



STATE OF IOWA

IOWA DENTAL BOARD

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

MELANIE JOHNSON, J.D.
EXECUTIVE DIRECTOR

Revised 5/15/12

IOWA DENTAL BOARD

AGENDA

May 18, 2012

Location: Iowa Dental Board, 400 SW 8th St., Suite D, Des Moines, Iowa

Board Members: *Michael J. Rovner, D.D.S., Board Vice Chair; Steven Bradley, D.D.S.; Lynn D. Curry, D.D.S.; Steven Fuller, D.D.S.; Matthew McCullough, D.D.S.; Mary Kelly, R.D.H.; Nancy Slach, R.D.H.; Diane Meier, Public Member; Lori Elmitt, Public Member*

***New information added 5/15/12**

10:00 A.M. **NEW BOARD MEMBER ORIENTATION**

- This session is designed for new Board members. No formal action of the Board will be taken until the 1:00 P.M. telephonic meeting.
- Working lunch

1:00 P.M. **TELEPHONIC BOARD MEETING**

The public can participate in the public session of the teleconference by speakerphone at the Board's office.

Open & Closed Sessions

I. CALL MEETING TO ORDER – ROLL CALL

Mike Rovner

II. OPPORTUNITY FOR PUBLIC COMMENT

III. ELECTION OF OFFICERS

1. Board Chair
2. Board Vice Chair
3. Board Secretary

IV. 2012-2013 COMMITTEE APPOINTMENTS

a. Appointed by Full Board:

1. Dental Hygiene Committee (Board appoints 1 dentist)
2. Iowa Practitioner Review Committee (appoint/reappoint members)
3. Anesthesia Credentials Committee (appoint/reappoint members) (revised 5/15/12)
Updated summary of Committee
4. Continuing Education Advisory Committee (appoint/reappoint members) (revised 5/15/12)
Updated summary of Committee

5. Central Regional Dental Testing Service, Inc. (CRDTS)
 - Steering Committee (appoint/reappoint members)
 - Examination Review Committee (appoint/reappoint members)

b. Appointed by Board Chair:

1. Continuing Education Advisory Committee
(appoint /reappoint Committee Chair)
2. Licensure/Registration Committee
(appoint/reappoint members; appoint Committee Chair)
Updated summary of Committee
3. Dental Assistant Registration Committee
(appoint/reappoint members; appoint/reappoint Committee Chair)
Updated summary of Committee

V. ADMINISTRATIVE RULES

1. June 5, 2012 Public Hearing @ 2:30 PM Concerning ARC 0128C
(Proposed amendments published in Iowa Administrative Bulletin on 5/16/12)
2. Chapter 20- Dental Assistants, Notice of Intended Action (revised 5/15/12)
Added draft rule amendments
3. Chapter 15 – Fees; Adopted & Filed Emergency Rule Amendments to Allow Submittal of Combined Initial Licensure/Registration Application & Renewal Fees During a Renewal Year and Issuance of Initial License for 24- 27 Months (revised 5/15/12)
Added draft rule amendments

VI. *PETITION FOR RULE WAIVER

1. Dr. Niels Ostervemb: Petition to Waive Subrule 11.4(1) Relating to Graduates of Foreign Dental Schools

VII. OPPORTUNITY FOR PUBLIC COMMENT

Closed Session

VIII. * ORDERS AND COMPLAINTS

Open Session

IX. OPEN SESSION ACTION, IF ANY, ON CLOSED SESSION AGENDA ITEMS

1. Licensure/Registration Applications
2. Statement of Charges
3. Combined Notice of Hearing, Settlement Agreement and Final Order
4. Settlement Agreements
5. Final Hearing Decisions
6. Other

X. ADJOURN

XI. DENTAL HYGIENE COMMITTEE MEETING (see separate agenda)

Updated 5/15/12

REPORT TO THE IOWA DENTAL BOARD

ACTION REQUIRED

DATE OF MEETING: May 18, 2012
RE: 2012-2013 Election of Officers & Committee Appointments
SUBMITTED BY: Melanie Johnson, Executive Director
ACTION REQUESTED: Election of Officers and Committee Appointments

Annually, the Board elects its officers (Chair, Vice Chair and Secretary) and makes appointments/reappointments to its committees.

Some Committee appointments are required by statute or rule to be made by action of the full Board and some are required to be made by the Board Chair. The attached documents include a summary of each Committee.

The summary includes information about how the Committee is created (rule, statute, appointed by the Board Chair), any specific composition or eligibility requirements, current members up for reappointment, and number of vacancies.

Board staff has contacted current committee members to collect information as to the individual's interest in being reappointed. Final information was not available as of the date of this mailing. It will be provided at the meeting.

Attached for Review:

- ❖ List of Required Elections and Appointments
- ❖ Copy of 2010-2011 Committees
- ❖ Committee summaries (updated 5/15/12)

Full Board elects officers and appoints members to these Committees:

1. *Elect Board Officers*
 - Elect Board Chair
 - Elect Board Vice Chair
 - Elect Board Secretary

2. *Dental Hygiene Committee*
 - Elect 1 dentist Board member to serve on Committee

3. *Iowa Practitioners Review Committee*
 - Reappoint current members (5) or appoint new members
 - Consider increasing the size of the Committee and appoint additional dental practitioners as members
 - Consider amending Board rules to remove 9 year limit on service on Committee & have the terms coincide with all other Board committees (May 1- April 30); IPRC terms are now based on calendar yr.

3. *Anesthesia Credentials Committee*
 - Appoint 1 Board member to fill vacancy; Board member serves as the Chair of the Committee
 - Reappoint current members (6) or appoint new members

4. *Continuing Education Advisory Committee*
 - Appoint 1 Board member to fill vacancy
 - Reappoint current members (6) or appoint new members

5. *Central Regional Dental Testing Service, Inc. (CRDTS)*
 - Steering Committee
 - Appoint 1 Board member to fill vacancy
 - Reappoint 1 private sector member or appoint new person

 - Examinations Review Committee
 - Appoint 1 Board member to fill vacancy

Board Chair appoints:

1. *Continuing Education Advisory Committee*
 - Appoint Committee Chair

2. *Licensure/Registration Committee*
 - Appoint Board member to fill 1 vacancy
 - Appoint Committee Chair

3. *Dental Assistant Registration Committee*
 - Reappoint current members (6) or appoint new members
 - Reappoint current Committee Chair or appoint new Committee Chair

Committees that elect their own Officers:

1. Dental Hygiene Committee (Chair, Vice Chair & Secretary)
2. IPRC (elections not until first meeting after January 1st)

CREATED BY STATUTE:

COMMITTEE:	<u><i>Dental Hygiene Committee</i></u>
# OF MEMBERS:	3
COMPOSITION:	Composition established in statute (153.33A); full Board elects dentist Board member to serve on the Committee. The two dental hygiene Board members are members of the Committee. <i>Composition:</i> The 2 dental hygienist members of the Board 1 dentist member of the board. <ul style="list-style-type: none">- The dentist member of the committee must have supervised and worked in collaboration with a dental hygienist for a period of at least three years (3) immediately preceding election to the committee.
TERM:	1 year, May 1 – April 30 Board reviews annually; can reappoint current dentist member or elect new dentist to serve
2011-2012 MEMBERS:	Mary Kelly, R.D.H (Board Member) Marijo Beasler, R.D.H., Chair (Board Secretary) Board term ended 4/30/12 Nancy Slach, R.D.H. (Board Member) *Effective May 1, 2012 Gary Roth, D.D.S (Board Chair)
VACANCY:	1 dentist Board member
RESPONSIBILITIES:	The committee shall have the authority to adopt recommendations regarding the practice, discipline, education, examination, and licensure of dental hygienists, subject to subsection 3, and shall carry out duties as assigned by the board. (See Iowa Code 153.33A(2))
SUBJECT TO OPEN MEETINGS LAW?	Yes
ESTABLISHED BY RULE, STATUTE?	- Established by statute, Iowa Code section 153.33A Iowa Code (2011) 153.33A Dental hygiene committee. <ol style="list-style-type: none">1. A three-member dental hygiene committee of the board is created, consisting of the two dental hygienist members of the board and one dentist member of the board. The dentist member of the committee must have supervised and worked in collaboration with a dental hygienist for a period of at least three years immediately preceding election to the committee. The dentist member shall be elected to the committee annually by a majority vote of board members.2. The committee shall have the authority to adopt recommendations regarding the practice, discipline, education, examination, and licensure of dental hygienists, subject to subsection 3, and shall carry out duties as assigned by the board. The committee shall have no regulatory or disciplinary authority with regard to dentists, dental assistants, dental lab technicians, or any other auxiliary dental personnel.3. The board shall ratify recommendations of the committee at the first meeting of the board following adoption of the recommendations by the committee, or at a meeting of the board specifically called for the purpose of board review and ratification of committee recommendations. The board shall decline to ratify committee recommendations only if the board makes a specific finding that a recommendation exceeds the jurisdiction or expands the scope of the committee beyond the authority granted in subsection 2, creates an undue financial impact on the board, or is not supported by the record. The board shall pay the necessary expenses of the committee and of the board in implementing committee recommendations ratified by the board.4. This section shall not be construed as impacting or changing the scope of practice of the profession of dental hygiene or authorizing the independent practice of dental hygiene.

