



STATE OF IOWA

IOWA DENTAL BOARD

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

PHIL MCCOLLUM
INTERIM DIRECTOR

IOWA DENTAL BOARD

MINUTES

July 31 - August 1, 2014

Conference Room

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

Des Moines, Iowa

Board Members

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

July 31, 2014

Staff Members

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

Attorney General's Office

Sara Scott, Assistant Attorney General

Other Attendees

Eileen Cacioppo, R.D.H., Iowa Dental Hygienists' Association
Nadine DeVoss, R.D.H., Iowa Dental Hygienists' Association
Lori Brown, R.D.H., Des Moines Area Community College, Iowa Dental Hygienists' Association
Carol Van Aernam, R.D.H., Iowa Dental Hygienists' Association
R. Bruce Cochrane, D.D.S., Iowa Dental Association
Matt Maggio, D.D.S., Iowa Dental Association
Jane Slach, R.D.A., Iowa Dental Assistants Association
Francisco Olalde, University of Iowa College of Dentistry, OSCEP UI CCOM
Jeannene Veenstra, R.D.A., Iowa Dental Assistants Association
Charlotte Eby, LS2 Group
Stephen Thies, D.D.S., Iowa Academy of General Dentistry
Larry Carl, Iowa Dental Association
Mark Markham, D.D.S.
Tom Cope, Iowa Dental Hygienists' Association

Masih Safabakhsh, D.D.S.
Natalya Onnen, R.D.H., I-Smile Coordinator

I. CALL TO ORDER FOR JULY 31, 2014

Dr. Bradley called the open session meeting of the Iowa Dental Board to order at 9:53 a.m. on Thursday, July 31, 2014. A quorum was established with eight 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
Absent						x			

II. 1st OPPORTUNITY FOR PUBLIC COMMENT

Dr. Bradley asked everyone to introduce themselves.

Dr. Bradley allowed the opportunity for public comment.

Ms. Onnen asked to speak about the school-based, public health sealant programs. Ms. Onnen encouraged the Board to consider allowing dental assistants to work in these programs.

Mr. Carl reported that the IMOM program is scheduled for Sept 26-27, 2014, in Waterloo, IA.

Mr. Cope thanked the Board for their work drafting rules related to the proposed changes to expanded functions. The IDHA has some concerns about the language used in the proposed changes to Iowa Administrative Code 650—23.3. Mr. Cope thought it was unnecessary to restate the scope of practice there. Mr. Cope stated that there were still some questions about the requirement for direct supervision in the proposed draft, which differs from what is currently allowed by rule.

III. COMMITTEE APPOINTMENTS

Dr. Bradley reported that a few of the committees were too large, which has created problems with establishing quorums. Dr. Bradley stated that he would like to reduce the size of some of these committees.

Dr. Bradley stated that the Continuing Education Advisory Committee and Anesthesia Credentials Committee would remain unchanged.

Mr. McCollum reported that the Iowa Practitioner Review Committee is looking for a psychiatrist to replace Dr. Greenfield, who is no longer serving on the committee. Mr. Sedars stated that the committee could benefit with the addition of more members. The Board may consider the addition of members to the IPRC at a later date.

Dr. Bradley chose to leave the Dental Assistant Registration Committee as currently established. Ms. Braness mentioned that the committee previously discussed adding another dental assistant as a member of the committee. Ms. Slach asked about the addition of a dental hygienist to the committee. Dr. Bradley stated that he would leave the committee as established for the time being, and may consider the addition of another dental assistant member at a later date.

Dr. Bradley indicated that the Licensure/Registration Committee and the Budget Review Committee would also remain as currently established.

The task forces has posed some difficulty due to their size. Dr. Fuller asked if a quorum is required for the task forces to meet. Ms. Scott stated that since the task forces are not established in Iowa Administrative Code, they can meet without a quorum; though, to meet without a quorum may raise some questions about the task force's authority if there is not a quorum. The recommendations may be less meaningful due to lack of participation.

The question becomes whether the Board would want to allow committees and task forces to meet without quorums. Mr. McCollum gave the example where a task force could meet with fewer than half the members. For a vote to pass, the vote only requires a simple majority of those in attendance. You could end up with recommendations coming out of the task force, which may not be representative of the whole task force. Best practice, in the past, has been to require a quorum.

