



# STATE OF IOWA

## IOWA DENTAL BOARD

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

PHIL MCCOLLUM  
INTERIM DIRECTOR

### IOWA DENTAL BOARD

#### MINUTES

April 10, 2014

Conference Room

400 S.W. 8<sup>th</sup> St., Suite D

Des Moines, Iowa

#### **Board Members**

Steven Bradley, D.D.S.,  
Steven C. Fuller, D.D.S.  
Matthew J. McCullough, D.D.S.  
Thomas M. Jeneary, D.D.S.  
Kaaren G. Vargas, D.D.S.  
Mary C. Kelly, R.D.H.  
Nancy A. Slach, R.D.H.  
Diane Meier, Public Member  
Lori Elmitt, Public Member

#### **April 10, 2014**

Present  
Present  
Present  
Present  
Present  
Present  
Present  
Present  
Present

#### **Staff Members**

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

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

Sara Scott, Assistant Attorney General

#### **Other Attendees**

Jane Slach, R.D.A., Iowa Dental Assistants Association  
Carol Van Aernam, R.D.H., Iowa Dental Hygienists' Association  
Tom Cope, Iowa Dental Hygienists' Association  
Francisco Olalde, University of Iowa College of Dentistry, OSCEP  
Jeffrey Purk, D.D.S.  
Miriam Burk, R.D.H., Iowa Dental Hygienists' Association  
Eileen Cacioppo, R.D.H., Iowa Dental Hygienists' Association  
Jeannene Veenstra, R.D.A, Iowa Dental Assistants Association  
Stephen Thies, D.D.S., Iowa Academy of General Dentistry  
Larry Carl, Iowa Dental Association  
Mark Markham, D.D.S.

### **I. CALL TO ORDER FOR APRIL 10, 2014**

Dr. Bradley called the open session meeting of the Iowa Dental Board to order at 10:45 a.m. on Thursday, April 10, 2014. A quorum was established with all members present.

Roll Call:

<u>Member</u>	<u>Bradley</u>	<u>Elmitt</u>	<u>Fuller</u>	<u>Jeneary</u>	<u>Kelly</u>	<u>McCullough</u>	<u>Meier</u>	<u>Slach</u>	<u>Vargas</u>
Present	x	x	x	x	x	x	x	x	x
Absent									

## II. 1<sup>st</sup> OPPORTUNITY FOR PUBLIC COMMENT

Dr. Bradley asked everyone to introduce themselves.

Dr. Bradley allowed the opportunity for public comment.

Tom Cope, IDHA, submitted some feedback to Board staff in regards to the proposed rule changes to Iowa Administrative Code 650—Chapter 10, 20, and the newly proposed Chapter 23. Mr. Cope thanked the Board and looks forward to working with the Board to best address the Board’s goals while addressing interested parties’ concerns.

Dr. Purk commented on the proposed rule changes to Iowa Administrative Code 650—Chapter 29, recommending the requirement of capnography for moderate sedation permit holders. Dr. Purk submitted information related to this issue to the Anesthesia Credentials Committee for review. This information was also distributed to the Board. Dr. Purk asked the Board to consider the use of precordial or pretracheal stethoscopes as a viable alternative in lieu of capnography should the Board pursue the proposed changes. Dr. Purk stated that precordial stethoscopes are a cheaper alternative, while still allowing a practitioner to monitor patients’ respiration. Dr. Purk posed the rhetorical question as to why the Board has proposed these changes. Dr. Purk acknowledged that the intended outcome of the proposals is to reduce adverse occurrences; however, he cited information from journals that indicated capnography does not necessarily result in better outcomes during the use of moderate sedation. Dr. Purk also referenced an editorial, which asserted that the American Society of Anesthesiologists (ASA) should not establish guidelines for dental professionals. Dr. Lucci, dental anesthesiologist at the University of Texas, San Antonio, stated there is no data that links capnography to reduced deaths with moderate sedation, and recommends precordial stethoscope as a suitable alternative.

## III. APPROVAL OF OPEN SESSION MINUTES

- *January 30, 2014 Quarterly Meeting Minutes*
- ❖ MOVED by FULLER, SECONDED by VARGAS, to APPROVE the open session minutes as submitted. Motion APPROVED unanimously.

## IV. REPORTS

### EXECUTIVE DIRECTOR’S REPORT

Mr. McCollum reported that the office was preparing for the upcoming renewal season. Dental licenses expire August 31, 2014. Mr. McCollum strongly encouraged licensees to visit the IDB Online Services site, set up a user account, and familiarize themselves with the system prior to renewal. Mr. McCollum also encouraged new graduates to use this site as a means to expedite processing of applications and other requests.

