



# STATE OF IOWA

## IOWA DENTAL BOARD

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

MELANIE JOHNSON, J.D.  
EXECUTIVE DIRECTOR

**IOWA DENTAL BOARD**  
**MINUTES**  
**April 12, 2011**  
**Conference Room**  
**400 S.W. 8<sup>th</sup> St., Suite D**  
**Des Moines, Iowa**

<b>Board Members</b>	<b>April 12</b>
Gary D. Roth, D.D.S., Chairperson	Present
Perry T. Grimes, D.D.S., Vice Chairperson	Present
VaLinda J. Parsons, D.H., Secretary	Present
Steven Bradley, D.D.S.	Present
Lynn D. Curry, D.D.S.	Present
Michael J. Rovner, D.D.S.	Present
Marijo A. Beasler, D.H.	Present
Diane Meier, Public Member	Present
Kimberlee Spillers, Public Member	Present

### **Staff Members**

Melanie Johnson, Christel Braness, Phil McCollum, Brian Sedars, Dee Ann Argo, Janet Arjes.

### **Attorney General's Office**

Theresa O'Connell Weeg, Assistant Attorney General

### **Other Attendees**

Mary Kelly, R.D.H., Iowa Dental Hygienists' Association  
Carol Van Aernam, R.D.H., Iowa Dental Hygienists' Association  
Larry Carl, Iowa Dental Association  
Bill Strohman, D.D.S., Iowa Dental Association  
David Davidson, D.D.S., Iowa Dental Association  
Michael Kanellis, D.D.S., University of Iowa College of Dentistry  
Sara Schlievert, R.D.H., Iowa Department of Public Health  
LeRoy Strohman, D.D.S.  
Dawn Mouw, Iowa Department of Public Health  
Lori Pelke, Midwest Dental  
Jeannine Veenstra, R.D.A., Iowa Dental Assistants' Association  
Bruce Cochrane, D.D.S.  
Steven Fuller, D.D.S., Iowa Dental Association

**CALL TO ORDER FOR APRIL 12, 2011**

Chairman Roth called the open session of the Iowa Dental Board meeting to order at 10:30 a.m. on Tuesday, April 12, 2011. A quorum was established with all members present.

Roll Call:

<u>Member</u>	<u>Beasler</u>	<u>Bradley</u>	<u>Curry</u>	<u>Grimes</u>	<u>Meier</u>	<u>Parsons</u>	<u>Roth</u>	<u>Rovner</u>	<u>Spillers</u>
Present	x	x	x	x	x	x	x	x	x
Absent									

**PUBLIC COMMENT**

Chairman Roth allowed time for public comment.

**APPROVAL OF MINUTES**

- *January 25-26, 2011 Minutes*
- ❖ MOVED by SPILLERS, SECONDED by BRADLEY, to approve the minutes of January 25, 26, 2011, Board meeting. Motion APPROVED unanimously.
- *March 4, 2011 Minutes*

Dr. Rovner requested that a motion referenced on page two of the minutes be updated to include a reference to completion of the training by dental assistants.

- ❖ MOVED by ROVNER, SECONDED by BRADLEY, to approve the minutes of March 4, 2011, telephonic meeting after amending the minutes as noted. Motion APPROVED unanimously.

**REPORTS**

**EXECUTIVE DIRECTOR’S REPORT**

Ms. Johnson reported that the Board members were provided with a copy of the Executive Director’s report in their Board folders.

Ms. Johnson reported that Mr. McCollum was travelling throughout Iowa speaking to the various education programs. The presentations have been well received. Ms. Johnson reported that she would like to continue providing this service.

Ms. Johnson reported that Mr. McCollum is also working on the database project. Ms. Johnson is optimistic that the new database will be completed in the next 30 days or so.

Ms. Johnson indicated that there have been some changes to out of state travel requests. This applies only to state employees, not Board members. Employees must seek a waiver from the state Executive Council prior to receiving authority to travel out of state. Ms. Johnson reported that there is a travel request pending related to the training for the CSDC database software.

Ms. Johnson reported that there has also been a change to the rulemaking process. A job impact analysis must now be completed as a part of the rulemaking process.

Ms. Johnson indicated that Steven Fuller, D.D.S. and Mary Kelly Grief, R.D.H. have been appointed and confirmed as the new Board members effective May 1. Ms. Meier was reappointed to serve another term as a public member.

