



STATE OF IOWA

IOWA DENTAL BOARD

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

MELANIE JOHNSON, J.D.
EXECUTIVE DIRECTOR

DENTAL HYGIENE COMMITTEE

OPEN SESSION MINUTES

May 9, 2013

10:00 A.M.

Conference Room

400 S.W. 8th St., Suite D

Des Moines, Iowa

Committee Members

Mary C. Kelly, R.D.H.
Nancy A. Slach, R.D.H.
Steven P. Bradley, D.D.S.

May 9, 2013

Present
Absent
Present

Staff Members

Melanie Johnson, Christel Braness, Brian Sedars, Phil McCollum, Janet Arjes

Attorney General's Office

Theresa Weeg, Assistant Attorney General

I. CALL TO ORDER FOR MAY 9, 2013

Ms. Kelly called the meeting of the Dental Hygiene Committee to order at 10:04 a.m. on Thursday, May 9, 2013. A quorum was established with two members present.

Roll Call:

<u>Member</u>	<u>Kelly</u>	<u>Slach</u>	<u>Bradley</u>
Present	x		x
Absent		x	

II. APPROVAL OF OPEN SESSION MINUTES

- *January 13, 2013 – Open Session Minutes*
- ❖ MOVED by KELLY, SECONDED by BRADLEY, to approve the minutes of the January 31, 2013, Dental Hygiene Committee meeting as submitted. Motion APPROVED unanimously.

III. 1st OPPORTUNITY FOR PUBLIC COMMENT

Ms. Kelly allowed the opportunity for public comment.

Ms. Kelly asked everyone to introduce themselves.

There were no comments received.

IV. LEGAL REPORT

Ms. Weeg indicated that there was nothing to report.

V. ADMINISTRATIVE RULES UPDATE

Ms. Johnson reported that the proposed rules adopted at the March 28, 2013 telephonic meeting regarding authorizing dental hygienists to perform expanded functions were filed and are working through the rulemaking process. A public hearing has been scheduled for June 5, 2013.

VI. OTHER BUSINESS

a. Public Health Supervision

Ms. Kelly reported that the Board has posted a notice for input regarding public health supervision on its website. Comments will be collected through the end of June 2013.

b. Expanded Functions Dental Assistant & Geriatric Work Group

Ms. Kelly stated that this agenda item should reference “dental auxiliary”, not dental assistant. Ms. Kelly indicated that Dr. Kanellis will report on this agenda item at the Board meeting.

There is a proposal to allow dental hygienists to go into nursing homes and provide care. This will occur under general supervision since the dentist(s) will have gone into the facility previously, and these would, therefore, be patients of record. This will fall in line with what dental hygienists are currently allowed to do.

Mr. Cope asked that legal counsel provide input on what medicaments are allowed under the scope of practice for dental hygiene. Ms. Weeg stated that she will look into this and follow up at a later date.

c. Frequently Asked Questions (FAQs) RE: Dental Hygiene for Board Website

Ms. Kelly suggested that the Dental Hygiene Committee review each question in order, as time allowed.

Can a RDH perform dental assistant duties?

Ms. Kelly recommended that the proposed response be revised to be little clearer. There are some things in the scope of practice of dental hygienists that are allowed, that are also expanded functions for dental assistants.

Ms. Kelly would recommend putting a list together of allowed duties. This will be addressed further at the next meeting of the Dental Hygiene Committee.

What is the scope of practice of an Iowa-licensed RDH?

Ms. Kelly asked for clarification on the language of the current rule addressing this subject. The Dental Hygiene Committee, temporarily, went on to the next question while waiting for a current copy of the rules.

Ms. Kelly and Dr. Bradley indicated, after reviewing the rules as currently drafted, that they would approve the response as drafted.

What are the requirements for a RDH working under “general supervision”?

Ms. Kelly read aloud the proposed response. Ms. Kelly indicated there were a few small issues with the proposed response. For example, a dentist may have gone into a facility previously, prior to a dental hygienist going to work at a location.

Ms. Johnson asked Mr. McCollum to clarify the reason for the proposed response.