### LEGAL REPORT

Ms. Scott reported the Matter of Dr. Jay Buckley is still pending judicial review in District Court. Ms. Scott indicated that there was another matter that will be discussed in closed session.

### ANESTHESIA CREDENTIALS COMMITTEE REPORT

Dr. Vargas reported that the Anesthesia Credentials Committee recently met to review applications and to discuss other committee-related matters.

Dr. Vargas reported that the committee discussed the proposed rule changes to Iowa Administrative Code 650—Chapter 29. Dr. Vargas stated that the committee recommended adoption of the proposed rule change to allow PALS certification in lieu of ACLS for moderate sedation permit holders who provide sedation to pediatric patients.

Dr. Vargas reported that the committee also discussed the other proposed rule changes, which recommended the requirement of capnography for all moderate sedation permit holders. Capnography is currently required for all general anesthesia permit holders. Dr. Vargas provided a summary of the proposed changes.

Dr. Vargas reported that American Academy of Pediatric Dentistry (AAPD) does not currently require capnography; however, they encourage its use with moderate sedation on pediatric patients in order to better monitor oxygenation levels. Dr. Vargas reported that there was a recent case in Hawaii where a three year old child died as a result of moderate sedation. Dr. Vargas stated that the use of precordial stethoscopes is an acceptable alternative in cases where there is not too much movement or noise. Dr. Vargas reported that there are nasal hoods that will monitor the expired carbon dioxide.

Dr. Vargas stated that that the Board's responsibility is to protect the public. Although, this proposal may seem burdensome to some, the proposed rules are intended, largely, to address practitioners who might not be vigilant monitoring patients while they are being sedated. Dr. Vargas stated that this is of particular concern for pediatric patients, who can go into respiratory depression before going into cardiac arrest. Monitoring expired carbon dioxide is an added measure to prevent these adverse occurrences as it allows the practitioner to more quickly react if a patient should go into respiratory depression. Dr. Vargas stated that more organizations are moving in the direction of requiring capnography. Dr. Vargas stated the American Association of Oral and Maxillofacial Surgeons (AAOMS) requires the use of capnography when sedation services are being provided. The ADA has not established a position on the use of capnography. Dr. Vargas stated that the Board needs to decide if it wants to be proactive or reactive about this issue.

Mr. McCollum reported that the committee recommended that the language be amended to require capnography, or a precordial or pretracheal stethoscope. Ms. Slach asked about the committee recommendation. Dr. Vargas stated that the committee made this recommendation; however, Dr. Vargas' personal recommendation would be to require capnography with the sedation of pediatric patients at a minimum.

Dr. Purk agreed that capnography is useful with the use of nasal hoods; however, he uses nasal cannulas in his practice. In that kind of open system, capnography could be an ineffective measure of the expired carbon dioxide if the patient breathes through his or her mouth.

Dr. Fuller asked Dr. Vargas for more information about the death in Hawaii. In particular, Dr. Fuller asked if Dr. Vargas knew what Hawaii's requirements are for sedation. Dr. Vargas stated that she was not certain, but would assume that they would follow the AAPD guidelines. Dr. Vargas stated that from what she read about the case, it appeared that the practitioner had not used monitors adequately and did not use a pulse oximeter. The practitioner appears to have used the chest rise as an attempt to measure of oxygenation; chest rise is not a recognized as a true measure of oxygenation. The child was unresponsive for 26 minutes, at which time they called another dentist over to evaluate the patient. The patient went into a coma and could not be resuscitated. Dr. Vargas indicated that cases such as this are why the AAPD is likely to move in the same direction of AAOMS and require the use of capnography when sedating pediatric patients.

Dr. Vargas stated that some of the arguments against the requirement for capnography are the same arguments one could apply to the use of blood pressure cuffs when sedating patients since there could be a problem prior to a noticeable drop in blood pressure. However, blood pressure cuffs are standard equipment. The requirement of capnography is not intended as a single safety measure, but is meant to add another level of safety.

#### CONTINUING EDUCATION ADVISORY COMMITTEE REPORT

- *Recommendations RE: Continuing Education Course Applications*
- *Recommendations RE: Continuing Education Sponsor Application(s)*

Ms. Elmitt provided an overview of the committee's recommendations.

❖ MOVED by ELMITT, SECONDED by FULLER, to adopt the committee's recommendations. Motion APPROVED unanimously.

- *Other Committee Recommendations, If Any*

#### BUDGET REVIEW COMMITTEE REPORT

- *Review of Quarterly IDB Financial Report*

Dr. Fuller reported that the committee had not met recently; however, the committee reviewed updated financial information. Based on the updated information, the committee recommended that fees remain unchanged for FY2015.