Dr. Bradley reported that the entire Dental Assistant Registration Committee was appointed to serve on the Educational Standards for Expanded Functions Training Task Force. Due to the size of the task force, there have been difficulties scheduling meetings. To make the size of the task force more manageable, Dr. Bradley reorganized the composition of the task force. In lieu of the entire Dental Assistant Registration Committee serving on the task force, one member of the Dental Assistant Registration Committee would be appointed to serve on the Educational Standards for Expanded Functions Training Task Force. Dr. Jeneary volunteered to remain on the task force as a representative of the Dental Assistant Registration Committee. Ms. Braness asked for clarification as to who would be removed from the task force. Dr. North, Dr. Fuller, Ms. Meier and Ms. Bell would be removed from the task force. The other task force members will remain as originally appointed.

Mr. McCollum reported that the Skilled Care Task Force has not met recently. Mr. McCollum recommended following up with Dr. Kanellis about scheduling future meeting dates.

Dr. Bradley stated that he would continue to serve on the CRDTS Steering Committee. Dr. Bradley asked that Dr. Vargas and Ms. Kelly continue to serve on the CRDTS examination review committees.

Dr. Bradley recommended leaving the Ad Hoc Examination Committee as currently established.

- ❖ MOVED by JENEARY, SECONDED by KELLY, to update the committees and task forces as discussed. Motion APPROVED unanimously.

IV. APPROVAL OF OPEN SESSION MINUTES

- *April 10, 2014 Quarterly Meeting Minutes*
- ❖ MOVED by KELLY, SECONDED by ELMITT, to APPROVE the open session minutes as submitted. Motion APPROVED unanimously.
- *May 9, 2014 – Teleconference Meeting Minutes*
- ❖ MOVED by KELLY, SECONDED by VARGAS, to APPROVE the open session minutes as submitted. Motion APPROVED unanimously.

IV. REPORTS

EXECUTIVE DIRECTOR'S REPORT

Mr. McCollum reported that FY2014 closed on June 30, 2014. Payments for FY2014 will continue to be processed through August 31, 2014. Revenue was higher than projected. Expenditures were down, due, in large part, to the position of the executive director being vacant.

Mr. McCollum reported that the Board was half-way through the renewal season for dentists. To date, renewals appeared to be going smoothly. Nearly 1000 licensees had renewed, with approximately 1200 renewals remaining. Approximately 80% of renewals were submitted online.

Mr. McCollum reported that the small amount of negative feedback that Board staff received regarding the renewals process related to the state of Iowa's user account system. Once licensees reached the Board's online database, the problems were minimal.

Mr. McCollum reported that the search for a new executive was underway. During the initial application period, approximately 40 resumes were received at the Board office. The list of applicants provided by DAS-HRE did not match the information on file with the Board office. The hiring committee chose to repost the position to allow all interested candidates the opportunity to submit an application. The job will be posted for another two weeks. Applicants, who submitted resumes to the Board office and were not included on the list of applicants provided by DAS-HRE, would be contacted and asked to reapply for the position if still interested.

Ms. Braness provided a brief overview of budget and productivity data for the last several fiscal years to offer as a comparison. A copy of the information was provided in the Board members folders.

Ms. Slach asked if the new graduates were applying online. Ms. Braness stated that a large number were making use of the online system. Mr. McCollum reported that many applied in advance of graduation, allowing staff to issue many licenses very shortly after the receipt of documentation from the University of Iowa College of Dentistry documenting their graduation. Ms. Braness reported that she encouraged new graduates, when possible, to apply early so as to avoid delays later in the process. Many of the dental graduates were issued licenses within 2-3 weeks of

graduation, in cases where all documentation had been forwarded. In the last few years, it was not uncommon for licensing to take 2-3 months.

Dr. Cochrane inquired about the dental hygiene applicants. Ms. Braness reported that the applications for dental hygienists are also being processed more quickly. The difference in turnaround times between dental and dental hygiene applications is the difference in volume of applications between the two. There is a significantly higher number of dental hygiene applications. Though, turnaround times for dental hygiene applications have improved vastly over the past few years.

LEGAL REPORT

Ms. Scott reported on the Matter of Dr. Jay Buckley. The District Court has affirmed the Board's decision. To date, Dr. Buckley has not yet filed an appeal; though, Dr. Buckley still has time to file an appeal should he choose to do so.