Dr. Bradley asked for clarification about how often an examination must occur prior to dental hygiene services continuing. Mr. McCollum provided clarification about the scope of practice of a dental hygienist under general supervision and what services may be performed.

Dr. Bradley asked about cases relating to new patients and if a dental hygienist can see the new patient. Mr. McCollum indicated that this rule has changed to conform to standard practice. The rule requires an exam at the initial visit, not necessarily at the start of the appointment.

Ms. Johnson asked if the proposed answer was acceptable. Ms. Kelly expressed some reluctance. Mr. McCollum proposed answering the question in two parts: patients of record and new patients. The Committee members were open to this suggestion.

Mr. McCollum also explained that the licensed dentist has some responsibility and the opportunity to establish protocols for seeing and treating patients.

The Committee members asked how the proposed answer should be revised. Ms. Weeg proposed referencing the definitions section of the IAC 650—Chapter 10 for better explanation.

Ms. Kelly asked for clarification about data collection. Mr. McCollum stated that the rules are not very specific in that regard. Mr. McCollum stated the rules reference general supervision, which requires that they be a patient of record. Patient of record is not defined in IAC 650—Chapter 1.

Ms. Weeg recommends citing the definition of general supervision, and the Board can look at proposed changes at a later date. The rules can be amended if the Board so chooses.

Ms. Kelly asked to review the updated responses prior to posting on the Board's website.

Can a RDH work under the "general supervision" of a dentist and provide services to individuals in a nursing home?

Ms. Kelly pointed out that there is a reference to patient of record. Mr. McCollum suggested that the Board propose a rule change to define patient of record to remove any potential confusion.

Ms. Kelly stated that sentences 2-3 make more sense to her. Ms. Weeg agreed and clarified the proposed statements.

Mr. McCollum stated that if the dentist has already conducted an examination at the nursing home, it could be seen as an extension of the office. Ms. Kelly indicated that there is a reference to "facility" and not "office." Mr. McCollum indicated that it is ultimately up to the dentist to determine the comfort level of assigning services to auxiliary personnel.

What level of supervision is required for a RDH?

Ms. Kelly indicated that a practitioner should refer to the Board rules. Ms. Weeg agreed that a link to the rules could be provided or the text of the rules copied and included with the response.

Ms. Johnson stated that the idea is to make the responses concise and offer some interpretation.

Ms. Lori Brown, pointed out that dental hygienists are not subject to personal supervision. Everyone agreed to that point of clarification. Ms. Kelly and Dr. Bradley agreed to strike the reference to "personal supervision."

Ms. Kelly proposed looking at this more closely at the next meeting to better address the response.

Ms. Brown asked what happens to comments as they are received. Ms. Kelly indicated that it may vary depending upon what the issue is and how it would best be handled. Ms. Kelly stated that she would be open to reviewing those comments as they are received.

Can dental hygienists provide services in a medical office or wellness center?

Ms. Kelly stated she was satisfied with the response for this question.

Ms. Kelly asked for clarification on procedure for approving these responses. Ms. Weeg indicated that it would be best for a vote to be taken prior to posting the FAQs.

Under a public health supervision agreement, after the initial examination by a dentist, how much time can elapse before another examination by a dentist is required before additional dental hygiene services can be provided?

Ms. Kelly stated that this has been addressed by rule on the Board level. Ms. Kelly stated that the supervising dentists can dictate some of the requirements including the length of time between services.

Dr. Bradley has some concerns about this and feels like there should be more limitation on the amount of time allowed between examinations and continued services.

Ms. Kelly would propose using option one (1) for the proposed response, and then the Board could choose to revisit this issue at a later date if they so choose.

Can a dental assistant work under a “public health supervision agreement”?

Ms. Kelly agrees with the response, particularly after reviewing the rules.

Can a RDH place dental sealants as part of a sealant program in a “public health setting” pursuant to a public health supervision agreement? Or does the placement of sealants by a RDH require the RDH to be under the “general supervision” of a dentist?

Ms. Kelly indicated that this is allowed under both levels of supervision when the requirements for general supervision or public health supervision are met.

Dr. Bradley expressed some concerns about the current provisions of public health supervision.