- *Other Committee Recommendations, If Any*

There were no other recommendations from the committee.

### EXECUTIVE COMMITTEE REPORT

Dr. Bradley reported that the committee met earlier that morning.

The committee discussed submitting paperwork to seek approval to fill the vacant position of the executive director. After approval is received to fill the position, the job will be posted for approximately four weeks. The job posting will be listed on the DAS-HRE website, and with the Des Moines Register.

Dr. Bradley reported that Ms. Scott was researching some issues related to the Board's request to fill the position.

The committee expressed a desire to have the Board involved in the hiring process. To begin the process, a hiring committee will be created. The committee's recommendation will be forwarded to the Board for a final decision. Board staff involvement with the hiring process will be limited.

The position is currently classified as a Public Service Executive 2, and is a non-contract, merit position. Dr. Bradley reported that the Board will continue to pursue the legislative change related to the merit designation of the position. The candidate will be informed of the intent to change the classification of the position to non-merit.

Dr. Bradley asked Ms. Elmitt to serve on the hiring committee due to her prior human resources experience. Dr. Bradley indicated that he would also serve on the committee. Ms. Kelly asked that a dental hygienist be represented on the committee. Dr. Bradley asked Ms. Kelly to serve on the committee. Dr. Bradley extended the opportunity to Dr. Jeneary to serve on the hiring committee. However, this would require periodic travel to Des Moines. Based on the amount of travel involved, Dr. Jeneary declined to serve on the committee. Dr. McCullough agreed to serve on the committee in place of Dr. Jeneary.

Mr. McCollum reported that he would not be applying for the position, but asked to be involved in the hiring process.

Ms. Braness asked for confirmation that the hiring committee would be comprised of Dr. Bradley, Ms. Elmitt, Dr. McCullough, and Ms. Kelly. Dr. Bradley confirmed that was correct.

### LICENSURE/REGISTRATION COMMITTEE REPORT

- *Actions Taken by Committee on Applications*

Dr. McCullough provided an overview of the applications reviewed and actions taken by the committee since the last quarterly Board meeting. Dr. McCullough noted that a copy of the list of actions taken by the committee was included in the Board members' meeting folders.

- *Pending Licensure/Registration Applications, If Any – Will be Discussed under Agenda Item VIII*
- *Other Committee Recommendations, If Any*

There were no other recommendations from the committee.

#### DENTAL HYGIENE COMMITTEE REPORT

- *Pending Dental Hygiene Applications, If Any – Will be Discussed Under Agenda Item VIII*
- *Report RE: Actions Taken at Dental Hygiene Committee Meeting*

Ms. Kelly reported the Dental Hygiene Committee met earlier that morning.

Ms. Kelly indicated that the Dental Hygiene Committee received a request from a dental hygienist asking to be appointed as a CRDTS examiner. The Dental Hygiene Committee recommended the appointment of Ms. Enright as a dental hygiene examiner to CRDTS, and will proceed with that nomination.

Ms. Kelly stated that there was brief discussion about the expanded functions task force. Ms. Kelly stated that this would be discussed later in the meeting.

Ms. Kelly also reported that there was a brief discussion regarding the sealant program. Ms. Kelly stated that she would address the committee's comments later in the meeting.

- *Committee Recommendations, If Any*

#### DENTAL ASSISTANT REGISTRATION COMMITTEE REPORT

Dr. Fuller reported that Dr. North is the chairman of the committee. The committee has not met since the last meeting. Dr. Fuller stated that the committee is still interested in the addition of another dental assistant to the committee.

#### EXAMINATIONS REPORT

- *CRDTS – Dental Steering Committee Report*

Dr. Bradley reported that CRDTS has appointed an interim executive director.

Dr. Bradley asked which Board members have participated in the examinations for CRDTS. Dr. Bradley encouraged all of the Board members to participate with CRDTS.

- *CRDTS – Dental Hygiene Examination Review Committee Report*

Ms. Kelly had nothing to report. The committee is scheduled to meet in late June 2014.

- *CRDTS – Dental Examinations Review Committee Report*

Dr. Vargas had nothing to report.

### QUARTERLY IPRC REPORT

Mr. Sedars provided an overview of the current IPRC data.

### SKILLED CARE FACILITY TASK FORCE REPORT

Mr. McCollum stated that Dr. Kanellis was unable to attend the Board meeting. Dr. Kanellis did not have anything to report currently. The task force was scheduled to meet in May 2014.