Ms. Scott reported that the governor signed into law the Home Base Iowa Act. The law would require licensing boards to develop provisions to review training completed by veterans, and create pathways by which that training might be used for licensure in Iowa. Licenses would need to be expedited for veterans coming in from out of state. The Board could still deny licenses based on the current provisions for denial. If another state's licensing requirements were similar, a license would need to be issued. If not, the Board may need to look at issuing temporary or provisional licenses to allow the veteran time to meet the requirements for licensure in Iowa.

The legislation requires that the administrative rules be established. Procedures to implement the requirements of the Home Based Iowa Act must be in place by January 2015. The Board will likely need to address this at the next meeting of the Board.

Mr. Carl asked if the language would be standardized across the various licensing boards. Ms. Scott stated that the language would be similar since the Attorney General's office, in conjunction with the Governor's office, proposed language as a basis to start. Individual licensing boards may change the language slightly to address items related to their particular professions.

Mr. Carl asked if the rules would be filed on emergency basis. Ms. Scott was not sure; though, there could be a potential basis for emergency filing given the deadline to establish requirements.

Ms. Slach asked about training requirements. Ms. Scott stated that there are different sections: those who are not currently licensed, and those who are. The requirements would vary depending upon each scenario. The Board will need to make some assessments depending upon the details of the situation.

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 provided an overview of the committee's actions.

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.

Ms. Slach asked about the tobacco cessation courses and the recommendations to deny credit for the courses. Ms. Braness reported that the committee was concerned that the emphasis of the course was not appropriate to dentistry. The emphasis seemed to be more focused on diagnosis and treatment, as opposed to courses that focused on identification and referral as it relates to dentistry. The committee has indicated that it would reconsider the decision for credit should further information be submitted for review.

Ms. Kelly stated that at one of the previous meetings there was some discussion about public health courses and how the rules related to approval of those courses. Ms. Kelly asked that this be discussed further at a meeting of the committee.

❖ **MOVED** by ELMITT, **SECONDED** by KELLY, to **APPROVE** the committee's recommendations as submitted. Motion **APPROVED** unanimously.

- *Other Committee Recommendations, If Any*

BUDGET REVIEW COMMITTEE REPORT

- *Review of Quarterly IDB Financial Report*

Dr. Fuller reported that there was nothing to report at this time.

Mr. McCollum reported that the committee would be scheduled to meet a later date to review updated budget data after all payments from FY2014 are processed.

- *Other Committee Recommendations, If Any*

There were no other recommendations from the committee.

EXECUTIVE COMMITTEE REPORT

There was nothing to report.

LICENSURE/REGISTRATION COMMITTEE REPORT

- *Actions Taken by Committee on Applications*

Dr. Jeneary provided an overview of the applications reviewed and actions taken by the committee since the last quarterly Board meeting. Dr. Jeneary noted that a list of actions taken by the committee was included in the Board members' 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. The committee discussed the request to allow dental assistants to assist dental hygienists in public health settings. The Dental Hygiene Committee would ask that the Dental Assistant Registration Committee make this a priority for review and recommendation.

- *Committee Recommendations, If Any*

DENTAL ASSISTANT REGISTRATION COMMITTEE REPORT

Dr. Fuller reported that there was nothing to report.

EXAMINATIONS REPORT

- *CRDTS – Dental Steering Committee Report*

Dr. Bradley reported that California will be adding the CRDTS' dental hygiene examination next year. The state of California does not accept portfolio examinations. Ms. Kelly stated that she'd heard reports that California had abandoned the pilot project related to the portfolio examinations.

Dr. Bradley reported that the CRDTS' annual meeting is coming up in August 2014 in Kansas City, Missouri.

Dr. Bradley stated that there was some discussion about marijuana and how legalization of marijuana may impact licensing. CRDTS' recommendation was to treat marijuana use, in states where it's legal, the same as a DUI.

- *CRDTS – Dental Hygiene Examination Review Committee Report*

Ms. Kelly reported that some changes were made to the examination last year which resulted in more patients qualifying. Candidates sometimes have difficulty finding patients who qualify. Statistically, there were no changes as to the scoring and validity of the examination.

Iowa Western Community College has a remediation program for dental hygienists.

CRDTS is currently accepted in 41 states, of which 20 states are members. The rate of acceptance comes close to being considered a national examination. Among the states that accept ADEX, which some consider a national examination, there are different criteria for acceptance.

- *CRDTS – Dental Examinations Review Committee Report*

Dr. Vargas reported that CRDTS was in the news in Kansas recently as it related to a HIPAA violation. Dr. Vargas stated that CRDTS was not sure how this will be addressed.

