



STATE OF IOWA

IOWA DENTAL BOARD

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

JILL STUECKER
EXECUTIVE DIRECTOR

IOWA DENTAL BOARD

MINUTES

February 25, 2015
Conference Room
400 S.W. 8th 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

February 25, 2015

Present
Present
Present
Present
Absent
Present
Absent
Present
Present

Staff Members

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

Attorney General's Office

Sara Scott, Assistant Attorney General

I. CALL TO ORDER FOR FEBRUARY 25, 2015

Ms. Stuecker called the open session meeting of the Iowa Dental Board to order at 12:32 p.m. on Wednesday, February 25, 2015. The meeting was held by electronic means in compliance with Iowa Code Section 21.8. The purpose of the meeting was conduct time-sensitive Board business. It was impractical to meet in person with such a short agenda and on such short notice. A quorum was established with seven (7) 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	
Absent						x			x

II. 1st OPPORTUNITY FOR PUBLIC COMMENT

Ms. Stuecker asked that the public members participating in the teleconference introduce themselves.

Ms. Stuecker allowed the opportunity for public comment.

Mr. Cope stated that he was pleased to see the Board moving forward on the public health supervision rules as they relate to dental assistants. Mr. Cope stated that the items listed in Iowa Administrative Code 650—20.16(2)b(3), (4), and (5) should not be included in the final version of the proposed rules. Mr. Cope believed that those duties should be completed by the dental hygienists.

III. DECISION AND ORDER: IN THE MATTER OF LISA M. KUCERA, CASE No. 14-0041

❖ MOVED by BRADLEY, SECONDED by FULLER, to APPROVE the order as drafted.

Member	<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>
Yes	x	x	x	x			x		
No					x			x	
Absent						x			x

Motion APPROVED by roll call, 5-2.

IV. ADMINISTRATIVE RULES

- Iowa Administrative Code 650—Chapter 1, “*Definitions*”

Ms. Stuecker provided an overview of this request. At the January 2015 meeting of the Board, staff was instructed to draft proposed rule amendments relating to dental assistants. The proposed rulemaking for Iowa Administrative Code 650—Chapter 1 would update the definition of “general supervision of a dental assistant” to more closely match the definition for “general supervision” provided in Iowa Administrative Code 650—Chapter 20.

Mr. McCollum reported that if the Notice of Intended Action were approved, it would start the rulemaking process. There would be time for public comment. Mr. McCollum stated that this may not be the final version adopted by the Board, and that this was not a final document. Should the Board make any changes to Iowa Administrative Code 650—Chapter 20, Iowa Administrative Code 650—Chapter 1 would be updated to reflect those changes as needed.

Ms. Stuecker reported on the proposed change in language for Iowa Administrative Code 650—Chapter 1.

❖ MOVED by BRADLEY, SECONDED by JENEARY, to APPROVE the Notice of Intended Action as drafted. Motion APPROVED unanimously.

- Iowa Administrative Code 650—Chapter 20, “*Dental Assistants*”

Mr. McCollum provided an overview of the proposed changes. Mr. McCollum explained that the proposed changes in language to supervision requirements were not changes to the requirements for general supervision of dental assistants; rather, the changes were intended to make clearer the current supervision requirements. Mr. McCollum reported that the proposed changes also included the addition of permissible services, which could be performed under general supervision; increased the number of expanded functions procedures that could be delegated to registered dental assistants; and addressed education and training requirements for those procedures. Mr. McCollum also reported that the proposed changes would allow dental assistants to work under public health supervision.

Mr. McCollum indicated that there was discussion at the last Board meeting regarding the training of level 2 expanded functions. The Board proposed limiting training in level 2 expanded functions to the University of Iowa College of Dentistry. The draft proposal included language allowing level 2 expanded functions training at the University of Iowa College of Dentistry or other CODA-approved programs. Mr. McCollum explained that all expanded functions training would require pre-approval by the Board. This would allow the expansion of level 2 expanded functions training in the future, if appropriate.

- ❖ MOVED by BRADLEY, SECONDED by JENEARY, to APPROVE the Notice of Intended Action as drafted. Motion APPROVED unanimously.

V. OTHER BUSINESS

EXPANDED FUNCTIONS COURSE APPROVAL

Ms. Braness indicated that due to time constraints discussion on these expanded functions course requests would be limited. If necessary, these items would be tabled until the April 2015 Board meeting in the event more thorough discussion would be required.