COMMITTEE:

Dental Hygiene Committee

ARE THE MEMBERS APPOINTED BY THE BOARD CHAIR OR FULL BOARD?

The Committee's composition is set by statute – 2 dental hygienists, 1 dentist. All are Board members.

The dentist member is elected by the full Board.

DOES THE BOARD CHAIR APPOINT THE COMMITTEE CHAIR OR DOES THE COMMITTEE ELECT A CHAIR?

The Committee elects its officers, pursuant to Board rule.

650—1.6(17A,147,153) Meetings.

1.6(3) The dental hygiene committee shall hold an annual meeting each year in Des Moines, Iowa, to elect officers and conduct other business. **Officers of the committee shall consist of a chairperson, vice chairperson, and secretary.** Officers shall assume their duties immediately following their election at the annual meeting.

CREATED BY STATUTE:

COMMITTEE:	<u>Iowa Practitioner Review Committee</u>
# OF MEMBERS:	5
COMPOSITION:	<p>Authorized by statute, composition set by rule, committee members appointed by the full Board, IPRC elects their Chair and Vice Chair. Minimum of 5 members, but Board may appoint more members.</p> <p>The membership of the IPRC may include, but is not limited to:</p> <ul style="list-style-type: none">1 Executive director of the Board or the director's designee from the Board's staff1 Practitioner who has remained free of addiction for a period of no less than 2 years following successful completion of a board-approved recovery program, a board-ordered probation for drug or alcohol dependency, addiction, or abuse, or an IPRC contract.1 Physician/counselor with expertise in substance abuse/addiction treatment programs.1 Psychiatrist or one psychologist1 Public member
TERM:	<p>January 1 – December 31 3 year terms, can serve 3 terms for a maximum of 9 years Board reviews annually; may reappoint current members or appoint new members</p>
2011-2012 MEMBERS:	<p><i>Jerome Greenfield, M.D., Chair</i> Gordon Anderson, II, IADC, Vice Chair Kathy Stone, L.M.S.W., M.B.A Richard A. Rips, D.D.S. Melanie Johnson, J.D., Iowa Dental Board Executive Director</p>
VACANCY:	0
RESPONSIBILITIES:	<p>35.1(2) Purpose. The IPRC evaluates, assists, and monitors the recovery, rehabilitation, or maintenance of dentists, hygienists, or assistants who self-report impairments. As necessary, the committee notifies the board in the event of noncompliance with contract provisions. The IPRC is both an advocate for the health of a practitioner and a means to protect the health and safety of the public. Reports on the activities of the IPRC shall be made to the board on a quarterly basis.</p>
SUBJECT TO OPEN MEETINGS LAW?	Yes
ESTABLISHED BY RULE, STATUTE?	<p>- Authorized by statute, Iowa Code 272C.3(1)“k” - Implemented by rule 650 IAC Chapter 35</p> <p><i>Statute: Iowa Code (2011)</i></p> <p>272C.3 Authority of licensing boards. 1. Notwithstanding any other provision of this chapter, each licensing board shall have the powers to:</p> <p>-----</p> <p>k. Establish a licensee review committee for the purpose of evaluating and monitoring licensees who are impaired as a result of alcohol or drug abuse, dependency, or addiction, or by any mental or physical disorder or disability, and who self-report the impairment to the committee, or who are referred by the board to the committee. Members of the committee shall receive actual expenses for the performance of their duties and shall be eligible to receive per diem compensation pursuant to section 7E.6. The board shall adopt rules for the establishment and administration of the committee, including but not limited to establishment of the criteria for eligibility for referral to the committee and the grounds for disciplinary action for noncompliance with committee decisions. Information in the possession of</p>

COMMITTEE:

Iowa Practitioner Review Committee

the board or the licensee review committee, under this paragraph, shall be subject to the confidentiality requirements of section 272C.6. Referral of a licensee by the board to a licensee review committee shall not relieve the board of any duties of the board and shall not divest the board of any authority or jurisdiction otherwise provided. A licensee who violates section 272C.10 or the rules of the board while under review by the licensee review committee shall be referred to the board for appropriate action.

Board Rule:

35.1(3) Composition of the committee. The chairperson of the board shall appoint the members of the IPRC. Committee members, except the executive director, shall be appointed for three-year terms, for a maximum of three terms. The committee shall elect a chairperson and vice chairperson at the last meeting of each calendar year to begin serving a one-year term on January 1. The membership of the IPRC may include, but is not limited to:

- a. Executive director of the board or the director's designee from the board's staff;
- b. One practitioner who has remained free of addiction for a period of no less than two years following successful completion of a board-approved recovery program, a board-ordered probation for drug or alcohol dependency, addiction, or abuse, or an IPRC contract;
- c. One physician/counselor with expertise in substance abuse/addiction treatment programs;
- d. One psychiatrist or one psychologist; and
- e. One public member.

ARE THE MEMBERS APPOINTED BY THE BOARD CHAIR OR FULL BOARD?

Committee members are appointed by the Board Chair

DOES THE BOARD CHAIR APPOINT THE COMMITTEE CHAIR OR DOES THE COMMITTEE ELECT A CHAIR?

IPRC elects a chairperson and vice chairperson annually

CREATED BY RULE:

<p>COMMITTEE:</p>	<p><u>Continuing Education Advisory Committee</u></p>
<p># OF MEMBERS:</p>	<p>7</p>
<p>COMPOSITION:</p>	<p>Committee established by rule, composition set by rule, committee members appointed by the full Board and Committee Chair is appointed by Board Chair:</p> <p><i>Composition:</i></p> <ul style="list-style-type: none"> 1 member of the Iowa Dental Board 2 licensed dentists with expertise in the area of professional continuing education 2 licensed dental hygienists with expertise in the area of professional continuing education 2 registered dental assistants with expertise in the area of professional continuing education. <p>TERM:</p> <p>1 year, May 1 – April 30 Board reviews annually; may reappoint current members or appoint new members</p> <p>2011-2012 MEMBERS:</p> <p>Marijo Beasler, R.D.H., Chairperson Kimberlee Spillers, Public Member George F. North, D.D.S. Thomas L. Bjorge, D.D.S. Eileen A. Cacioppo, R.D.H. Marilyn Corwin, R.D.H. Jane Slach, R.D.A. Kristee Malmberg, R.D.A.</p>
<p>VACANCY:</p>	<p>1 Board member</p>
<p>RESPONSIBILITIES:</p>	<p>Review and advise the Board with respect to:</p> <ul style="list-style-type: none"> - Applications for approval of sponsors - Applications for approval of activities - Requests for post approval of activities
<p>SUBJECT TO OPEN MEETINGS LAW?</p>	<p>Yes</p>
<p>ESTABLISHED BY RULE, STATUTE?</p>	<p>By rule:</p> <p>650—25.1(153) Definitions. For the purpose of these rules on continuing education, definitions shall apply:</p> <p>“Advisory committee.” An advisory committee on continuing education shall be formed to review and advise the board with respect to applications for approval of sponsors or activities and requests for post approval of activities. Its members shall be appointed by the board and consist of a member of the board, two licensed dentists with expertise in the area of professional continuing education, two licensed dental hygienists with expertise in the area of professional continuing education, and two registered dental assistants with expertise in the area of professional continuing education. The advisory committee on continuing education may tentatively approve or deny applications or requests submitted to it pending final approval or disapproval of the board at its next meeting.</p>
<p>ARE THE MEMBERS APPOINTED BY THE BOARD CHAIR OR FULL BOARD?</p>	<p>Full Board appoints the Committee members</p>
<p>DOES THE BOARD CHAIR APPOINT THE COMMITTEE CHAIR OR DOES THE COMMITTEE ELECT A CHAIR?</p>	<p>Committee Chair is appointed by the Board Chair, per rule:</p> <p>1.3(5) Committees of the board may be appointed by the board chairperson and shall not constitute a quorum of the board. The board chairperson shall appoint committee chairpersons. Committees of the board may include the executive committee, licensure committee, grievance committee, continuing education advisory committee, and dental assistant committee.</p>

BY RULE, APPOINTED BY BOARD CHAIR:

COMMITTEE:	<u>Licensure/Registration Committee</u>
# OF MEMBERS:	3
COMPOSITION:	No set number of members or eligibility requirements, but total number must be less than quorum (5) of Board; Board Chair appoints Committee members & Committee Chair. <i>Current composition:</i> 1 dentist member of the Board 2 public members of the Board
TERM:	1 year, May 1 – April 30 Board reviews annually; may reappoint current members or appoint new members
2011-2012 MEMBERS:	Michael Rovner, D.D.S. (Board Vice Chair) Diane Meier (Board Public Member) Kimberlee Spillers, Board Public Member
VACANCY:	1 Board member
RESPONSIBILITIES:	Reviewing and recommending appropriate action concerning applications for: <ul style="list-style-type: none"> - Permanent licensure as a dentist; - Dentists seeking permission to practice as a resident, intern or graduate student; - Dentists requesting authorization to practice dentistry as a faculty member; - Dentists requesting temporary permits to practice dentistry on a short-term basis, to fulfill an urgent need, or to serve an educational purpose; - Dental assistant registration, radiography qualification, trainee status
SUBJECT TO OPEN MEETINGS LAW?	No
ESTABLISHED BY RULE, STATUTE?	By rule: 1.3(5) Committees of the board may be appointed by the board chairperson and shall not constitute a quorum of the board. The board chairperson shall appoint committee chairpersons. Committees of the board may include the executive committee, licensure committee , grievance committee, continuing education advisory committee, and dental assistant committee.
ARE THE MEMBERS APPOINTED BY THE BOARD CHAIR OR FULL BOARD?	Committee members appointed by the Board Chair
DOES THE BOARD CHAIR APPOINT THE COMMITTEE CHAIR OR DOES THE COMMITTEE ELECT A CHAIR?	Board Chair appoints the Committee Chair

BY RULE, APPOINTED BY BOARD CHAIR:

COMMITTEE:	<u>Dental Assistant Registration Committee</u>
# OF MEMBERS:	6
COMPOSITION:	No set number of members or eligibility requirements, but total number must be less than quorum (5) of Board; Board Chair appoints Committee members & Committee Chair. <i>Current composition: 4 Brd members, 2 private sector</i> 4 dentists: - 1 private sector dentist - 3 dentist Board members 1 public member of the Board 1 dental assistant, private sector
TERM:	1 year, May 1 – April 30 Board reviews annually; may reappoint current members or appoint new members
2011-2012 MEMBERS:	<i>George North, D.D.S., Chair (Private Sector)</i> Michael Rovner, D.D.S. (Board Vice Chair) Steven Bradley, D.D.S. (Board Member) Steven Fuller, D.D.S., (Board Member) Diane Meier (Board Member) Denise Bell, R.D.A. (Private Sector)
VACANCY:	0
RESPONSIBILITIES:	Provide recommendations to the Board regarding: <ul style="list-style-type: none"> - Dental assistant program policies - Dental assistant procedures - Rules applicable to dental assisting - Other dental assistant matters referred by the Board to the Committee
SUBJECT TO OPEN MEETINGS LAW?	No
ESTABLISHED BY RULE, STATUTE?	By rule: 1.3(5) Committees of the board may be appointed by the board chairperson and shall not constitute a quorum of the board. The board chairperson shall appoint committee chairpersons. Committees of the board may include the executive committee, licensure committee, grievance committee, continuing education advisory committee, and dental assistant committee .
ARE THE MEMBERS APPOINTED BY THE BOARD CHAIR OR FULL BOARD?	Committee members appointed by the Board Chair
DOES THE BOARD CHAIR APPOINT THE COMMITTEE CHAIR OR DOES THE COMMITTEE ELECT A CHAIR?	Board Chair appoints the Committee Chair

CREATED BY RULE:

COMMITTEE:	<u>Anesthesia Credentials Committee</u>
# OF MEMBERS:	7
COMPOSITION:	<p>Established in rule, composition set by rule, Committee Chair must be a Board member, Committee members appointed by the full Board. Must be 7 members, but Board may appoint more members.</p> <p><i>Current composition:</i></p> <ul style="list-style-type: none"> 1 member of the Iowa Dental Board 6 At least 6 additional members who are licensed to practice dentistry in Iowa <ul style="list-style-type: none"> - At least 4 of the 6 must hold deep sedation/general anesthesia or conscious sedation permits
TERM:	<p>1 year, May 1 – April 30</p> <p>Board reviews annually; may reappoint current members or appoint new members</p>
2011-2012 MEMBERS:	<p><i>Gary Roth, D.D.S., Chair (Board Chair) (Moderate Sedation Permit Holder)</i></p> <p>Richard Burton, D.D.S. (General Anesthesia permit holder)</p> <p>Dennis Lowman, D.D.S. (General Anesthesia permit holder)</p> <p>Kurt Westlund, D.D.S. (General Anesthesia permit holder)</p> <p>Douglas Horton, D.D.S. (Moderate Sedation permit holder)</p> <p>Steven Clark, D.D.S. (General Anestheisa permit holder)</p> <p>Kaaren Vargas, D.D.S. (Moderate Sedation permit holder)</p>
VACANCY:	1 Board member
RESPONSIBILITIES:	<ul style="list-style-type: none"> - Review all permit applications and make recommendations to the Board regarding <ul style="list-style-type: none"> • Applications for moderate sedation • Applications for general anesthesia • Applications for deep sedation - Conduct site visits at facilities and report the results of those site visits to the Board. The anesthesia credentials committee may submit recommendations to the Board regarding the appropriate nature and frequency of site visits. - Perform professional evaluations and report the results of those evaluations to the Board. - Other duties as delegated by the Board or Board chairperson. -
SUBJECT TO OPEN MEETINGS LAW?	Yes
ESTABLISHED BY RULE, STATUTE?	<p>By rule:</p> <p>29.10(153) Anesthesia credentials committee.</p> <p>29.10(1) The anesthesia credentials committee is a peer review committee appointed by the board to assist the board in the administration of this chapter. This committee shall be chaired by a member of the board and shall include at least six additional members who are licensed to practice dentistry in Iowa. At least four members of the committee shall hold deep sedation/general anesthesia or conscious sedation permits issued under this chapter.</p>
ARE THE MEMBERS APPOINTED BY THE BOARD CHAIR OR FULL BOARD?	
DOES THE BOARD CHAIR APPOINT THE COMMITTEE CHAIR OR DOES THE COMMITTEE ELECT A CHAIR?	<p>Members are appointed by the full Board</p> <p>The Committee Chair must be a Board member</p>

BY RULE, APPOINTED BY BOARD CHAIR:

COMMITTEE:	<u><i>Executive Committee</i></u>
# OF MEMBERS:	3
COMPOSITION:	The membership has historically been composed of the elected officers of the Board (Chair, Vice-Chair, and Secretary).
TERM:	1 year, May 1 – April 30 Composition changes as Board officers are elected
2011-2012 MEMBERS:	Michael Rovner, D.D.S. (Board Vice Chair) Gary Roth, D.D.S. (Board Chair) Marijo Beasler, R.D.H. (Board Secretary)
VACANCY:	1 Board Chair 1 Board Secretary
RESPONSIBILITIES:	Include, but are not limited to: <ul style="list-style-type: none"> - Meeting with the executive director. - Review of personnel matters. - Budgetary review and recommendations to the Board. - Review and recommendations to the Board re: rules and legislative proposals. - Study and recommendations to the Board on practice issues and policy.
SUBJECT TO OPEN MEETINGS LAW?	No
ESTABLISHED BY RULE, STATUTE?	By rule: 1.3(5) Committees of the board may be appointed by the board chairperson and shall not constitute a quorum of the board. The board chairperson shall appoint committee chairpersons. Committees of the board may include the executive committee , licensure committee, grievance committee, continuing education advisory committee, and dental assistant committee.
ARE THE MEMBERS APPOINTED BY THE BOARD CHAIR OR FULL BOARD?	Committee Members appointed by the Board Chair
DOES THE BOARD CHAIR APPOINT THE COMMITTEE CHAIR OR DOES THE COMMITTEE ELECT A CHAIR?	Committee Chair appointed by the Board Chair

BY AGREEMENT WITH CRDTS:

COMMITTEE:	<u><i>Central Regional Dental Testing Service, Inc. (CRDTS)</i></u> <u><i>Steering Committee</i></u>
# OF MEMBERS:	1
COMPOSITION:	Historically, 1 Board member
TERM:	1 year, May 1 – April 30 Board reviews annually; can reappoint current members or appoint new members
2011-2012 MEMBERS:	Gary Roth, D.D.S. (Board Chair)
VACANCY:	1 Board Member
RESPONSIBILITIES:	<ul style="list-style-type: none"> - Attend CRDTS meetings - Present report to Iowa Dental Board at quarterly meeting re: CRDTS activities
SUBJECT TO OPEN MEETINGS LAW?	No
ESTABLISHED BY RULE, STATUTE?	By agreement with CRDTS
ARE THE MEMBERS APPOINTED BY THE BOARD CHAIR OR FULL BOARD?	Historically, members have been appointed by the full Board
DOES THE BOARD CHAIR APPOINT THE COMMITTEE CHAIR OR DOES THE COMMITTEE ELECT A CHAIR?	