Dr. Bradley reported that a temporary employee threw out patient records. Within the records, were plastic teeth and other models. The EPA questioned if the materials were a biohazard, though the primary concern was HIPAA violation.

QUARTERLY IPRC REPORT

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

SKILLED CARE FACILITY TASK FORCE REPORT

Mr. McCollum reported that the task force has not recently met.

EDUCATIONAL STANDARDS FOR EXPANDED FUNCTIONS TRAINING TASK FORCE REPORT

Mr. McCollum reported that the task force has not recently met.

V. ADMINISTRATIVE RULES/PETITION FOR RULE WAIVER

- *Notice of Intended Action – Proposed Amendments to Ch. 29, “Sedation and Nitrous Oxide Inhalation Analgesia”*

Mr. McCollum reported that the Board drafted a Notice of Intended Action for consideration. The proposed changes would allow PALS certification in lieu of ACLS, and require capnography or precordial/pretracheal stethoscopes for moderate sedation permit holders when providing sedation services. Mr. McCollum stated that no comments were received recently.

- ❖ **MOVED by KELLY, SECONDED by VARGAS, to APPROVE and file the Notice of Intended Action. Motion APPROVED unanimously.**

- *Draft for Discussion – Proposed Amendments to Ch. 20, “Dental Assistants”; Ch. 23 (new chapter), “Expanded Functions for Dental Auxiliaries”*

Mr. McCollum reported that comments were recently received regarding the proposed changes. The Iowa Dental Assistants Association indicated that they were in favor of the draft as written. The Iowa Dental Hygienists' Association expressed some concerns regarding the scope of practice and continuity throughout the rules. The Board may want to reconsider some of the language used.

The Iowa Dental Association expressed concerns with the proposed requirement regarding ‘level 2’ providers, and the need to complete training in all ‘level 1’ expanded functions prior to training in ‘level 2’ expanded functions. The placement and removal of periodontal dressings were given as examples of ‘level 1’ expanded functions, which may not be of use in all offices.

Mr. Carl expressed some hope that the intention of the Board would be to consider approving a Notice of Intended Action at the next meeting to avoid further delays. Mr. McCollum is open to this suggestion; however, he would prefer to wait until there is better consensus about the proposed changes.

- ❖ MOVED by KELLY, SECONDED by MEIER, to table this discussion until the related committees can meet and discuss this further to better address the proposals. Motion APPROVED unanimously.

Mr. McCollum stated that he would do what he can to keep this issue moving forward.

- *For Discussion – 650—27.11, “Record Keeping”*

Mr. McCollum reported that the Board regularly receives a lot of questions about record keeping. In particular, the questions seem to focus on record retention, as well as questions about what must be saved as part of the patient record. Board staff have typically recommended that the patient record should include everything related to the treatment of the patient.

Ms. Kelly referenced Iowa Administrative Code 650—27.11(1), which states what needs to be included in the patient record. Mr. McCollum agreed; however, he wanted to know if the Board would prefer to keep the requirements the same, or propose changes to the record keeping requirements. One of the big questions regarding retention relates to the retention of study models and casts.

Dr. Vargas stated that her understanding is that the American Association of Orthodontists recommends keeping records for 6 years from the date that treatment is completed. Dr. Vargas stated that this recommendation for retention makes more sense for cases where treatment options are limited.

- ❖ MOVED by VARGAS, SECONDED by JENEARY, to recommend a rule change to require the retention of study models and casts for 6 years following the date that treatment is completed. Motion APPROVED unanimously.

Mr. McCollum stated that he will provide a draft for discussion at the next meeting.

- *Request for Rule Waiver – Ryan Hussong, D.D.S. – IAC 650—29.5(1)*

Ms. Braness provided an overview of the request. Dr. Hussong is asking for a rule waiver to allow a licensed anesthesiologist to come into his office to provide sedation at his facility.

Dr. Bradley asked Board staff for their input on this request. Board staff stated that the facility requirements would still need to be met; however, the dentist would not need to be trained in sedation, or obtain a permit to provide sedation services at the facility. Mr. McCollum reported that, historically, the Board has still required practitioners, who have had sedation requirements waived, to maintain an adequately equipped facility; though, they would not be required to be trained in the use of the equipment.

Dr. Vargas recommended that dentists be somewhat familiar with the medications in the event of a complication.