Ms. Johnson wanted to express her thanks to Dr. Grimes and Ms. Parsons for their service to the Iowa Dental Board. This is their last meeting as members of the Board. Dr. Roth stated that the work they have provided the Board has been superb.

Ms. Johnson reported that the bill relating to the felony practice of dentistry did not make it through this legislative session. Ms. Johnson also reported that the bill relating to the change in the requirements for licensure by credentials has been passed and is on its way to the governor's office to be signed into law.

#### **LEGAL REPORT**

Ms. Weeg reported that she does not have a report at this time.

#### **ANESTHESIA CREDENTIALS COMMITTEE REPORT**

Dr. Roth reported that the Committee is recommending approval of a moderate sedation permit for Dr. Schow.

- ❖ MOVED by SPILLERS, SECONDED by CURRY, to approve the application for moderate sedation permit as submitted. Motion APPROVED unanimously.

#### **CONTINUING EDUCATION ADVISORY COMMITTEE**

Ms. Beasler reported that the Board had been provided a list of courses and application for sponsor status, which were recommended for approval and consideration.

- Iowa Dental Assistants Association – “Nutrition: How You Can Make It Important For Patients and You!”

This course was originally denied credit. The Iowa Dental Assistants Association requested that the course be reconsidered for credit. The full Committee reviewed the course material. A majority of the Committee members recommended approval.

❖ MOVED by BEASLER, SECONDED by CURRY, to approve the IDAA nutrition course. Motion APPROVED unanimously.

- Iowa Dental Association – “Great Communication” and “Speak your Peace”

The Committee reported that courses, which address communication should relate to licensee-patient communication, not intra-staff communication. The Iowa Dental Association provided updated information relating to the two courses the morning of the Board meeting. Based on the new information, Ms. Beasler recommends approval for these courses.

❖ MOVED by BEASLER, SECONDED by BRADLEY, to approve the courses. Motion APPROVED unanimously.

- Dental Prosthetic Services – “Making Every Patient the Ideal Patient”

Office staff originally approved this course for credit. The Board reversed that decision at the January 2010 meeting and credit was denied for future presentations of this course. Dental Prosthetic Services requested a reconsideration of credit. The Committee members voted 4-2 to deny credit for future presentations of the course.

❖ MOVED by BEASLER, SECONDED by BRADLEY, to uphold the course denial. Motion APPROVED unanimously.

- Institute for Natural Resources – “Brain Injury: Stroke, Alzheimer’s and Head Trauma”

This course was referred to Committee for recommendation. The Committee members were split on its recommendations for credit and asked that the Board make the final decision. In particular, there was no clear majority as to whether to offer full credit or partial credit.

❖ MOVED by GRIMES, SECONDED by MEIER, to approve the course for two hours of credit. Motion APPROVED unanimously.

- Apogee Dental Network: Sponsor Application

Information provided by the applicant, indicated that a great number of the courses they provide address the topic of practice management. Board rules currently state that courses addressing

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practice management are not eligible for continuing education credit. However, the applicant recently presented a course on the topic of HPV.

❖ MOVED by BEASLER, SECONDED by SPILLERS, to request additional information as to the nature of the courses they intend to offer in the future. Motion APPROVED unanimously.

- CPR and the Works: Sponsor Application

The majority of the Committee members recommended approval.

❖ MOVED by BEASLER, SECONDED by CURRY, to approve them as a sponsor. Motion APPROVED unanimously.

❖ MOVED by BEASLER, SECONDED by ROVNER, to approve the other list of courses as submitted. Motion APPROVED unanimously.

#### **EXECUTIVE COMMITTEE REPORT**

Dr. Roth reported that Ms. Hart left the employment of the Iowa Dental Board in March 2011. Dr. Roth also reported that the state of Iowa currently has a hiring freeze in place. Staff is currently taking on extra work as a result. Dr. Roth thanked the staff for their efforts. Dr. Roth reported that he will do everything that he can to see that staffing is brought up to an adequate level.

Ms. Johnson reported that budget was reviewed with the Executive Committee and that the Board members were provided a copy of the budget in their folders; the budget is on track.

#### **LICENSURE/REGISTRATION COMMITTEE REPORT**

Ms. Parsons stated that the Committee did not have a report at this time.