BY AGREEMENT WITH CRDTS:

COMMITTEE:	<u>Central Regional Dental Testing Service, Inc. (CRDTS)</u> <u>Examination Review Committee</u>
# OF MEMBERS:	2
COMPOSITION:	Historically, 1-2 Board members Private Sector (former Board member) appointed for May 1, 2011 – April 30, 2012
TERM:	1 year, May 1 – April 30 Board reviews annually; can reappoint current members or appoint new members
2011-2012 MEMBERS:	P.T. Grimes, D.D.S. (Private Sector Member) Marijo Beasler, R.D.H. (Board Secretary)
VACANCY:	1 Board Member
RESPONSIBILITIES:	<ul style="list-style-type: none"> - Attend CRDTS examination review committee meetings - Present report to Iowa Dental Board at quarterly meeting re: CRDTS activities
SUBJECT TO OPEN MEETINGS LAW?	No
ESTABLISHED BY RULE, STATUTE?	By agreement with CRDTS
ARE THE MEMBERS APPOINTED BY THE BOARD CHAIR OR FULL BOARD?	Historically, members have been appointed by the full Board
DOES THE BOARD CHAIR APPOINT THE COMMITTEE CHAIR OR DOES THE COMMITTEE ELECT A CHAIR?	

Iowa Dental Board - Officers Required by Statute & Board Rules

<u>Iowa Dental Board</u>	
COMPOSITION	9 members
OFFICERS:	Chair, Vice Chair and Secretary
TERM:	1 year, May 1 – April 30
2011-2012 OFFICERS:	<p>Gary Roth, D.D.S., Chair Board term ended 4/30/12</p> <p>Mike Rovner, D.D.S., Vice Chair</p> <p>Marijo Beasler, R.D.H., Secretary Board term ended 4/30/12</p>
NEED TO ELECT:	Chair, Vice Chair and Secretary
STATUTE:	<p>Iowa Code (2011)</p> <p>147.22 Officers. Each board shall annually select a chairperson and a vice chairperson from its own membership.</p>
RULE:	<p>650—1.6(17A,147,153) Meetings.</p> <p>-----</p> <p>1.6(1) The board shall hold an annual meeting each year in Des Moines to elect officers and conduct other business. Officers of the board shall consist of a chairperson, vice chairperson, and secretary. Officers shall assume their duties immediately following their election at the annual meeting.</p>

Dental Hygiene Committee - Officers Required by Board Rules

<u><i>Dental Hygiene Committee</i></u>	
COMPOSITION	3 Committee members
OFFICERS:	Chair, Vice Chair and Secretary
TERM:	1 year, May 1 – April 30
2011-2012 OFFICERS:	<p>Mary Kelly, R.D.H (Board Member) Marijo Beaster, R.D.H., Chair (Board Secretary) - Board term ended 4/30/12</p> <p>Nancy Slach, R.D.H. (Board Member) * Member, effective May 1, 2012</p> <p>Gary Roth, D.D.S (Board Chair) *Board will elect a dentist member to serve on the Committee</p>
NEED TO ELECT:	Chair, Vice Chair and Secretary
RULE:	<p>650—1.6(17A,147,153) Meetings. ----- 1.6(3) The dental hygiene committee shall hold an annual meeting each year in Des Moines, Iowa, to elect officers and conduct other business. Officers of the committee shall consist of a chairperson, vice chairperson, and secretary. Officers shall assume their duties immediately following their election at the annual meeting.</p>

2011-2012 IOWA DENTAL BOARD COMMITTEES

Executive Committee

Gary Roth, D.D.S., *Chair (Board Chair)*
Michael Rovner, D.D.S. (Board Vice Chair)
Marijo Beasler, R.D.H (Board Secretary)

Continuing Education Advisory Committee

Marijo Beasler, R.D.H., Chair (Board Secretary)
Lynn Curry, D.D.S. (Board Member)
Kimberlee Spillers (Board Member)
George North, D.D.S. (Private Sector Member)
Eileen Cacioppo, R.D.H. (Private Sector Member)
Marilyn Corwin, R.D.H. (Private Sector Member)
Jane Slach, R.D.A (Private Sector Member)
Kristee Malmberg, R.D.A. (Private Sector Member)

Licensure/Registration Committee

Michael Rovner, D.D.S., *Chair (Board Vice Chair)*
Diane Meier (Board Member)
Kimberlee Spillers (Board Member)

Dental Assistant Registration Committee

George North, D.D.S., Chair (Private Sector Member)
Steven Bradley, D.D.S. (Board Member)
Michael Rovner, D.D.S. (Board Vice Chair)
Steven Fuller, D.D.S., (Board Member)
Diane Meier (Board Member)
Denise Bell, R.D.A. (Private Sector Member)

Ad Hoc Examination Committee

P.T. Grimes, D.D.S., Chair (Private Sector Member)
David Holmes, D.D.S. (U. of I. College of Dentistry)
Michael Kanellis, D.D.S. (U. of I. College of Dentistry)
Lynn Curry, D.D.S. (Board Member)
Gary Roth, D.D.S. (Board Chair)
Steven Bradley, D.D.S. (Board Member)
Deena Kuempel, D.D.S. (Private Sector Member)

Dental Hygiene Committee

Marijo Beasler, R.D.H., *Chair (Board Secretary)*
Mary Kelly, R.D.H (Board Member)
Gary Roth, D.D.S (Board Chair)

Anesthesia Credentials Committee

Gary Roth, D.D.S., Chair (Board Chair)
Richard Burton, D.D.S. (Private Sector Member)
Dennis Lowman, D.D.S. (Private Sector Member)
Kurt Westlund, D.D.S. (Private Sector Member)
Douglas Horton, D.D.S. (Private Sector Member)
Steven Clark, D.D.S. (Private Sector Member)
Kaaren Vargas, D.D.S. (Private Sector Member)

Central Regional Dental Testing Service, Inc. (CRDTS)

Steering Committee: Gary Roth, D.D.S. (Board Chair)
Examination Review Committee:
P.T. Grimes, D.D.S. (Private Sector Member)
Marijo Beasler, R.D.H. (Board Secretary)

Iowa Practitioners Review Committee

Jerome Greenfield, M.D., Chair
Gordon Anderson, II, IADC, Vice Chair
Kathy Stone, L.M.S.W., M.B.A
Richard A. Rips, D.D.S.
Melanie Johnson, J.D., IDB Executive Director

Updated 10/25/11

Updated 5/15/12

REPORT TO THE IOWA DENTAL BOARD

ACTION REQUIRED

DATE OF MEETING: May 18, 2012
RE: **Rules: Amendments to Chapter 20, Dental Assistants**
SUBMITTED BY: Melanie Johnson, Executive Director
ACTION REQUESTED: Approval to file Notice of Intended Action

The proposed rule amendments:

- Establish a process by which a dental assistant trainee that does not become a registered dental assistant within 12 months of the first date of employment as a dental assistant may reapply to become a dental assistant trainee.
- Clarify that out of state dental assistants applying for an Iowa dental assistant registration must have at least six months of prior dental assisting experience under a licensed dentist within the past two years.
- Require that dental assistant trainees must have a certification of dental assistant trainee status issued prior to beginning work as a dental assistant trainee.

Attached for Review

- ❖ **Draft amendments to Chapter 20, "Dental Assistants"**

DENTAL BOARD [650]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 147.76, the Dental Board hereby gives Notice of Intended Action to amend Chapter 20, "Dental Assistants," Iowa Administrative Code.

These amendments establish a process by which a dental assistant trainee who does not become a registered dental assistant within 12 months of the first date of employment as a dental assistant may reapply to become a dental assistant trainee; clarifies that out of state dental assistants applying for an Iowa dental assistant registration must have at least six months of prior dental assisting experience under a licensed dentist within the past two years; and requires that dental assistant trainees must have a certification of dental assistant trainee status issued prior to beginning work as a dental assistant trainee.

Written comments about the proposed amendments will be accepted through July 12, 2012. Comments should be directed to: Melanie Johnson, Executive Director, Iowa Dental Board, 400 S.W. 8th Street, Des Moines, IA or by email at Melanie.Johnson@iowa.gov.

A public hearing will be held on July 12, 2012 at 11:00 a.m. at the office of the Iowa Dental Board located at 400 SW 8th Street, Suite D, Des Moines, Iowa 50309-4687. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments. Any person who plans to attend the public hearing and who may have special requirements, such as those related to hearing or mobility impairments should contact the Board office and advise of specific needs.

After analysis and review of this rule making, no impact on jobs has been found.

These proposed amendments were approved at the May 18, 2012 meeting of the Iowa Dental Board.

These proposed amendments are intended to implement Iowa Code sections 153.33 and 153.39.

The following amendments are proposed.

TITLE IV

AUXILIARY PERSONNEL

CHAPTER 20

DENTAL ASSISTANTS

[Prior to 5/18/88, Dental Examiners, Board of[320]]

650—20.1(153) Registration required. A person shall not practice on or after July 1, 2001, as a dental assistant unless the person has registered with the board and received a certificate of registration pursuant to this chapter.