Mr. McCollum reported that at least one other waiver request of this nature had been approved by the Board.

- ❖ MOVED by KELLY, SECONDED by VARGAS, to APPROVE the waiver as requested. Motion APPROVED unanimously.

VI. LEGISLATIVE UPDATE

Dr. Bradley reported that there is nothing to report at this time.

Mr. McCollum reported that the Board will again pursue legislative change related to the position of the executive director.

VII. OTHER BUSINESS

MEETING DATES

If the members need more time to review the proposed meeting dates, the Board can revisit this discussion in open session after closed session.

REQUEST FOR APPROVAL – MOBILE DENTAL BUSINESS

Mr. McCollum reported that this request was withdrawn prior to the meeting.

FOR DISCUSSION – CORPORATE DENTISTRY

Mr. McCollum reported that the Iowa Dental Association wished to make a report to the Board on a few of the items listed on the agenda.

Dr. Bruce Cochrane, Iowa Dental Association (IDA) and former board member, asked to speak on a few matters.

Over time, Dr. Cochrane reported that his intention is to give back and allow others to provide volunteer services to the community. The IDA would like to address some issues related to that.

Dr. Cochrane reported that the Iowa Dental Association has four issues that are a priority:

1. Expanded functions: the IDA will work with the Board to address these proposals as it works its way through the rulemaking process.
2. Executive Director of the Iowa Dental Board: Dr. Cochrane agreed with the Board's recommendation to make this an at-will position. The Iowa Dental Association offered to make available their legal staff and lobbyists to help the Board pursue these changes. The members of the Iowa Dental Association are willing to testify before the legislature as needed.
3. Corporate Dentistry: The Iowa Dental Association would recommend that the Board find a way to address some of the issues related to corporate, out-of-state ownership of dental practices. The Iowa Dental Association has drafted language, which, if passed into law, would allow the Board to regulate corporate practices, and allow the Board to better address concerns related to the corporate practice of dentistry. The language is fairly simple: dental corporations, which are owned by licensees or other organizations not licensed in Iowa, would be required to register their dental corporation with the Iowa Dental Board. The Iowa Dental Association is willing to work with the Board on finalizing the proposed language for consideration. The Iowa Dental Association will provide their services to the Board as needed. If the Board is in disagreement, the Iowa Dental Association may pursue the legislative changes on their own.
4. Retired dental license – Dr. Cochrane will address this topic a little later in the meeting.

Current law gives the Iowa Dental Board authority over Iowa-licensed dentists, dental hygienists and assistants. In cases where a dental practice is owned and operated by an Iowa licensee, the Board has authority to take action when necessary to ensure safety to the public. If the corporation is owned by an individual or organization from out of state, wherein there is no Iowa-licensee owner, the Board has little jurisdiction and authority over non-licensees, and may be unable to take action as may be required as to adequately protect the public. The proposal would require corporations, wherein an Iowa-licensee is not an owner/operator, register with the Iowa Dental Board. The Iowa Dental Association thought that this would be a good starting point; however, they are open to suggestions on this matter.

Mr. McCollum stated that the Board welcomed the opportunity to work with the Iowa Dental Association on this.

Dr. Mark Markham reported that he currently works for Midwest Dental, a corporate practice based, whose headquarters are in Wisconsin. Dr. Markham stated he sold his practice, reluctantly, due to health issues, at his wife's request. A number of practitioners and corporate practices looked at purchasing his practice. Iowa Dental Supply and Patterson Dental recommended that he consider Midwest Dental.

Midwest Dental has indicated that they want to address concerns proactively, rather than reactively. Dr. Markham has been made an owner at his location to address some of the concerns, which the Board may have in response to the corporate practice of dentistry. Dr. Markham stated that he enjoys working at his practice, and is allowed control over the management of his practice. Dr. Markham cannot speak about other corporate practices, such as Aspen Dental; however, he understands some of the concerns about some of them. Dr. Markham stated that the Midwest Dental corporate office has been good about ensuring compliance with Iowa regulations.

Dr. Cochrane stated that the issue of corporate dentistry is not going to go away; however, he hopes that the proposed legislation would address some of the concerns related to these types of practices.