### EDUCATIONAL STANDARDS FOR EXPANDED FUNCTIONS TRAINING TASK FORCE REPORT

Ms. Slach reported that the task force met in March. After reviewing, the expanded functions recommendations, the task force recommended dividing the expanded functions into two groups: level 1 and level 2. The newly proposed expanded functions would be included in level 2. There will be further discussion about this.

Ms. Slach reported that the task force also discussed the eligibility of participants to train in expanded functions. The task force proposed four criteria to be eligible for expanded functions training. Participants would need to qualify based on at least one of the proposed criterion.

1. Be a graduate of an ADA-accredited dental assisting program;
2. Have a minimum of one year of clinical practice as a registered dental assistant, or have a minimum of one year of clinical practice in a state that does not require registration;
3. Hold a current certification with DANB; or
4. Hold an active dental hygiene license in Iowa.

The task force also recommended that participants for training in level 2 expanded functions complete training in all level 1 expanded functions prior to beginning training in level 2 expanded functions. The intention is to make it easier for offices to determine which practitioners can perform certain services.

The task force recommended that the primary training in level 2 expanded functions be completed through the University of Iowa College of Dentistry. The university has stated that they will not develop the curriculum until the Board provides direction about how it intends to proceed.

Ms. Slach reported that the task force also recommended that expanded functions courses be resubmitted at least once every five years, or upon any changes of speakers or curriculum to maintain Board approval. If the course has not changed, the same information can be resubmitted; however, this gives the Board an opportunity to revisit the courses.

Ms. Slach reported that the task force reviewed a number of expanded functions courses. A list of the task force's recommendation was provided to the Board members.

Ms. Braness clarified that one request, from Dr. Scott Hansen, was not included on the list of recommendations from the committee. The request was received a few days before the task force met, and included very little information. The task force chose to table a decision on the request pending the receipt of additional information.

❖ **MOVED** by SLACH, **SECONDED** by KELLY, to approve the expanded functions courses as recommended by the task force.

Prior to the vote, Dr. Jeneary asked for clarification about what the motion covered. Ms. Braness explained that the motion was specifically limited to the task force's recommendations regarding the training requests for current expanded functions as submitted.

The vote was taken. Motion **APPROVED** unanimously.

Ms. Slach stated that the task force is tentatively scheduled to meet again on May 16, 2014. Mr. McCollum reported that the IDA has offered use of space in their facility if space is not available at the Board office.

Ms. Kelly asked about the suggested training requirements for dental hygienists. Dr. Fuller stated if the training for level 1 expanded functions is approved for dental assistants, the training should be required of dental hygienists in cases where training is not provided in dental hygiene school. Mr. McCollum stated that there will be further discussion about this.

## **V. ADMINISTRATIVE RULES/PETITION FOR RULE WAIVER**

- *Draft for Discussion – Proposed Amendments to Ch. 15, “Fees” (RE: Proposed Fee Increase)*

Mr. McCollum reported that the Budget Review Committee, after reviewing updated budget information, determined that it is unlikely that there will be a budget shortfall for FY2015. Therefore, the previously-proposed fee increase is no longer necessary. Board staff, who are familiar with the budget, agreed with the recommendation.

Mr. McCollum reminded everyone that these drafts were put together by Board staff and may not be representative of the final language that will be used as part of the rulemaking process. Interested parties had the opportunity to weigh in on these matters to provide some direction, and will be given additional opportunity to comment as these recommendations work their way through the rulemaking process.

- *Draft for Discussion – Proposed Amendments to Ch. 10, “General Requirements”; Ch. 20, “Dental Assistants”; Ch. 23 (new chapter), “Expanded Functions for Dental Auxiliaries” (RE: Current and Newly-Proposed Expanded Functions)*

Mr. McCollum reported that the discussion regarding the drafts of Iowa Administrative Code 650—Chapter 10, 20, and the newly proposed chapter 23 will be tabled at this time pending the receipt of additional information and comments from interested parties. The intent will be to include some of the recent comments and ensure consistency throughout the rules. The proposals will be put on the agenda for the next meeting of the Board. The updated drafts will again be forwarded to the interested parties for review and comment prior to the next meeting.

Ms. Kelly stated that one of the reasons for the delay is to take into consideration the duties, which dental hygienists are allowed to currently perform as part of the scope of practice. There is also some question about what training is standard in the educational programs.

Mr. McCollum stated that the information he received to date from some of the dental hygiene programs in Iowa indicated that a number of the expanded functions duties are not currently taught in the dental hygiene programs. There may be some reluctance to include those duties for dental hygienists without requiring additional training if these services are not taught as part of the dental hygiene curriculum. For those duties, the language needs to be revisited to address training requirements.