650—20.2(153) Definitions. As used in this chapter:

“*Dental assistant*” means any person who, under the supervision of a dentist, performs any extraoral services including infection control or the use of hazardous materials or performs any intraoral services on patients. The term “dental assistant” does not include persons otherwise actively licensed in Iowa to practice dental hygiene or nursing who are engaged in the practice of said profession.

“*Direct supervision*” means that the dentist is present in the treatment facility, but it is not required that the dentist be physically present in the treatment room while the registered dental assistant is performing acts assigned by the dentist.

“*General supervision*” means that a dentist has delegated the services to be provided by a registered dental assistant. The dentist need not be present in the facility while these services are being provided.

“*Personal supervision*” means the dentist is physically present in the treatment room to oversee and direct all intraoral or chairside services of the dental assistant and a licensee or registrant is physically present to oversee and direct all extraoral services of the dental assistant.

“*Trainee status expiration date*” means the date established by the board office which is 12 months from a person’s first date of employment as a dental assistant. It is the date by which a trainee must successfully complete requirements and become registered as a dental assistant, pursuant to Iowa Code section 153.39.

[ARC 8369B, IAB 12/16/09, effective 1/20/10]

650—20.3(153) Scope of practice.

20.3(1) In all instances, a dentist assumes responsibility for determining, on the basis of diagnosis, the specific treatment patients will receive and which aspects of treatment may be delegated to qualified personnel as authorized in these rules.

20.3(2) A licensed dentist may delegate to a dental assistant those procedures for which the dental assistant has received training. This delegation shall be based on the best interests of the patient. The dentist shall exercise supervision and shall be fully responsible for all acts performed by a dental assistant. A dentist may not delegate to a dental assistant any of the following:

- a. Diagnosis, examination, treatment planning, or prescription, including prescription for drugs and medicaments or authorization for restorative, prosthodontic or orthodontic appliances.
- b. Surgical procedures on hard and soft tissues within the oral cavity and any other intraoral procedure that contributes to or results in an irreversible alteration to the oral anatomy.
- c. Administration of local anesthesia.
- d. Placement of sealants.
- e. Removal of any plaque, stain, or hard natural or synthetic material except by toothbrush, floss, or rubber cup coronal polish, or removal of any calculus.

- f. Dental radiography, unless the assistant is qualified pursuant to 650—Chapter 22.
- g. Those procedures that require the professional judgment and skill of a dentist.

20.3(3) A dentist may delegate an expanded function duty to a registered dental assistant if the assistant has completed board-approved training pursuant to rule 650—20.16(153) in the specific expanded function that will be delegated. The supervising dentist and registered dental assistant shall be responsible for maintaining in the office of practice documentation of board-approved training. In addition to the other duties authorized under this rule, a dentist may delegate any of the following expanded function duties:

- a. Taking occlusal registrations;
- b. Placement and removal of gingival retraction;
- c. Taking final impressions;
- d. Fabrication and removal of provisional restorations;
- e. Applying cavity liners and bases, desensitizing agents, and bonding systems;
- f. Placement and removal of dry socket medication;
- g. Placement of periodontal dressings;
- h. Testing pulp vitality; and
- i. Monitoring of nitrous oxide inhalation analgesia.

20.3(4) A dental assistant may perform duties consistent with these rules under the supervision of a licensed dentist. The specific duties dental assistants may perform are based upon:

- a. The education of the dental assistant.
- b. The experience of the dental assistant.

650—20.4(153) Categories of dental assistants. There are two categories of dental assistants. Both the supervising dentist and dental assistant are responsible for maintaining documentation of training. Such documentation must be maintained in the office of practice and shall be provided to the board upon request.

20.4(1) Dental assistant trainee. Dental assistant trainees are all individuals who are engaging in on-the-job training to meet the requirements for registration and who are learning the necessary skills under the personal supervision of a licensed dentist. Trainees may also engage in on-the-job training in dental radiography pursuant to 650—22.3(136C,153). The dental assistant trainee shall meet the following requirements:

a. ~~Within 12 months of employment~~ Prior to the trainee status expiration date, the dental assistant trainee shall successfully complete a course of study and examination in the areas of infection control, hazardous materials, and jurisprudence. The course of study shall be prior approved by the board and sponsored by a board-approved postsecondary school.

b. Prior to ~~satisfactorily completing 12 months of work as a dental assistant~~ the trainee status expiration date, the trainee must apply to the board office to be reclassified as a registered dental assistant.

c. ~~Dental assistant trainee status is valid for practice for a maximum of 12 months. If trainee status has expired, the trainee must meet the requirements for registration and receive a certificate of registration in order to practice as a dental assistant. If a trainee fails to become registered by the trainee status expiration date the trainee must stop work as a dental assistant.~~

d. ~~Notwithstanding paragraphs “b” and “c,” the expiration date for dental assistant trainee status~~ These rules apply to ~~for~~ a person enrolled in a cooperative education or work-study program through an Iowa high school ~~shall be extended until the trainee is 17 years of age and a high school graduate or equivalent.~~ However, a trainee under 18 years of age shall not participate in dental radiography.

20.4(2) Registered dental assistant. A registered dental assistant may perform under general supervision dental radiography, intraoral suctioning, and all extraoral duties that are assigned by the

dentist and are consistent with these rules. During intraoral procedures, the registered dental assistant may, under direct supervision, assist the dentist in performing duties assigned by the dentist that are consistent with these rules. The registered dental assistant may take radiographs if qualified pursuant to 650—Chapter 22.

20.4(3) *Expanded function dental assistant.* Rescinded IAB 9/17/03, effective 10/22/03.

20.4(4) New trainee application required if not registered prior to trainee status expiration date. Pursuant to Iowa Code section 153.39, a person employed as a dental assistant has a twelve-month period following the person's first date of employment to become registered. If not registered by trainee status expiration date the trainee must stop work as a dental assistant and re-apply.

a. Re-apply for trainee status. A trainee may “start over” as a dental assistant trainee provided the trainee submits an application in compliance with subrule 20.6(1).

b. Examination scores valid for three years. A repeat trainee is not required to re-take an examination (jurisprudence, infection control/hazardous materials, radiography) if the trainee has successfully passed the examination within three years of the date of application. If a trainee has failed two or more examinations, the trainee must satisfy the remedial education requirements in subrule 20.10(1). The trainee status application will not be approved until the trainee successfully completes any required remedial education.

c. New trainee status expiration date issued. If the repeat trainee application is approved, the board office will establish a new trainee status expiration date. Registration must be completed by that date.

d. Maximum of two “start over” periods allowed. In addition to the initial 12 month trainee, a dental assistant is permitted up to two “start over” periods as a trainee. If a trainee seeks a fourth or more “start over” period, the trainee shall submit a petition for rule waiver under 650—chapter 7.

650—20.5(153) Registration requirements prior to July 2, 2001.

20.5(1) A person employed as a dental assistant as of July 1, 2001, shall be registered with the board as a registered dental assistant without meeting the application requirements specified in 20.6(153), provided the application is postmarked by July 1, 2001.

20.5(2) Applications for registration prior to July 2, 2001, must be filed on official board forms and include the following:

- a. The fee as specified in 650—Chapter 15.
- b. Evidence of current employment as a dental assistant as demonstrated by a signed statement from the applicant's employer.
- c. Evidence of current certification in dental radiography pursuant to 650—Chapter 22 if engaging in dental radiography.

20.5(3) Applications must be signed and verified by the applicant as to the truth of the documents and statements contained therein.

650—20.6(153) Registration requirements after July 1, 2001. Effective July 2, 2001, dental assistants must meet the following requirements for registration:

20.6(1) Dental assistant trainee.

a. A dentist supervising a person performing dental assistant duties must ~~notify the board in writing of such employment within seven days of the time~~ ensure that a dental assistant has been issued a trainee status certificate from the board office prior to the individual's first date of employment as a ~~the~~ dental assistant ~~begins work~~. A dentist who has been granted a temporary permit to provide volunteer services for a qualifying event of limited duration pursuant to rule 13.3(3) is exempt from this requirement for dental assistants working under the dentist's supervision at the qualifying event.

b. Applications for registration as a dental assistant trainee must be filed on official board forms and include the following:

- (1) The fee as specified in 650—Chapter 15.
- (2) Evidence of high school graduation.
- (3) Evidence the applicant is 17 years of age or older.
- (4) Any additional information required by the board relating to the character and experience of the applicant as may be necessary to evaluate the applicant's qualifications.
- (5) If the applicant does not meet the requirements of (2) and (3) above, evidence that the applicant is enrolled in a cooperative education or work-study program through an Iowa high school.

c. ~~Within 12 months of employment~~ Prior to the trainee status expiration date, the dental assistant trainee is required to successfully complete a board-approved course of study and examination in the areas of infection control, hazardous materials, and jurisprudence. The course of study may be taken at a board-approved postsecondary school or on the job using curriculum approved by the board for such purpose. Evidence of meeting this requirement prior to the trainee status expiration date shall be submitted ~~within 12 months~~ by the employer dentist.

d. ~~Upon expiration of the trainee status~~ Prior to the trainee status expiration date, the dental assistant trainee's supervising dentist must ensure that the trainee has received a certificate of registration before performing any further dental assisting duties.