TEMPORARY PERMITS FOR RETIRED DENTISTS

Dr. Cochrane reported that Mr. McCollum was provided draft language regarding the Iowa Dental Association's proposed legislation to allow volunteer permits for retired dentists. The proposed legislation will be introduced in the upcoming legislative session. Dr. Cochrane stated that the Board agreed to look into this matter five (5) years ago. Since that time, the Board has not yet made any recommendations concerning this matter. Dr. Cochrane reported that the Iowa Dental Association is committed to this, and will seek legislative action in the upcoming session; however, they would like to work with the Board on this matter if possible.

Dr. Cochrane expressed his disagreement related to some of the arguments against the use of retired dentists as volunteers. Dr. Cochrane believes that the licensees can, and will, monitor themselves to address concerns as needed. Dr. Cochrane stated that there is a need to allow these individuals to provide volunteer services to those in need. There is a desire among the older dentists to assist populations, who do not have regular access to dental care.

Dr. Bradley stated that he would like to work with the Iowa Dental Association on this matter, but recommended limiting the services, which retired practitioners be allowed to provide. Dr. Bradley recommended limiting the services to those that would be reversible. Dr. Cochrane disagreed with this proposal.

Mr. McCollum stated the he looked forward to working with the Iowa Dental Association to find a solution, which addresses everyone's concerns. Dr. Cochrane welcomed the Board's assistance; however, Dr. Cochrane stated that the Iowa Dental Association was committed to moving forward with legislation.

Ms. Kelly asked Dr. Cochrane if there was information about what each state requires for volunteer licenses.

Ms. Cacioppo asked Dr. Cochrane about the corporate dental practice issue as it related to companies, who are offering their service to care facilities. Mr. Carl stated that the draft legislation would address those concerns as well.

Mr. Carl reported that he was contacted by the Iowa Association of Oral and Maxillofacial Surgeons and asked to share some concerns. The IAOMS has concerns about itinerant surgeons,

who move around the state in the course of the practice. In some cases, practitioners are providing services and then leaving the area after the services have been provided, leaving patients with few options regarding potential follow-up. Follow-up is lacking in these situations, and often falls on local practitioners to provide post-operative care. Sometimes, the post-operative needs exceed the capabilities of local practitioners. There are questions about safety, quality of care, requirements for sedation, staff requirements, and continuity of care. The IAOMS would like to work with the Board to address these concerns.

Ms. Braness and Mr. McCollum reported that they saw a copy of the email earlier that morning. Due to the time it was received, it could not be added for consideration at this meeting. Mr. McCollum indicated that this item will be scheduled for consideration at the next Board meeting.

REQUEST FOR CONTINUING EDUCATION FOR VOLUNTEER PROVIDERS

Ms. Braness provided an overview of the request. A charity organization in Belize has asked the Board to consider allowing continuing education credit for volunteer providers. In the past, they worked with an Iowa-licensee, who provided volunteer services, who had been unable to claim continuing education credit for his work there.

Ms. Braness reported that the Board periodically receives requests for continuing education credit for volunteer services. Historically, the Board has responded that volunteer work, while admirable, does not necessarily advance the education or training of the participants. Therefore, continuing education credit could not be awarded pursuant to Iowa Administrative Code 650—Chapter 25.

Mr. McCollum stated that the Board may want to direct staff to provide a standard response, unless they want to revisit this topic each time a request is received.

Ms. Slach inquired about Board responses provided in the past. Ms. Braness clarified that Iowa Administrative Code 650—Chapter 25 does not allow continuing education credit for volunteer work. The other concern is the intent of continuing education, which is to further the dental education and knowledge of dental practitioners. While admirable, volunteer work alone does not meet this intent.

- ❖ **MOVED** by VARGAS, **SECONDED** by KELLY, to **DENY** the request due to the current regulations pertaining to continuing education eligibility, as stipulated in Iowa Administrative Code 650—Chapter 25. The letter should clarify that volunteer work does not meet the intent of continuing education as established in the rules.

Ms. Kelly asked how the Board may want to address this if they were to consider some of these unique situations, which occur during volunteer settings, as educational opportunities. Ms. Kelly reported that some other states allow a limited number of continuing education credit for volunteer work.

Ms. Braness clarified that a change to the administrative code would be needed before continuing education credit could be awarded for volunteer work. The Board could pursue rulemaking if they want to consider offering continuing education hours for volunteer work.

Dr. Vargas stated that volunteering is commendable; however, continuing education hours are intended to better their dental knowledge and learn new concepts. The intent of volunteer work is not to hone clinical skills or increase dental knowledge.