- *Draft for Discussion – Proposed Amendments to Ch. 29, “Sedation and Nitrous Oxide Inhalation Analgesia” (RE: Capnography and PALS/ACLS Certification)*

Mr. McCollum stated that the Anesthesia Credentials Committee recommended modifying the proposed language to require the use of capnography, or a precordial or pretracheal stethoscope for all moderate sedation permit holders. The updated language before the Board is a draft put together by staff that reflects the committee’s recommendation.

The Board can choose how to proceed on this portion alone, or the Board can come back to this at a later date. The Board can also determine when to require compliance with these changes should they be adopted. Mr. McCollum stated that the earliest date for requiring compliance would likely be January 1, 2015.

- ❖ **MOVED** by KELLY, **SECONDED** by VARGAS, to direct staff to draft language to start the rulemaking process based on the Anesthesia Credentials Committee’s recommendations to require the use of capnography, precordial stethoscope or pretracheal stethoscope for moderate sedation permit holders.

Dr. Bradley asked if there would be further discussion about this. Ms. Kelly and Mr. McCollum stated there will be additional opportunity to comment on the proposals.

Mr. Carl asked for clarification as to the specific motion.

Dr. Thies stated that, in his opinion, the Board was moving forward too quickly on this issue since the ADA has not established guidelines in this area. Dr. Thies stated that the ADA goes through a specific process prior to making recommendations, which includes the establishment of committee that would include academics, researchers, among others, who weigh in on a particular matter prior to making proposed guidelines. Dr. Thies recommended waiting until the ADA makes a recommendation in this area.

Dr. Vargas stated that the ADA guidelines on moderate sedation defer to the AAPD for monitoring, and supports the academy. Therefore, Dr. Vargas thinks that is unlikely that the ADA is unlikely to be the first to change the guidelines.

Ms. Kelly reminded everyone that this only starts the process, and there will be additional time to comment on this matter.

❖ The vote was taken. Motion APPROVED unanimously.

Mr. Carl stated that, historically, it is uncommon for the Board to make any changes to language, or withdraw a proposal after the Board files a Notice of Intended Action.

As a follow-up to Mr. Carl's comment, Ms. Kelly mentioned the proposed rules regarding expanded functions have gone through several phases, including having proposals withdrawn.

Ms. Slach stated that the Anesthesia Credentials Committee is basing this on research. Dr. Thies reported that he listened to the meeting; and felt that the members are making this decision based on personal opinion, more than research. Dr. Thies did not feel that the committee members have a sufficient background to make this kind of recommendation. Dr. Thies stated again that Iowa would be better served by waiting for the ADA to issue guidelines.

Ms. Slach asked Dr. Thies to clarify his position. Ms. Slach wondered what it was about the proposals with which Dr. Thies took issue. Dr. Thies stated that the Board, in his opinion, should not take any action without direction from the ADA.

Dr. Bradley recommended that the Board move on with this issue; and that it can be discussed further at a later date.

Mr. McCollum reported that there is another proposal to allow PALS certification in lieu of ACLS for the moderate sedation permit holders who sedate pediatric practices.

❖ MOVED by VARGAS, SECONDED by JENEARY, to draft language to start the rulemaking process for the proposed change to allow PALS certification in lieu of ACLS for those permit holders who sedate pediatric patients. Motion APPROVED unanimously.

## **VI. LEGISLATIVE UPDATE**

Dr. Bradley stated that the bill failed to move forward this year in response to the proposed changes in Iowa Code Chapter 147. The proposed bill would have changed the position of the executive

director to a non-merit, at-will position. The Board indicated that it intends to pursue this change next year.

## **VII. OTHER BUSINESS**

### AADB – GUIDELINES ON STANDARDS OF CONDUCT FOR STATE BOARDS AND BOARD MEMBERS

Mr. McCollum provided an overview of this agenda item. The mailing from the AADB was received shortly before the last meeting. At the request of two Board members, this has been forwarded for discussion.

Ms. Slach suggested that the Board look into putting something like this together as a resource for the Board members. Mr. McCollum reported that the Board already has a resource manual that is available to all Board members. Ms. Scott also stated that some of these concerns are addressed in Iowa law, and should be addressed during orientation. Ms. Scott reminded the Board members that Iowa law will supersede anything put together by the Board.

Ms. Scott recommended that if something were put together that it be not as extensive as this particular document. If the Board were to put a document like this together, Ms. Scott recommended that it be a simple code of ethics.

Ms. Slach and Ms. Elmitt stated that this kind of information can be very useful to Board members. Ms. Elmitt stated that orientation is important; however, there have been recent instances when sufficient orientation was not provided to the new Board members.