20.6(2) Registered dental assistant.

a. To meet this qualification, a person must:

- (1) Work in a dental office for six months as a dental assistant trainee; or
- (2) If licensed out-of-state, ~~H~~have had at least six months of prior dental assisting experience under a licensed dentist within the past two years; or
- (3) Be a graduate of an accredited dental assisting program approved by the board; and
- (4) Be a high school graduate or equivalent; and
- (5) Be 17 years of age or older.

b. Applications for registration as a registered dental assistant must be filed on official board forms and include the following:

- (1) The fee as specified in 650—Chapter 15.
- (2) Evidence of meeting the requirements specified in 20.6(2)“a.”
- (3) Evidence of successful completion of a course of study approved by the board and sponsored by a board-approved, accredited dental assisting program in the areas of infection control, hazardous materials, and jurisprudence. The course of study may be taken at a board-approved, accredited dental assisting program or on the job using curriculum approved by the board for such purpose.
- (4) Evidence of successful completion of a board-approved examination in the areas of infection control, hazardous materials, and jurisprudence.
- (5) Evidence of high school graduation or the equivalent.
- (6) Evidence the applicant is 17 years of age or older.
- (7) Evidence of meeting the qualifications of 650—Chapter 22 if engaging in dental radiography.
- (8) Evidence of current certification in cardiopulmonary resuscitation sponsored by a nationally recognized provider.

(9) Any additional information required by the board relating to the character, education and experience of the applicant as may be necessary to evaluate the applicant's qualifications.

20.6(3) Rescinded IAB 9/17/03, effective 10/22/03.

20.6(4) All applications must be signed and verified by the applicant as to the truth of the documents and statements contained therein.

[ARC 8369B, IAB 12/16/09, effective 1/20/10]

650—20.7(153) Registration denial. The board may deny an application for registration as a dental assistant for any of the following reasons:

1. Failure to meet the requirements for registration as specified in these rules.
2. Pursuant to Iowa Code section 147.4, upon any of the grounds for which registration may be

revoked or suspended as specified in 650—Chapter 30.

650—20.8(147,153) Denial of registration—appeal procedure. The board shall follow the procedures specified in 650—11.10(147) if the board proposes to deny registration to a dental assistant applicant.

This rule is intended to implement Iowa Code sections 147.3, 147.4 and 147.29.

[ARC 7789B, IAB 5/20/09, effective 6/24/09]

650—20.9(153) Examination requirements. Beginning July 2, 2001, applicants for registration must successfully pass an examination approved by the board on infection control, hazardous waste, and jurisprudence.

20.9(1) Examinations approved by the board are those administered by the board or board's approved testing centers or the Dental Assisting National Board Infection Control Examination, if taken after June 1, 1991, in conjunction with the board-approved jurisprudence examination. In lieu of the board's infection control examination, the board may approve an infection control examination given by another state licensing board if the board determines that the examination is substantially equivalent to the examination administered by the board.

20.9(2) Information on taking the examination may be obtained by contacting the board office at 400 S.W. 8th Street, Suite D, Des Moines, Iowa 50309-4687.

20.9(3) An examinee must meet such other requirements as may be imposed by the board's approved dental assistant testing centers.

20.9(4) A dental assistant trainee must successfully pass the examination within 12 months of the first date of employment. A dental assistant trainee who does not successfully pass the examination within 12 months shall be prohibited from working as a dental assistant until the dental assistant trainee passes the examination in accordance with these rules.

20.9(5) A score of 75 or better on the board infection control/hazardous material exam and a score of 75 or better on the board jurisprudence exam shall be considered successful completion of the examination. The board accepts the passing standard established by the Dental Assisting National Board for applicants who take the Dental Assisting National Board Infection Control Examination.

20.9(6) The written examination may be waived by the board, in accordance with the board's waiver rules at 650—Chapter 7, in practice situations where the written examination is deemed to be unnecessary or detrimental to the dentist's practice.

650—20.10(153) System of retaking dental assistant examinations.

20.10(1) *Second examination.*

a. On the second examination attempt, a dental assistant shall be required to obtain a score of 75 percent or better on each section of the examination.

b. A dental assistant who fails the second examination will be required to complete the remedial education requirements set forth in subrule 20.10(2).

20.10(2) *Third and subsequent examinations.*

a. Prior to the third examination attempt, a dental assistant must submit proof of additional formal education in the area of the examination failure in a program approved by the board or sponsored by a school accredited by the Commission on Dental Accreditation of the American Dental Association.

b. A dental assistant who fails the examination on the third attempt may not practice as a dental assistant in a dental office or clinic until additional remedial education approved by the board has been obtained.

c. For the purposes of additional study prior to retakes, the fourth or subsequent examination failure shall be considered the same as the third.

650—20.11(153) Renewal of registration. A certificate of registration as a registered dental assistant must be renewed biennially. Prior to June 30, 2007, registration expired on June 30 of every odd-

numbered year. A registration due to expire on June 30, 2007, shall be automatically extended until August 30, 2007, and expire August 31, 2007. Beginning July 1, 2007, registration expires on August 31 of every odd-numbered year.

20.11(1) The board will notify each registrant by mail of the expiration of the registration.

20.11(2) Application for renewal must be made in writing to the board at least 30 days before the current registration expires.

20.11(3) The appropriate fee as specified in 650—Chapter 15 shall accompany the application for renewal. A penalty shall be assessed by the board for late renewal.

20.11(4) Failure to renew the registration prior to September 1 shall result in assessment of a late fee of \$20 in addition to the renewal fee. Failure to renew prior to October 1 shall result in assessment of a late fee of \$40. Failure to renew a registration prior to November 1 following expiration shall cause the registration to lapse and become invalid. A registrant whose registration has lapsed and become invalid is prohibited from practicing as a dental assistant until the registration is reinstated in accordance with 650—14.5(147,153,272C).

20.11(5) Completion of continuing education is required for renewal of an active registration. Failure to comply will automatically result in a lapsed registration.

20.11(6) In order to renew a registration, the registrant shall be required to furnish evidence of valid certification in a nationally recognized course in cardiopulmonary resuscitation.

20.11(7) The board may refuse to renew a registration in accordance with 650—14.3(153).

650—20.12(153) Continuing education. Beginning July 1, 2001, each person registered as a dental assistant shall complete 20 hours of continuing education approved by the board during the biennium period as a condition of registration renewal.

20.12(1) At least two continuing education hours must be in the subject area of infection control.

20.12(2) A maximum of three hours may be in cardiopulmonary resuscitation.

20.12(3) For dental assistants who have radiography qualification, at least two hours of continuing education must be obtained in the subject area of radiography.

20.12(4) For the renewal period July 1, 2001, to June 30, 2003, at least one hour of continuing education must be obtained in the subject area of jurisprudence.

650—20.13(252J,261) Receipt of certificate of noncompliance. The board shall consider the receipt of a certificate of noncompliance from the college student aid commission pursuant to Iowa Code sections 261.121 to 261.127 and 650—Chapter 34 or receipt of a certificate of noncompliance of a support order from the child support recovery unit pursuant to Iowa Code chapter 252J and 650—Chapter 33. Registration denial or denial of renewal of registration shall follow the procedures in the statutes and board rules as set forth in this rule.

This rule is intended to implement Iowa Code chapter 252J and sections 261.121 to 261.127.

650—20.14(153) Unlawful practice. A dental assistant who assists a dentist in practicing dentistry in any capacity other than as a person supervised by a dentist in a dental office, or who directly or indirectly procures a licensed dentist to act as nominal owner, proprietor or director of a dental office as a guise or subterfuge to enable such dental assistant to engage directly or indirectly in the practice of dentistry, or who performs dental service directly or indirectly on or for members of the public other than as a person working for a dentist shall be deemed to be practicing dentistry without a license.

650—20.15(153) Advertising and soliciting of dental services prohibited. Dental assistants shall not advertise, solicit, represent or hold themselves out in any manner to the general public that they will furnish, construct, repair or alter prosthetic, orthodontic or other appliances, with or without consideration, to be used as substitutes for or as part of natural teeth or associated structures or for the correction of malocclusions or deformities, or that they will perform any other dental service.

650—20.16(153) Expanded function training approval. Expanded function training shall be eligible for board approval if the training is offered through a program accredited by the Commission on Dental Accreditation of the American Dental Association or another program prior-approved by the board, which may include on-the-job training offered by a dentist licensed in Iowa. Training must consist of the following:

1. An initial assessment to determine the base entry level of all participants in the program. At a minimum, participants must be currently certified by the Dental Assisting National Board or must have two years of clinical dental assisting experience as a registered dental assistant;
2. A didactic component;
3. A laboratory component, if necessary;
4. A clinical component, which may be obtained under the personal supervision of the participant's supervising dentist while the participant is concurrently enrolled in the training program; and
5. A postcourse competency assessment at the conclusion of the training program.