#### **DENTAL HYGIENE COMMITTEE REPORT**

Ms. Parsons reported that the Dental Hygiene Committee met earlier this morning. The Committee is recommending that the Board adopt the proposed rule changes with an amendment to allow dental hygiene students, who successfully complete the WREB examination by September 1, 2011, to apply for license on the basis of examination.

❖ MOVED by PARSONS, SECONDED by BRADLEY, to accept the Dental Hygiene Committee's recommendation. Motion APPROVED unanimously.

## **DENTAL ASSISTANT REGISTRATION COMMITTEE REPORT**

Dr. Rovner stated that the Committee does much of its work by email. Dr. Rovner indicated that the Committee would try to schedule a meeting sometime in the future.

## **AD-HOC EXAMINATION COMMITTEE**

Dr. Grimes indicated that there was some communication with the University of Iowa College of Dentistry regarding the examination issue and the requirements for licensure.

## **EXAMINATION REPORTS**

### **CRDTS STEERING COMMITTEE**

Dr. Roth reported that he attended the Steering Committee meeting on April 8, 2011. Dr. Roth stated that CRDTS has started using electronic scoring devices. CRDTS may replace the current devices with a tablet, such as an iPad. The PDAs currently being used occasionally have had communications problems.

Dr. Roth reported that CRDTS is in good shape financially.

Dr. Roth reported that the health history report forms for the dental and dental hygiene examinations are now uniform. The new forms have been approved.

Dr. Roth indicated that there were some by-law amendments, particularly as it related to advanced dental therapists.

Dr. Roth stated that there was some discussion about failure rates. Failure rates were fairly low this year. All students who took CRDTS during the school year were able to remediate as necessary and pass before graduation. Failure rates for the traditional format are significantly higher.

The Steering Committee voted at the meeting of the American Association of Dental Boards (AADB) to continue exploring another attempt at a national examination. CRDTS is motivated to develop a national examination.

### **CRDTS DENTAL HYGIENE EXAMINATION REVIEW COMMITTEE**

Ms. Beasler stated that she did not have a report at this time. Ms. Beasler noted that the new testing season for dental hygienists just recently started in March 2011.

### **CRDTS DENTAL EXAMINATION REVIEW COMMITTEE**

Dr. Grimes reported that he attended a meeting in January 2011. There is another meeting scheduled later this month. The Committee is attempting to make the manuals and instructions more clear so that the students know exactly what to expect when they test.

Dr. Bradley stated that he assisted with the proctoring of an examination in Minnesota and is excited to see the move to tablet-style scoring.

### **IOWA PRACTITIONER REVIEW COMMITTEE REPORT**

Mr. Sedars provided the Board with some year-to-date statistics.

### **ADMINISTRATIVE RULES/ RULES WAIVERS**

- *Action on Final Rule Amendments: Chpts. 11 & 12 (Notice ARC #9243B)*
- ❖ MOVED by GRIMES, SECONDED by ROVNER, adopt the rules with minor changes that will allow acceptance of WREB/ADEX, if successfully completed prior to September 1, 2011. After that date, those applicants must apply for license by credentials based on the new legislation, which recently passed in the legislature.

Pursuant to Iowa law, this item can only be voted on by the dental members.

Dr. Bradley asked about students who pass WREB after September 1, 2011. Dr. Roth indicated that legislation has been passed to make licensure by credentials much easier and more widely available to dental practitioners. If a practitioner is licensed in any other state on the basis of examination, that practitioner would be able to apply for a license by credentials. Applicants by credential would no longer be required to practice three years in another state prior to making application. The legislation is expected to go into effect July 1, 2011.

Dr. Kannelis indicated that the integrated format is the preferred format for CRDTS. The University of Iowa College of Dentistry is scheduled to offer CRDTS next year with the integrated format. The University of Iowa College of Dentistry acknowledges the Board's responsibility in terms of regulating the profession of dentistry. Dr. Kannelis hopes to find a better portfolio examination, which is more realistic in terms of documenting competency. Dr. Kanellis indicated that the traditional format is more expensive.

A request was made for a roll call vote of the five (5) dentist Board members on Dr. Grimes' motion.

