordinator, we need to follow a timeline that has the amended rules effective no later than August 1, 2026.

A draft timeline was presented, outlining all the steps required.

- Two RAC meetings are scheduled: March 10<sup>th</sup> and March 17<sup>th</sup>.
- April 10<sup>th</sup> is the deadline for completing the rules and obtaining DOJ approval.
- PHD Rules Coordinator will file notice with the Oregon Secretary of State by May 15<sup>th</sup>.
- The public comment period will be held in mid- late June where the general public, oral health partners, etc. will be able to comment on the rule language the RAC developed.
- Final rule text showing changes and responses to public comment period will be filed with the Secretary of State Office in July 2026.

Rule language must be submitted in tracked changes. OHA has mocked up revisions to the certification rules to start the conversation today. These are not final; we want reactions, comments etc. Beyond developing proposed amended rule language, the RAC will also need to review and approve the Statement of Need and Fiscal Impact form that will be provided at the March 17<sup>th</sup> meeting.

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## Review Draft Amended Rules

### Changes to Definitions Section 333-028-0310

- Recommend moving (2) to (16): “Authority approved isolation device” means an Authority approved dental isolation device used to assist the dental hygienist in isolating teeth and using suction to remove saliva.
- Recommend renumbering the entire definitions section since (2) definition is being moved to (16).
- Recommend clarifying (a) with adding “Applicable” and replacing “updates” with “information”.
- Recommend new definition (i) “Protocols for safe, quality care;” replace with “Determining the need for appropriateness of sealants”; will also move what used to be “quality care” and replace with “Manufacturer’s guidelines for sealant placement” to (j).
- Recommend relettering the section with (i) beginning split into two sections.
- Recommend clarifying (7)(c) replacing “guidelines” with “protocols”.
- Recommend clarifying (7)(f) with adding “cultural responsiveness”, and “health literacy”.
  - Question asked on definition for cultural responsiveness. It was added to encompass trauma informed care, information about adverse childhood experiences, and positive childhood experiences. Will email whole committee if they have more questions or need more clarity.
- Recommend adding new definition (13) “OAR” means Oregon administrative rule.

### Changes to Certification Requirements Section 333-028-0320

- Changes to (4)(a): Clarifying the annual clinical language to read “A Local SDSP develops and implements its own training within the certification year.” Adding “within the certification year.”
  - Changes to (9): Clarifying all applicable federal and state antidiscrimination law and rules to read “Local SDSPs must comply with all applicable federal and state antidiscrimination laws and rules, including but not limited to Title IX of the education Amendments of 1972, Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act 1973, and Oregon Revised Statutes Chapter 659A.”
  - Changes to (9)(d): Recommend adding “isolation” before device.
  - Changes to (14): Clarifying language by replacing the “guidelines” with “protocols.” Adding “the Association for Dental Safety”. Replacing: protocols” with “guidance.” Language to read “A Local SDSP must comply with IPC protocols established in OAR 818-012-0040 and by the Oregon Occupational Safety and Health Administration (OSHA), and U.S. Centers for Disease Control and Prevention (CDC), and the Association for dental Safety. The program will provide Local SDSPs with a guidance document.”
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- Changes to (17): Clarifying language will be replacing “A Local SDSP must submit annually to the Program a self-monitoring evaluation plan. The Program will provide Local SDSPs with a self-monitoring guidance document. The self-monitoring evaluation plan must describe how the Local SDSP will:” This will be discussed at our next meeting did not have time to finish language recommendations.
- Changes and comments (18)(a): Recommend adding “sample” before QI/QA assessment. Replace “guidance document” with “template.”
  - Is there a template in place or will there be a new one. We currently have one available for programs that need it.
- Changes and comments (19): Clarifying language will be added after certification year “according to timelines set by program”.
  - Will reporting timelines change. These will be the same as they have been.
- Changes to (20): Recommend deleting the word “and”.
- Changes to Note: Removing language to match website. Will read as “The Program IPC document referenced in section of this rule will be located at this website: [www.healthoregon.org/sealantcert](http://www.healthoregon.org/sealantcert).”

#### **Changes to Certification and Recertification Process Section 333-028-0330**

- Changes to (9): Recommend changing language for clarity will read as “A Local SDSP must provide services to schools they list on their application form as being served during the certification year. A Local SDSP must notify the Program and Coordinated Care Organizations (CCOs) operating in the community if it plans to terminate services or is unable to provide services for a scheduled school. Services may only be terminated after a Local SDSP has consulted with the Program, CCOs, and exhausted all potential options for providing services. During a declared state of emergency or public health emergency, the Program may waive this notification requirement if services for a scheduled school are terminated.”
  - Is there a reason CCO’s are involved in making the decision to terminate services. The CCO is the one funding these services and we are responsible to report schools that are being served or not served. If the CCO is unable to provide services due to contributing factors they typically will not be able to serve the school.
- Recommend renumbering section due to changes and additions added in (9).

#### **Changes to Verification Review Section 333-028-0340**

- Changes to (2): Recommend replacing “program” with “Local SDSP” after certified.
  - Changes to (2)(a): Recommend deleting “first school year of” with “certification year”.
  - Changes to (2)(c): Recommend removing “and”
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- Changes to (2)(d): Recommend changing language for clarity will read as “The Program will conduct an in-person on-site verification review of each recertified Local SDSP, in good standing, at least once every five years; and
- Changes to (2)(e): Recommend changing language for clarity will read as “The program may conduct additional in-person on-site verification review at any time.
- Changes to (3): Recommend changing language for clarity will read as “Without prior notice the Program may conduct an in-person on-site verification review a certified Local SDSP if the Program is made aware of compliance issues from any source.
- Recommend renumbering section due to changes and additions added in (3).
- Changes to (5): Recommend changing language for clarity will read as “The Program will work with a Local SDSP to schedule administrative and in-person on-site verification reviews. For announced in-person on-site verification reviews.”

### **Changes to Compliance Requirements Section 333-028-0350**

- Changes to (1): Recommend changing language for clarity will read as “A Local School Dental Sealant Program (SDSP) must notify the Oregon Health Authority, Public Health Division, Oral Health Program (Program) within 10 business days of any change that brings the Local SDSP out of compliance with the certification requirements. A Local SDSP must submit a waiver within 10 business days of that change to the Program that includes:”
- Changes to (4): Recommended adding “and” after denied.
- Changes to (5): Recommend replacing “had” with “has.”

### **Self-Monitoring Evaluation Plan Protocols Document**

- Reviewed the current document and discussed that the required elements in the document will need to be incorporated into the administrative rules. OHA will update the proposed rule language to reflect these changes in time for review at the next RAC meeting.

### **Public Comment**

- No public comments.

**Meeting Adjourned:** 9:58 AM

### **Next Steps**

- Karen and Sarah will incorporate meeting feedback to revise the rules, as well as have a consultation with DOJ if needed. Sarah will send the updated rules to committee members prior to next meeting. Please review the updated version and come with final suggestions to the last meeting.
  - Sarah will also send committee members a draft of the Statement of Need & Fiscal Impact, which RAC members need to approve as a part of the rulemaking process. Please review the form and come with suggested changes to the meeting.
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- Will review Self-Monitoring Evaluation Plan Protocols at our next meeting.
- Next meeting: Tuesday, March 17<sup>th</sup>, 2026 from 9:00am – 11:00am