Ms. Slach asked about incorporating continuing education into the volunteer programs. If continuing education were built into the volunteer events, that would be a way for participants to get continuing education credit while offering their services to those in need. Ms. Slach suggested including some of these suggestions into the standard response provided in response to these requests. Ms. Braness stated that this information could be included.

Ms. Veenstra, IDAA, reported that some of these practitioners are going to third-world countries, where there may be more opportunity to learn more than in volunteer settings in first-world countries. Ms. Slach did not disagree with Ms. Veenstra; however, she did not feel that it does not rise to the threshold of advancing dental education. Dr. Vargas responded by saying that she from a third-world country and did her 4th year in a rural area. While some of these cases are interesting, they do not necessarily equate to education as intended. Dr. Vargas agreed that if a continuing education component is built into the volunteer services, or if the provider were to come back and teach what they learned, it could be eligible for hours pursuant to the rules.

Ms. Brown, DMACC, inquired about a situation where a practitioner might come back and write about their experiences. Ms. Braness stated that there is a provision in the rules to allow continuing education credit for publication of articles published in journals related to dentistry.

An amendment was made to the motion to include ideas about how continuing education hours could be earned in conjunction with volunteer work.

- ❖ **MOVED** by VARGAS, **SECONDED** by KELLY, to **DENY** the request due to the current regulations pertaining to continuing education eligibility, as stipulated in Iowa Administrative Code 650—Chapter 25. The letter should clarify that volunteer work does not meet the intent of continuing education as currently established in the administrative code, and provide some examples about how continuing education hours may be earned under the current rules, or incorporated into volunteer settings. Motion **APPROVED** unanimously.

PUBLIC HEALTH SUPERVISION

Ms. Braness reported that the CY2013 numbers were provided by Iowa Department of Public Health. No action is required.

VIII. APPLICATIONS FOR LICENSURE/REGISTRATION & OTHER REQUESTS

RATIFICATION OF ACTIONS TAKEN ON APPLICATIONS SINCE LAST MEETING

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

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

PENDING LICENSURE/REGISTRATION APPLICATIONS

- *Masih Safabakhsh, D.D.S. – Request for Reinstatement*

This application was discussed in closed session.

IX. 2nd OPPORTUNITY FOR PUBLIC COMMENT

Dr. Bradley allowed the opportunity for public comment.

Ms. Veenstra reported that dental assistants do not have representation on the Board. The Dental Assistant Registration Committee was established to provide dental assistants representation. Ms. Veenstra requested that the Board strongly consider the addition of another dental assistant to the Dental Assistant Registration Committee. Dr. Bradley stated the he will take this under advisement.

XI. CLOSED SESSION

- ❖ MOVED by KELLY, SECONDED by ELMITT, for the Board to go into closed session at 11:37 a.m. on Thursday, July 31, 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
Nay									
Absent						x			

Motion APPROVED by ROLL CALL.

- The Board went into closed session at 11:37 a.m.
- The Board took a brief recess at 11:37 a.m.
- The Board reconvened at 12:00 p.m.

XVI. OPEN SESSION

- ❖ MOVED by ELMITT, SECONDED by VARGAS, to return to open session. Motion APPROVED unanimously.
- The Board reconvened in open session at 4:15 p.m. on July 31, 2014.

1. Closed Session Minutes

- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the closed session minutes for the April 10, 2014 quarterly meeting. Motion APPROVED unanimously.

2. *Disciplinary Orders*

- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the proposed Combined Statement of Charges, Settlement Agreement and Final Order in the Matter of Bethany L. Loso, R.D.A., file number 13-0054. Motion APPROVED unanimously. Dr. Vargas recused.
- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the proposed Combined Statement of Charges, Settlement Agreement and Final Order in the Matter of Frederick K. Cheung, D.D.S., file number 13-0055. Motion APPROVED unanimously. Dr. Vargas recused.
- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the proposed Combined Statement of Charges, Settlement Agreement and Final Order in the Matter of Connie R. Irwin, R.D.A., file number 14-0048. Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by SLACH, to approve the proposed Combined Statement of Charges, Settlement Agreement and Final Order in the Matter of Robin M. Kehrli, R.D.H., file number 13-0085. Motion APPROVED unanimously.

3. *Compliance with Disciplinary Orders*

- ❖ MOVED by JENEARY, SECONDED by ELMITT, to approve the proposed courses for remediation in the Matter of Gene V. Mueller, D.D.S., file number 10-115. Motion APPROVED unanimously.
- ❖ MOVED by JENEARY, SECONDED by ELMITT, to approve the proposed course for remediation, approve practice monitor, and approve Reinstatement Application in the Matter of Masih Safabakhsh, D.D.S., file number 10-059. Motion APPROVED unanimously.