Can a registered dental assistant provide assistance to a registered dental hygienist working under a public health supervision agreement?

Ms. Kelly recommended more clarification in the response. Public health supervision is not the same as general supervision. Board rules currently do not have any provision under which a dental assistant can practice.

Mr. McCollum stated that dental assistants can only assist with suctioning and dental radiography under general supervision.

Ms. Kelly revisited the prior question about dental assistants and public health supervision to ensure an accurate response. Mr. McCollum suggested providing specific direction regarding supervision levels and what is allowed, or not allowed.

Ms. Kelly provided clarification on what a dental assistants can do under general supervision. There are limited services with which a dental assistant can assist a dental hygienist under general supervision. For example, a dental assistant cannot hold the light under general supervision; however, they can under direct supervision. Dr. Bradley feels like a dental assistant should be able to assist with holding the light if they are allowed to perform intraoral assistance under general supervision.

Dr. Bradley and Ms. Kelly indicated that the rule should be changed to add to the list of dental assistant duties that would be allowed under general supervision such as assisting with lights, retraction, and passing cotton rolls.

Ms. Brown asked for clarification on when a dental assistant would be allowed to assist in public health supervision. Ms. Kelly indicated that short of general supervision, dental assistants should not even be at a public health supervision site.

Ms. Kelly reported that the Board will also look at the dental assistant questions. Mr. McCollum indicated that the proposed expanded functions changes could change some of this.

VII. APPLICATIONS FOR LICENSURE & OTHER REQUESTS

Request For Continuing Education Extension

This will be discussed in closed session.

XII. 2nd OPPORTUNITY FOR PUBLIC COMMENT

- Ms. Kelly moved the agenda item for public comment up to convenience those who attended the open session portion of the meeting.

Ms. Brown indicated that some public health dental hygienists may want to comment on the public health supervision issue.

Ms. Patterson-Rahn reported that she submitted comments regarding public health supervision. Ms. Patterson-Rahn has concerns about patients in her county that cannot, or may not, be seen since many offices do not accept Medicaid, or do not accept new patients.

Ms. Patterson-Rahn indicated that public health dental hygienists work hard to ensure that patients can be seen whenever possible.

Another hygienists agreed with Ms. Patterson-Rahn. The hygienists indicated that there are struggles and barriers to getting assistance to patients who need to be seen and treated by dentists. She would ask the Committee to consider these situations when looking at proposed changes.

Mr. Cope thinks the Board is on the right road in asking interested parties for comments regarding potential changes to public health supervision. Mr. Cope would recommend that data be used as a basis to support proposed changes. Mr. Cope does not think that regulations should be made unnecessarily burdensome.

VIII. CLOSED SESSION

- ❖ MOVED by KELLY, SECONDED by BRADLEY, to go into closed session pursuant to Iowa Code 21.5(d) to discuss and review complaints and other information required by state law to be kept confidential.

Roll Call:

<u>Member</u>	<u>Kelly</u>	<u>Slach</u>	<u>Bradley</u>
Yes	x		x
No			
Absent		x	

Motion APPROVED by ROLL CALL.

- The Dental Hygiene Committee convened in closed session at 10:56 a.m.

IX. RECONVENE IN OPEN SESSION

- The Dental Hygiene Committee reconvened in open session at 11:06 a.m.

X. ACTION ON CLOSED SESSION ITEMS

Request For Continuing Education Extension

- ❖ **MOVED BRADLEY, SECONDED** by KELLY to approve a continuing education exemption based on information provided with the request. Motion **APPROVED**.
 - The Dental Hygiene Committee recessed at 11:06 a.m.
 - The Dental Hygiene Committee intended to reconvene after the election of the dental member to the Dental Hygiene Committee during the Board meeting.
 - The Dental Hygiene Committee was not able to reconvene due to time constraints.

The meeting of the Dental Hygiene Committee ended at approximately 11:06 a.m. on May 9, 2013.

NEXT MEETING OF THE COMMITTEE

The next meeting of the Dental Hygiene Committee is scheduled for August 1, 2013, in Des Moines, Iowa.

These minutes are respectfully submitted by Christel Braness, Program Planner 2, Iowa Dental Board.