Roll Call (dentist members only):

<u>Member</u>	<u>Bradley</u>	<u>Curry</u>	<u>Grimes</u>	<u>Roth</u>	<u>Rovner</u>
Aye	x	x	x	x	x
Nay					

Motion APPROVED by ROLL CALL.

Dr. Grimes thanked Dr. Kanellis for his effort put into finding a resolution irrespective of his personal feelings.

### **VOLUNTEER HEALTH CARE PROVIDER PROGRAM (VHCPP)**

Dr. Roth indicated that the Iowa Department of Public Health (IDPH) proposed language for minor and major dental surgery. At the last meeting, the Board asked for additional time to provide greater input.

Dr. Roth stated that he understands that the Volunteer Health Care Provider Program (VHCPP) wants to define these terms for the purposes of indemnification for volunteers who enroll in the program. The Iowa Dental Association recommends that the definition be updated to cover procedures normally provided in a dental office on an outpatient basis.

- ❖ MOVED by BRADLEY, SECONDED by GRIMES, to propose that the Iowa Department of Public Health accept the proposed definition as a routine procedure done on an outpatient basis. Motion APPROVED unanimously.

### **LEGISLATIVE UPDATE**

Ms. Johnson reported that the final language relating to the licensing by credentials bill was provided in the Board folders.

Ms. Johnson indicated that the felony language was updated following the January meeting. Unfortunately, the proposed bill did not make it through. The legislation will be resubmitted next year for consideration. Mr. Carl clarified that the Senate passed the bill; therefore, the bill would not need to be re-filed.

Some of the reluctance on the part of the legislators to pass the bill related to the issue of tooth-whitening. Dr. Grimes thinks that the legislators need to be educated on the possible problems that can result from tooth-whitening when not done properly.

Dr. Curry asked if there was any other dentally-related legislation pending. Mr. Carl indicated that HF15 was submitted by some insurance companies, which would possibly exempt them from compliance with health-related and other state mandates. Mr. Carl reported the bill did not make it through this legislative session. The Iowa Dental Association worked with a number of other organizations to see that the bill did not move forward.

Ms. Weeg reported that there was some legislation pertaining to deferred judgments. Ms. Weeg indicated those records are still maintained and accessible in certain instances. These deferred judgments can be crucial in reviewing applications for license. The legislation would have completely removed the judgment when deferred. The bill did not make it out this session.

- *Chair Licensure/Registration Committee*

Dr. Roth recommended that Dr. Rovner be appointed as the Chair of the Licensure/Registration Committee.

- *Appointment of Committee Members to IPRC*

Dr. Roth recommended that Dr. Richard Rips and Gordon Anderson be appointed to serve on the IPRC Committee.

❖ MOVED by ROVNER, SECONDED by CURRY, to approve the appointments as recommended. Motion APPROVED unanimously.

- *Request From IDA For Reconsideration – Creation Of New “Volunteer/Free Care Only” License Category*

Dr. Roth opened this item up for discussion. Ms. Johnson clarified that this item was carried over from the January 2011 meeting due to time constraints. This would be a new license type as requested by the Iowa Dental Association. This would apply to retired licensees who wish to volunteer their services without having to maintain an active license.

Dr. Cochrane indicated that many other states have a similar license type. The expense of continuing education and insurance, among other things, can be cost-prohibitive to maintaining an active license for many practitioners. Dr. Cochrane asked that the fee for this license type, if created, not be cost-prohibitive.

Dr. Rovner stated that the information provided suggested that the main reason for this not being made available previously was due to financial constraints since the Board is obligated under

Iowa law to generate its own fees and cover all operating costs. Dr. Rovner stated that he would be in favor of at least trying this.

Dr. Roth's indicated that his primary concern related to the quality of the care provided by a retired practitioner without the requirements for an active license.

Dr. Cochrane indicated that a poll he conducted of retirees indicated that some licensees preferred to maintain an active license. However, others stated that they had the ethics to understand when they should discontinue practice. Dr. Cochrane is open to allowing the Board to work out the details, but thinks it would be a valuable option.

Dr. Curry indicated that he is in favor of this as well.

Mr. McCollum asked if there was some sense of what fee would be cost-prohibitive. Dr. Cochrane stated that in Nebraska, he believed, that he paid \$25 each year. However, he did not have a firm recommendation to make.

Ms. Veenstra indicated that the older dentists would be a good benefit to some of these volunteer programs.