4. *Final Action on Cases*

- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 13-021. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 13-0065. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 13-0066. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 13-0081. Motion APPROVED unanimously.

- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 13-0087. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 13-0090. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 14-0018. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 14-0023. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 13-0035.
 - Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 14-0054. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 14-0057.
 - Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 14-0058.
 - Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 14-0060. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 14-0075.
 - Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 14-0088.
 - Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 14-0090.
 - Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 14-0097. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to close file number 14-0098. Motion APPROVED unanimously.
- ❖ MOVED by MCCULLOUGH, SECONDED by FULLER, to keep open file number 12-128. Motion APPROVED unanimously.

- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 13-028.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0021.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0022.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 14-0028.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0029.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0031.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0032.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0033.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0034.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 14-0036.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0037.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0038.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 13-0039.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0050.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0051.
Motion APPROVED unanimously.

- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0052.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0053.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 14-0055.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0056.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0059.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 14-0061.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0062.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0064.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0066.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0067.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0069.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0071.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0072.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0073.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0074.
Motion APPROVED unanimously.

- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0076.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 14-0079.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 14-0081.
Motion APPROVED unanimously. Mary Kelly recused.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0082.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0083.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0084.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 14-0087.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 14-0089.
Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 14-0047.
Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by SLACH, to close file number 13-0073. 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 KELLY SECONDED by SLACH, to close file number 14-0063. Motion
APPROVED unanimously.
- ❖ MOVED by KELLY SECONDED by SLACH, to close file number 14-0091. Motion
APPROVED unanimously.

- ❖ MOVED by KELLY SECONDED by SLACH, to close file number 14-0092. Motion APPROVED unanimously.
- ❖ MOVED by KELLY SECONDED by SLACH, to close file number 14-0093. Motion APPROVED unanimously.
- ❖ MOVED by KELLY SECONDED by SLACH, to close file number 14-0099. Motion APPROVED unanimously.
- ❖ MOVED by JENEARY, SECONDED by ELMITT, to close file number 14-0026. Motion APPROVED unanimously.
- ❖ MOVED by JENEARY, SECONDED by ELMITT, to close file number 14-0078. Motion APPROVED unanimously.
- ❖ MOVED by JENEARY, SECONDED by ELMITT, to keep open file number 14-0100. Motion APPROVED unanimously.

5. *Licensure/Registration Issues*

- ❖ MOVED by VARGAS, SECONDED by FULLER, to approve the issuance of a dental license to Ames C. Cross, D.D.S., and to close file number 14-0094. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by FULLER, to approve the issuance of a dental license to Thao Kieu, D.D.S., and to close file number 14-0095. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by FULLER, to approve the issuance of a dental license to Michael Mehloff, D.D.S., and to close file number 14-0096. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by FULLER, to approve the issuance of a dental license to Joseph Engel, D.D.S., and to close file number 14-0101. Motion APPROVED unanimously.

XVII. ADJOURN

- The Board took a recess at 4:45 p.m. on July 31, 2014.
- The Board reconvened in open session at 8:35 a.m. on August 1, 2014.

The hearing in the Matter of Cynthia D. Adams, R.D.A. was continued. It was reported that Ms. Adams asked that the hearing be rescheduled to a Friday since she is not scheduled to work on Fridays.

The Board scheduled the 2015 meeting dates as follows:

- January 22-23, 2015
 - April 23-24, 2015
 - May 14, 2015 (teleconference)
 - July 23-24, 2015
 - October 22-23, 2015
- ❖ MOVED by JENEARY, SECONDED by VARGAS to approve the 2015 dates as proposed. Motion APPROVED unanimously.
- ❖ MOVED by FULLER, SECONDED by KELLY, to approve the proposed Reinstatement Order in the Matter of Masih Safabakhsh, D.D.S., file number 10-059. Motion APPROVED unanimously.
- ❖ MOVED by FULLER, SECONDED by VARGAS to adjourn the meeting. Motion APPROVED unanimously.

The meeting was adjourned at 8:46 a.m. on August 1, 2014.

NEXT MEETING OF THE BOARD

The next meeting of the Board is scheduled for October 16-17, 2014, in Des Moines, Iowa.

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