Ms. Scott stated that orientation is helpful, and might be a better way to address some of these items. Ms. Scott stated that there is a number of ways to address the issue of orientation, apart from a “full” orientation.

Dr. Bradley asked Ms. Scott about how to proceed. Ms. Scott stated that action is not required by the Board. However, it’s up to the Board members to decide how they wish to proceed. If it’s an orientation issue, Ms. Scott thinks that this could be addressed separately.

### PUBLIC HEALTH SUPERVISION – SEALANT PROGRAM

Mr. McCollum reported that Sue Hyland, R.D.H., who works in a sealant program, submitted a request asking the Board to consider allowing dental assistants to provide services under public health supervision agreements to provide assistance to dental hygienists working under public health supervision agreements.

Ms. Kelly reported that the Dental Hygiene Committee discussed this matter at its meeting earlier that morning, and thinks that there is some merit to the request. Some programs are using two dental hygienists working together to provide sealants, which is not cost effective. The Dental Hygiene Committee would like to see the Board consider rule changes to allow dental assistants, while under the supervision of a licensed dentist, to provide assistance to dental hygienists in public

health programs. The idea would be to have the dental assistants help with intraoral suctioning, passing instruments, and infection control, along with other similar services.

Ms. Kelly believes that there is some language in the practice act as far as general supervision, which addresses the services a dental assistant can provide, as well as addressing restrictions in regards to their scope of practice. Ms. Kelly would like to see this language used with programs to allow dental assistants to provide assistance to dental hygienists in public health settings.

Ms. Slach clarified that the committee's recommendation would only allow registered dental assistants to participate in these kinds of programs. Dental assistant trainees would not be allowed to participate in these settings.

Dr. Fuller stated that this matter should be referred to the Dental Assistant Registration Committee for further discussion. Ms. Kelly asked that the Educational Standards for Expanded Functions Training Task Force review this request as there is a dental hygienist on the task force. Additionally, the Dental Assistant Registration Committee members also serve on the expanded functions task force. Ms. Kelly acknowledged that this issue relates to dental assistants' scope of practice, and is not under the purview of the Dental Hygiene Committee. Since this could impact the practice of dental hygienists, Ms. Kelly would like a dental hygienist to have input in the discussion.

Following further discussion by the Board members, it was determined that the expanded functions task force was not the appropriate group to facilitate the review and discussion since this request did not apply to expanded functions.

Mr. McCollum clarified that this would require a rule change before dental assistants could provide assistance under public health supervision. Ms. Scott and Mr. McCollum stated that the rules would need to be changed to allow dental assistants to enter into public health supervision agreements, similar to what is required of dental hygienists currently working in those settings. To clarify, registered dental assistants, working in these settings, would need to enter into their own public health supervision agreements with Iowa-licensed dentists.

Mr. McCollum reported that Iowa Administrative Code 650—Chapter 20 and Chapter 22 allow registered dental assistants to assist with extraoral procedures, intraoral suctioning, and dental radiography under general supervision.

Ms. Jane Slach asked for clarification about what is allowed under general supervision in dental offices. Ms. Kelly clarified that supervision levels are different in dental offices since a dentist would have already examined the patients or would have provided prescribed the services. Ms. Jane Slach expressed her opinion that if the services are allowed in a dental office under general supervision, she thinks it is not unreasonable to allow these services in public health settings.

❖ MOVED by KELLY, to bring this back for further discussion and review. The motion died for lack of a second.

Ms. Scott agreed that this is a matter best addressed and reviewed by the Dental Assistant Registration Committee since the dentists are the ones, who will need to provide supervision in these settings.

- ❖ MOVED by KELLY, SECONDED by MCCULLOUGH, to refer this matter to the Dental Assistant Registration Committee for further review and discussion. Motion APPROVED unanimously.

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

### RATIFICATION OF ACTIONS TAKEN ON APPLICATIONS SINCE LAST MEETING

Mr. McCollum reported that the Board was provided an updated list of actions taken in response to applications for license, registration, qualification, and permit.

- ❖ MOVED by FULLER, SECONDED by VARGAS, to approve the list as submitted. Motion APPROVED unanimously.

### PENDING LICENSURE/REGISTRATION APPLICATIONS

- Amy D. Valquier, D.A. – Application for Registration/Qualification
- Ashley A. Ball, D.A. – Application for Registration
- Randi K. Larson, D.A. – Application for Registration/Qualification
- Isamar Sanchez, D.A. – Application for Registration/Qualification
- Madeline N. Kennedy, D.A. – Application for Registration/Qualification
- Catherine Reno, D.D.S. – Application for Reinstatement

These applications were discussed in closed session.