- ❖ MOVED by ROVNER, SECONDED by CURRY, to have Board staff explore the implementation and look at comparisons with other states as a reference. Motion APPROVED unanimously.

### **APPLICATIONS FOR LICENSURE/REGISTRATION & OTHER REQUESTS**

- *Ratification of Actions Taken By Executive Director Since Last Meeting On Applications*

Ms. Johnson reported that the Board was provided a list of licenses, registrations, and permits issued since the last meeting.

- ❖ MOVED by SPILLERS, SECONDED by BEASLER, to ratify the actions taken on licenses, registrations and permits. Motion APPROVED unanimously..

### **PUBLIC COMMENT**

Chairman Roth allowed time for public comment.

There were no additional comments.

- The Board recessed at 11:59 a.m. for a lunch break.
- The Board reconvened at 1:00 p.m.

**CLOSED SESSION**

- ❖ MOVED by BEASLER, SECONDED by PARSONS, to go into closed session pursuant to Iowa Code Section 21.5(1)(d) to discuss and review complaints and investigative reports which are required by state law to be kept confidential.

<u>Member</u>	<u>Beasler</u>	<u>Bradley</u>	<u>Curry</u>	<u>Grimes</u>	<u>Meier</u>	<u>Parsons</u>	<u>Roth</u>	<u>Rovner</u>	<u>Spillers</u>
Aye	x	x	x	x	x	x	x	x	x
Nay									

Motion APPROVED by ROLL CALL

- ❖ MOVED by SPILLERS, SECONDED by ROVNER, to return to open session. Motion APPROVED unanimously.

The Board reconvened in open session at 1:38 p.m.

**OPEN SESSION**

**XI. DISCIPLINARY HEARINGS SCHEDULED**

- 10-154 *In the Matter of Becky M. Schuller, R.D.A.*

The Board considered a proposed Stipulation and Consent Order to resolve this matter.

- ❖ MOVED by CURRY, SECONDED by SPILLERS, to approve the Stipulation and Consent Order as proposed. Motion APPROVED unanimously.

**IV. INVESTIGATIVE REPORTS**

- 10-162 *Andrea L. Bundy, D.D.S.*

The Board considered a proposed Notice of Hearing and Statement of Charges regarding this matter.

❖ MOVED by CURRY, SECONDED by SPILLERS, to approve the Notice of Hearing and Statement of Charges as proposed and schedule a hearing date. Motion APPROVED unanimously.

▪ 10-030 *Joseph J. Vap, D.D.S.*

The Board considered a proposed Notice of Hearing and Statement of Charges regarding this matter.

❖ MOVED by CURRY, SECONDED by SPILLERS, to approve the Notice of Hearing and Statement of Charges as proposed and schedule a hearing date. Motion APPROVED unanimously.

## **XII. DISCIPLINARY ORDERS PENDING**

▪ 10-010 *In The Matter of William J. George, D.D.S.*

The Board considered a proposed Combined Notice of Hearing, Settlement Agreement and Final Order to resolve this matter.

❖ MOVED by CURRY, SECONDED by SPILLERS, to approve the Combined Notice of Hearing, Settlement Agreement and Final Order as proposed. Motion APPROVED unanimously.

▪ 10-144 *In The Matter of Debra K. Besler, R.D.A.*

The Board considered a proposed Combined Notice of Hearing, Settlement Agreement and Final Order to resolve this matter.

❖ MOVED by CURRY, SECONDED by SPILLERS, to approve the Combined Notice of Hearing, Settlement Agreement and Final Order as proposed. Motion APPROVED unanimously.

▪ 10-163 *In The Matter of Brian J. Mosier, D.D.S.*

The Board considered a proposed Combined Notice of Hearing, Settlement Agreement and Final Order to resolve this matter.

- ❖ MOVED by CURRY, SECONDED by SPILLERS, to approve the Combined Notice of Hearing, Settlement Agreement and Final Order as proposed. Motion APPROVED unanimously.

**NEXT MEETING OF THE BOARD**

The next meeting of the Board is scheduled for July 21-22, 2011, in Des Moines, Iowa.

**ADJOURNMENT**

Chairman Roth adjourned the meeting at 4:30 p.m. on April 12, 2011.

Respectfully submitted,



Melanie Johnson, J.D.  
Executive Director

MJ/cb