These rules are intended to implement Iowa Code chapter 153.

[Filed 4/9/79, Notice 10/4/78—published 5/2/79, effective 6/6/79¹]

[Filed 8/3/79, Notice 6/27/79—published 8/22/79, effective 9/26/79]

[Filed 3/20/86, Notice 9/11/85—published 4/9/86, effective 5/14/86]

[Filed 4/28/88, Notice 3/23/88—published 5/18/88, effective 6/22/88]

[Filed 11/19/93, Notices 6/9/93, 8/18/93—published 12/8/93, effective 1/12/94]

[Filed 11/2/95, Notice 8/16/95—published 11/22/95, effective 12/27/95]

[Filed 10/23/00, Notice 8/9/00—published 11/15/00, effective 1/1/01]

[Filed 7/27/01, Notice 5/30/01—published 8/22/01, effective 9/26/01]

[Filed emergency 6/21/02—published 7/10/02, effective 7/1/02]

[Filed 1/30/03, Notice 11/13/02—published 2/19/03, effective 3/26/03]

[Filed 8/29/03, Notice 5/14/03—published 9/17/03, effective 10/22/03]

[Filed 7/1/04, Notice 5/12/04—published 7/21/04, effective 8/25/04]

[Filed 4/22/05, Notice 2/2/05—published 5/11/05, effective 6/15/05]

[Filed emergency 6/30/05—published 7/20/05, effective 7/1/05]

[Filed 2/5/07, Notice 11/22/06—published 2/28/07, effective 4/4/07]

[Filed 1/10/08, Notice 11/7/07—published 1/30/08, effective 3/5/08]

[Filed ARC 7789B (Notice ARC 7575B, IAB 2/11/09), IAB 5/20/09, effective 6/24/09]

[Filed ARC 8369B (Notice ARC 8044B, IAB 8/12/09), IAB 12/16/09, effective 1/20/10]

¹ The Administrative Rules Review Committee at their May 21, 1979, meeting delayed the effective date of Chapters 20 and 21 70 days.

Updated 5/15/12

REPORT TO THE IOWA DENTAL BOARD

ACTION REQUIRED

DATE OF MEETING: May 18, 2012
RE: Rules: Amendments to Chapter 15, Fees
SUBMITTED BY: Melanie Johnson, Executive Director
ACTION REQUESTED: Approval to file Adopted & Filed Emergency

At the April 24-25, 2012 meeting Board members asked staff to draft emergency rule amendments that would allow new dentists applying for initial licensure to also renew at the same time. These amendments are included in the Notice of Intended Action currently proceeding through the rulemaking process (ARC 0128C, 5/16/12 IAB). However, because that rulemaking would not be concluded in time to process applications from 2012 dental graduates (graduating June 8, 2012), the Board requested emergency rule amendments.

The amendments streamline the initial licensure process for dentist applicants applying for a license within three (3) months of the next renewal due date. Applicants applying this close to a renewal cycle will be able to pay the application fee and the renewal fee at the same time. Their licenses will be issued for a period of 24 months plus the amount of time remaining until the next renewal due date. This change will eliminate the need for applicants to submit two separate applications and fees within one three-month period.

For example, under existing rules a dentist graduating on June 8, 2012 who submits an application for an Iowa dental license will pay a \$200 application fee. Dental licenses are valid for a 24-month period and are renewed in even-numbered years. This newly licensed dentist must renew the license by August 31, 2012, and pay the renewal fee of \$315. This requires the submittal of two applications (one for initial licensure and one for the renewal application due by August 31, 2012) and two checks (a \$200 licensure application fee and a \$315 fee for renewal) within a very short period.

These amendments allow the applicant in this example to submit one application and pay one combined fee of \$515 (\$200 application fee plus the \$315 renewal fee due August 31, 2012). At the time the application for licensure is approved, the license would be issued and valid for a period of 27 months (24 months plus the 3 months remaining until the August 31, 2012, renewal). This change will impact applicants who are applying within three months of a biennial renewal due date.

The concept of a combined initial licensure and renewal process and a correspondingly longer initial licensure period has been favorably received by the representatives I've spoken with at the University of Iowa College of Dentistry and the professional dental associations. These emergency rule amendments would apply to dentists seeking application for licensure because 2012 is a renewal year for dentists. Dental assistants and dental hygienists renew their licenses/registration in 2013. The proposed rule amendments (ARC 0128C) would permit the same combined process to apply to dental hygienists and dental assistants next year.

Attached for Review

- ❖ Draft amendments to Chapter 15, "Fees"

DENTAL BOARD [650]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 147.76, the Dental Board hereby adopts amendments to Chapter 15, "Fees," Iowa Administrative Code.

These amendments are included in a Notice of Intended Action published in the Iowa Administrative Bulletin on May 16, 2012 as ARC 0128C.

The amendments streamline the initial licensure process for dentist applicants applying for a license within three months of the next renewal due date. Applicants applying this close to a renewal cycle will be able to pay the application fee and the renewal fee at the same time. Their licenses will be issued for a period of 24 months plus the amount of time remaining until the next renewal due date. This change will eliminate the need for applicants to submit two separate applications and fees within one three-month period. For example, under existing rules a dentist graduating in May 2012 who submits an application for an Iowa dental license will pay a \$200 application fee. Dental licenses are valid for a 24-month period and are renewed in even-numbered years. This newly licensed dentist must renew the license by August 31, 2012, and pay the renewal fee of \$315. This requires the submittal of two applications (one for initial licensure and one for the renewal application due by August 31, 2012) and two checks (a \$200 licensure application fee and a \$315 fee for renewal) within a very short period. These amendments allow the applicant in this example to submit one application and pay one combined fee of \$515 (\$200 application fee plus the \$315 renewal fee due August 31, 2012). At the time the application for licensure is approved, the license would be issued and valid for a period of 27 months (24 months plus the 3 months remaining until the August 31, 2012, renewal). This change will impact applicants who are applying within three months of a biennial renewal due date.

In compliance with Iowa Code section 17A.4(2), the Board finds that notice and public participation are unnecessary because the amendments do not change requirements or increase fees. They simplify the initial licensure process during a year when licenses must also be renewed. These changes are in response to input from former applicants, current licensees, and representatives of private dental profession groups.

The Board also finds, pursuant to Iowa Code section 17A.5(2)“b”(2), that the normal effective date of the amendment should be waived and this amendment should be made effective upon filing, as it confers a benefit on dentist applicants that will be seeking licensure this spring and summer. These amendments have been adopted and implemented emergency due to time sensitive deadlines. Dentists graduate in May and will be applying for initial licensure shortly thereafter. Dental licenses must be renewed by August 31, 2012. These amendments will permit applicants to apply for a license and pay the renewal fee at one time and they will receive a longer initial license period. These emergency amendments will only apply to dentist applicants. Similar amendments that cover other dental professionals are included in the Notice of Intended Action published in the Iowa Administrative Bulletin on May 16, 2012 as ARC 0128C.

After analysis and review of this rule making, no impact on jobs has been found.

The Iowa Dental Board adopted these amendments on May 18, 2012.

These amendments became effective on May 18, 2012.

These amendments are intended to implement Iowa Code sections 153.33.

The following amendments are adopted.

ITEM 1. Amend 650—15.1(153) as follows:

650—15.1(153) License, permit and registration application fees. All fees are nonrefundable.

15.1(1) Dental licensure on the basis of examination. The fees for a dental license issued on the basis of examination include an application fee, a fee for evaluation of a fingerprint packet and criminal background check, and if applying within three months or less of a biennial renewal due date, the renewal fee.

a. Application fee. The application fee for a license to practice dentistry is \$200.

b. Initial licensure period and renewal period. If an applicant applies within three months, or less, of a biennial renewal due date, the applicant shall pay the renewal fee along with the licensure application fee. A license shall not be issued for a period less than three months or greater than two years and three months. Thereafter, a licensee pays the renewal fee as specified in 650—15.2(153).

c. Fingerprint packet and criminal history check. The fee for evaluation of a fingerprint packet and criminal background check is a specified in subrule 15.1(14).

ITEM 2. Amend subrule 15.1(5) as follows:

15.1(5) Dental licensure on the basis of credentials. The fees for a dental license issued on the basis of credentials include an application fee, an initial licensure fee, and a fee for evaluation of a fingerprint packet and criminal background check.

a. Application fee. The application fee for a license to practice dentistry issued on the basis of credentials is \$550.

b. Initial licensure period and renewal period. If an applicant applies within three months, or less, of a biennial renewal due date, the applicant shall pay the renewal fee along with the licensure application fee. A license shall not be issued for a period less than three months or

greater than two years and three months. Thereafter, a licensee pays the renewal fee as specified in 650—15.2(153).

c. Fingerprint packet and criminal history check. The fee for evaluation of a fingerprint packet and criminal background check is as specified in subrule 15.1(14).