## **IX. 2<sup>nd</sup> OPPORTUNITY FOR PUBLIC COMMENT**

Dr. Bradley allowed the opportunity for public comment.

Mr. Carl thanked the Board members and staff for allowing interested parties the opportunity to provide comment and feedback on the proposed changes prior to the rulemaking process.

Ms. Cacioppo asked about the expanded functions courses and processes. Ms. Cacioppo asked for clarification if the Board approved the requests for review of the expanded functions courses. Ms. Braness stated that the Board approved the expanded functions courses as requested.

Ms. Cacioppo asked if these courses had been taught by Dr. Hal Harris. Ms. Braness reported that the course submissions from Dr. Tesene were developed by Dr. Harris; however, the other courses were developed by other licensees. Ms. Braness reported that all of the information pertaining to the courses was forwarded to the expanded functions task force for review and recommendation to the Board.

Ms. Cacioppo indicated that some of those courses had been forwarded to the Continuing Education Advisory Committee. Ms. Braness reported that the Board had previously directed the Continuing Education Advisory Committee to review these requests. The Continuing Education Advisory Committee declined to provide that level of review. Requests for expanded functions approval will now be routed to the expanded functions task force.

Ms. Cacioppo asked if the courses will come back to the Continuing Education Advisory Committee for review. Ms. Braness and Mr. McCollum stated that was a decision for the Board to make. Ms. Braness clarified that since the Board approved the courses, the Continuing Education Advisory Committee would not review the content of the courses; they would only make a recommendation regarding continuing education hours to be awarded should the Board direct the Continuing Education Advisory Committee to review these requests.

Dr. Purk asked for clarification about Dr. Vargas' earlier statements regarding the intent of the rule changes, and asked if these proposals were intended for those who do not always comply with the law. Dr. Vargas stated that these proposals were intended as an added safeguard. For those who comply with regulations, these proposed changes should not be burdensome. For those, who may be less vigilant, this may be another way to protect patients. Mr. McCollum stated that a lot of regulations are meant to address the small group with which problems may arise.

Dr. Purk inquired about the recent death in Hawaii. Dr. Purk asked if this was a case where oral sedation was used as opposed to the use of IV sedation. Dr. Purk thinks that the Board needs to look at the way in which the sedation is provided since that also affects outcomes. Oral sedation does not allow for titration. Dr. Purk is not certain that the proposed change will fully address those concerns.

Ms. Slach asked Dr. Purk about his preference in this matter. Dr. Purk recommended that there be no regulatory change; however, if the Board pursues these proposed changes, he asks that the Board allow the use of a precordial or pretracheal stethoscope in lieu of capnography.

Ms. Slach stated that the Board is not trying to over-regulate. The regulations also help to direct the Board if an adverse event occurs.

## **X. PRESENTATION**

- The Board took a brief recess at 11:54 a.m.
- The Board reconvened at 12:10 p.m.

Dr. Damiano thanked the Board for the opportunity to speak. Dr. Damiano is a faculty member at the University of Iowa College of Dentistry, and works with the Public Policy Center. Dr. Damiano stated that the intent of the policy center is not to advocate for certain policies; rather, the intent is to research and gather data. Dr. Damiano's presentation to the Board addressed changes related to the practice of dentistry as a result of the Affordable Care Act.

- The Board took a brief recess at 1:14 p.m.
- The Board reconvened at 1:21 p.m.

**XI. CLOSED SESSION**

- ❖ MOVED by MCCULLOUGH, SECONDED by JENEARY, for the Board to go into closed session at 1:21 p.m. on Thursday, April 10, 2014, pursuant to Iowa Code Sections 21.5(1)(a), (d) and (f) to discuss and review applications, complaints and investigative reports which are required by state law to be kept confidential and to discuss whether to initiate disciplinary investigations or proceedings.

<u>Member</u>	<u>Bradley</u>	<u>Elmitt</u>	<u>Fuller</u>	<u>Jeneary</u>	<u>Kelly</u>	<u>McCullough</u>	<u>Meier</u>	<u>Slach</u>	<u>Vargas</u>
Aye	x	x	x	x	x	x	x	x	x
Nay									
Absent									

Motion APPROVED by ROLL CALL.

- The Board went into closed session at 1:21 pm.

**XVI. OPEN SESSION**

- ❖ MOVED by KELLY, SECONDED by FULLER, to return to open session. Motion APPROVED unanimously.

- The Board reconvened in open session at 3:10 p.m. on April 10, 2014.

*1. Closed Session Minutes*

- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the closed session minutes for the January 30, 2014 quarterly meeting. Motion APPROVED unanimously.

*2. Disciplinary Orders*

- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the proposed Reinstatement Order in the Matter of Catherine P. Reno, D.D.S., file number 12-032. Motion APPROVED unanimously.

- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the proposed Notice of Hearing and Statement of Charges in the Matter of Paul R. Schultz, D.D.S., file numbers 10-087 and 13-0017. Motion APPROVED unanimously.

- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the proposed Notice of Hearing and Statement of Charges in the Matter of Cynthia D. Adams, Q.D.A., file number 13-0049. Motion APPROVED unanimously.

- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the proposed Combined Statement of Charges, Settlement Agreement and Final Order in the Matter of Misty Y. Ross, D.A., file number 13-0077. Motion APPROVED unanimously.

- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the proposed Settlement Agreement and Final Order in the Matter of Rebecca L. Westra, D.D.S., file numbers 12-144 and 12-145. Motion APPROVED unanimously.

3. *Final Action on Cases*

- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 11-046. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 12-006. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 12-094. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 12-096. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 12-152. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 13-0005. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 13-0036. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 13-0054. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 13-0055. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file numbers 13-0063 and 13-0088. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 14-0001. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 14-0003. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file numbers 14-0008 and 14-0011. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 14-0030. Motion APPROVED unanimously. Mary Kelly recused.

- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 13-0072. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 13-0011. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 14-0047. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 14-0048. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 13-006. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0002. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0009. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0014. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0016. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 14-0018. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0019. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0020. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0024. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0025. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0027. Motion APPROVED unanimously.

- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0026. Motion APPROVED unanimously.
  - ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 13-0083. Motion APPROVED unanimously.
  - ❖ MOVED by KELLY, SECONDED by SLACH, to close file number 12-095. Motion APPROVED unanimously.
  - ❖ MOVED by KELLY, SECONDED by SLACH, to keep open file number 13-0001. Motion APPROVED unanimously.
  - ❖ MOVED by KELLY, SECONDED by SLACH, to keep open file number 13-0085. Motion APPROVED unanimously.
  - ❖ MOVED by KELLY, SECONDED by SLACH, to keep open file number 14-0040. Motion APPROVED unanimously.
  - ❖ MOVED by KELLY, SECONDED by SLACH, to keep open file number 14-0041. Motion APPROVED unanimously.
  - ❖ MOVED by KELLY, SECONDED by SLACH, to keep open file number 14-0049. Motion APPROVED unanimously.
  - ❖ MOVED by MEIER, SECONDED by ELMITT, to close file number 14-0007. Motion APPROVED unanimously.
  - ❖ MOVED by MEIER, SECONDED by ELMITT, to close file number 13-0024. Motion APPROVED unanimously. Nancy Slach recused.
  - ❖ MOVED by MEIER, SECONDED by ELMITT, to close file number 13-0033. Motion APPROVED unanimously.
  - ❖ MOVED by MEIER, SECONDED by ELMITT, to close file number 13-0089. Motion APPROVED unanimously.
4. *Licensure/Registration Issues*
- ❖ MOVED by VARGAS, SECONDED by FULLER, to approve the issuance of a dental assistant registration and qualification to Amy D. Valquier, D.A., and to close file number 14-0042. Motion APPROVED unanimously.
  - ❖ MOVED by VARGAS, SECONDED by FULLER, to approve the issuance of a dental assistant registration and qualification to Ashley A. Ball, D.A., and to close file number 14-0043. Motion APPROVED unanimously.

- ❖ MOVED by VARGAS, SECONDED by FULLER, to approve the issuance of a dental assistant registration and qualification to Randi K. Larson, D.A., and to close file number 14-0044. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by FULLER, to approve the issuance of a dental assistant registration and qualification to Isamar Sanchez, D.A., and to close file number 14-0045. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by FULLER, to approve the issuance of a dental assistant registration and qualification to Madeline N. Kennedy, D.A., and to close file number 14-0046. Motion APPROVED unanimously.

5. *Other Closed Session Matters*

- ❖ MOVED by JENEARY, SECONDED by ELMITT, to keep open file number 10-115. Motion APPROVED unanimously.

**XVII. ADJOURN**

- ❖ MOVED by JENEARY, SECONDED by VARGAS, to adjourn the meeting. Motion APPROVED unanimously.

The meeting was adjourned at 3:31 p.m. on April 10, 2014.

**NEXT MEETING OF THE BOARD**

The next meeting of the Board is scheduled for July 31-August 1, 2014, in Des Moines, Iowa.

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