REPORT TO THE IOWA DENTAL BOARD

ACTION

DATE OF MEETING: May 18 , 2012
RE: **Rule Waiver Request from Dr. Niels Oestervemb, D.D.S.**
SUBMITTED BY: Melanie Johnson, Executive Director; Christel Braness,
Licensing/Registration Administrative Assistant
ACTION REQUESTED: Action on Rule Waiver Petition

Request to Waive Rule Based on Training

Dr. Oestervemb submitted the attached rule waiver petition, along with supporting documentation, requesting waiver of subrule 11.4(1) relating to graduates of foreign dental schools. This administrative rule provides that a graduate of a foreign dental school must obtain two years of supplemental undergraduate dental education at an accredited dental school to be eligible for permanent dental licensure:

11.4(1) The applicant must complete a full-time, undergraduate supplemental dental education program of at least two academic years at an accredited dental college. The undergraduate supplemental dental education program must provide didactic and clinical education to the level of a DDS or DMD graduate of the dental college.

Dr. Oestervemb is requesting that the Board to accept in lieu of two years of supplemental undergraduate education the following education and training:

- 1) Five months in his senior year as an exchange student in Family Dentistry at the University of Iowa College of Dentistry.
- 2) General Practice Residency (GPR) program in 2010-2011 at the University of Iowa Hospitals and Clinics. Certificate granted.
- 3) Fellowship 2011-2012 at the University of Iowa College of Dentistry. Certificate to be granted

Criteria for Waiver

Board rules provide a procedure by which an individual may request waiver of a Board rule. The criteria used to determine if a waiver should be granted are:

7.4(4) Criteria for waiver. In response to a petition completed pursuant to subrule 7.4(6), the board may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the board finds, based on clear and convincing evidence, all of the following: *a.* The application of the rule would impose an undue hardship on the person for whom the waiver is requested; *b.* The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person; *c.* The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and *d.* Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

Board's Action In Similar Cases

The Board has received ten formal waiver requests from foreign dental graduates. The Board has approved 7 requests and denied 3 requests for waiver of subrule 11.4(1):

- **Chowdhury (2004).** In the first case, the applicant had a masters degree in dental public health, a two-year pediatric residency from an accredited dental school, and a one-year GPR from an accredited dental school. The Board approved that waiver request.
- **Vargas, K. (2004).** In the second case, the dentist had a PhD in biosciences and a two-year pediatric residency from an accredited program. The Board denied that waiver request.
- **Karunakaran (2006).** In the third case, the applicant had a masters level education in dental materials and two years of postgraduate training in general practice dentistry, including one year as Chief Resident, at an accredited dental school. The Board approved that waiver request.
- **Vargas, K. (2006).** In the fourth case, the applicant planned to complete a one-year general practice residency at an accredited dental school, in addition to two years of postgraduate training in pediatrics and a PhD in Oral Sciences. The Board approved that request.
- **Mahajan (2007).** In the fifth case, the applicant had a two-year research oriented masters in dental materials and two years of active practice in general dentistry in the state of Minnesota. The Board denied that request.
- **Vargas, M. (2007).** In the sixth case, the applicant had two years of postgraduate training in general practice residency plus two years of postgraduate training in operative dentistry at an accredited dental school. The Board approved that request.
- **Uribe (2008).** In the seventh case, the applicant had two years of postgraduate training in general practice residency, including one year as Chief Resident. The Board approved that request.
- **Rouman (2008).** In the eighth case, the applicant had 17-months of postgraduate training in geriatrics. The Board denied that request.
- **Gomez (2009).** In the ninth case, the applicant had completed 2-years of postgraduate training in endodontics and had four years of experience as a faculty member at the University of Iowa College of Dentistry in endodontics and family dentistry. The Board denied that request.
- **Bansal (2010).** In the tenth case, the applicant completed a masters degree program in public health at UT Houston, which included a six month internship at Baylor College of Dentistry in the Department of Oral Diagnosis, along with approximately an 18-month residency in dental public health at Baylor College of Dentistry. The Board approved that request.
- **Fatah (2012).** In the eleventh case, the applicant's background and education, including two years of post-graduate Advanced Education in General Dentistry in two accredited programs, demonstrated similar education beyond that required in the subrule. Applicant demonstrated clinical competency by passing a Board-approved clinical licensing examination, the Western Regional Examining Board (WREB). The Board approved that request.

Supporting Documents

1. Letters of recommendation (**Redacted, Confidential**)
2. Examination results (**Redacted, Confidential**)
3. Dr. Oestervemb's Faculty Professional Biography

FACULTY PROFESSIONAL BIOGRAPHY
College of Dentistry
University of Iowa

RECEIVED
APR 25 2012
IOWA DENTAL BOARD

Date of Preparation: April 23, 2012

I. Personal Data

1. Name

Niels Oestervemb

2. Department

Clinic Administration

II. Higher Education, formal programs (most recent first)

<u>Date Awarded</u>	<u>Degree</u>	<u>Specialty/Major</u>	<u>Institution</u>
2012	Fellowship	Dentistry	University of Iowa College of Dentistry
2011	General Practise Residency	Dentistry	University of Iowa Hospitals and Clinics
2010	DDS	Dentistry	Royal Dental College Aarhus
2010	MSC	Dentistry	Royal College of Dentistry Aarhus

III. Certification and Licensure (Eligibility, stage of completion)

<u>Date</u>	<u>Dental License (State)</u>
2010	Iowa

<u>Date</u>	<u>Board</u>
2010	Danish Dental Board

IV. Honors and Awards (most recent first)

<u>Year/s</u>	<u>Award</u>	<u>Organization</u>
	SDA/Dentsply Student Clinician Research Award	SDA/Dentsply
2010 - Present	Henry Shaw Award	Henry Shaw Foundation
2010 - Present	Highest Graduating GPA Award	Royal Dental College Aarhus
2010 - Present	Knud Hoejgaard Award	Knud Hoejgard International

2010 - Present	Oticon Award	Oticon
2009 - Present	Diploma in Medical Research	Aarhus University, Faculty of Health Sciences

V. Professional Appointments (consultantships, editorships, review panels, etc.; most recent first)

State

<u>Years</u>	<u>Type of Appointment</u>	<u>Organization or Journal</u>
2012	Judge at AARD Graduate student research competition	Iowa Section of the American Association for Dental Research (AADR)

VI. Dental Service Plan Practice

<u>Academic Year</u>	<u>Time Allocated Per Week</u> (# of Half Days)
2011-2012	4

VII. Professional Memberships (include offices held; most recent first)

<u>Years</u>	<u>Organization</u>
2010-Present	Academy of General Dentistry
2008-Present	American Academy of Cosmetic Dentistry
2011-Present	American Dental Association
	2011 - Present, American Dental Association
2004-Present	Danish Dental Association
2007-Present	International Team of Implantology

VIII. Areas of Research

Shade Guides
Anterior Composites
Endodontics and MTA

IX. Financial Resources (Grants and Contracts; include funded, pending, and approved but not funded applications; list most recent first in each category)

Completed

<u>Title</u>	<u>Role on Project</u>	<u>Dates</u>	<u>Amount</u>
University of Aarhus - Shade Guide Optimization and Evaluation of the Esthetic properties of four composite materials	Principal Investigator	September 2008 - August 2009	\$26,000.00

X. Bibliography (attach sections in the following order, with authors in sequence; most recent first; list work that is published or "in press". Submitted work may also be listed; include journal title and date of submission; manuscripts in progress should not be included)

1. Books and/or Chapters

2. Journal Articles (include initial and final page numbers)

Oestervemb N. A new approach to compare the esthetic properties of different composite materials. Journal of Esthetic and Restorative Dentistry. 2011;23:238-246. PubMed PMID: 21806755.

Oestervemb N. Shade guide optimization--a novel shade arrangement principle for both ceramic and composite shade guides when identifying composite test objects. Journal of Esthetic and Restorative Dentistry. 2011;23:22-32. PubMed PMID: 21323835.

3. Book Reviews

4. Abstracts

Oestervemb N. Optimering af farveskala – et nyt princip for opstilling af farver. Tandlægebladet, 2011.

5. Other Publications

6. Invited External Presentations and Lectures

Oestervemb, N., Symposium, International, SDA/Dentsply Student Clinician Research Program, Presenter, Poster, "Shade Guide Optimization." (2009).

XI. Teaching Activities (Include the most recent first; provide narrative describing responsibility in each course)

<u>Year</u>	<u>Term</u>	<u>Course Title and No.</u>	<u>Role</u>	<u>No. Registered</u>	<u>Length of Course</u>
2011	Fall	Clinical Administrations - Emergency 112:185:800	Clinical Instructor	81+	1