- *Lifepoint Dental*

Ms. Braness provided an overview of the request. Lifepoint Dental has requested approval of all nine (9) current expanded functions. The course materials were forwarded the expanded functions task force for review and recommendation.

Ms. Braness reported that, to date, three (3) of seven (7) task force members had responded. All three (3) indicated approval for the course as submitted, with a few points of clarification about current regulations.

Ms. Slach stated that she would prefer to have the entire task force meet to further review the requests. Ms. Slach reported that she had further reviewed both expanded functions courses, and had some suggestions for changes. Ms. Slach preferred to speak about these concerns with the entire task force prior to making a decision. Dr. Bradley agreed.

Ms. Slach suggested that the task meet prior to the April 2015 meeting. Ms. Meier agreed that this was a good idea.

Ms. Elmitt asked what the proposed timeline would be for approval. Ms. Elmitt was aware that there was a lack of expanded courses functions available, and the sponsors of the requested training were awaiting approval.

Ms. Slach stated there are some problems with the courses as far as the details of the requests. Ms. Elmitt asked if there were concerns with both requests. Ms. Braness stated that the Board was currently discussing the request from Lifepoint Dental. Ms. Kelly asked Ms. Slach if she had concerns with the Lifepoint Dental request. Ms. Slach stated that she had concerns with both courses. Ms. Slach indicated that it would take too long to address each of her concerns at this time. Ms. Slach stated that it would be better for the task force to do the committee work and to come back to the Board with a recommendation.

- ❖ MOVED by JENEARY, SECONDED by BRADLEY, to table a decision until the task force is able to meet and further discuss these requests as proposed. Motion APPROVED unanimously.

- *Impact Dental Training*

Ms. Braness provided an overview of the request. Impact Dental Training has requested approval of all nine (9) current expanded functions. The course materials were forwarded the expanded functions task force for review and recommendation.

Ms. Braness reported that four (4) of the seven (7) task force members responded, recommending approval of the course. The other task force members had not responded to date.

Dr. Fuller asked who Impact Dental Training is. Ms. Braness reported that Alan Swett, D.D.S. and Lisa Swett, R.D.H. founded Impact Dental Training to provide continuing education courses. Impact Dental Training has expanded their coursework to include training in expanded functions if the request were approved by the Board.

Ms. Slach stated that this request was entirely didactic, and did not include a lab component. The proposed laboratory training would be done in the private dentists' offices. Ms. Slach believed that the task force needed to discuss this further since she believed that the intent of the rules was to include both clinical and laboratory training in order to be approved. Ms. Slach recommended tabling the discussion for further review by the task force.

- ❖ MOVED by SLACH, SECONDED by BRADLEY, to table the decision pending further review by the expanded functions task force. Motion APPROVED unanimously. Ms. Elmitt abstained.

Ms. Elmitt asked about the potential timeline. Ms. Braness stated that she would reach out to the task force members with the intent to schedule a meeting in March, if possible.

LANCE FORBES, D.D.S. – APPROVAL FOR PRESCRIBING COURSE

Mr. Sedars provided an overview of the request. Dr. Forbes submitted a course for review and approval by the Board as required by the January 2015 order issued to him by the Board. Mr. Sedars believed that the course was presented by Boston University.

- ❖ MOVED by BRADLEY, SECONDED by JENEARY, to APPROVE the course as submitted.

Ms. Slach asked if there was a request from Dr. Forbes asking to have some of the testing requirements waived. Mr. Sedars stated that a request has not been received to date; though, the Board may see such a request at a later date.

- Vote taken. Motion APPROVED unanimously.

UPDATE ON SENATE FILE 200 – “A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND DUTIES OF THE EXECUTIVE DIRECTOR OF THE DENTAL BOARD.”

Ms. Stuecker stated that the bill passed in the Senate on February 24, 2015. The bill passed 49-0. The bill will be moving over to the House of Representatives, and will start at the subcommittee level.

Ms. Stuecker reported that she has heard that there may be some resistance to the bill in the House of Representatives, particularly from Representative Linda Miller. Ms. Stuecker will continue to follow up with Representative Miller on this matter. Ms. Stuecker stated that the proposed bill made sense since it would make the position of the executive director of the Dental Board consistent with the Boards of Medicine and Nursing. Ms. Stuecker has referenced the statutory language with respect to the Boards of Medicine and Nursing.

Ms. Stuecker asked that the Board members who had an interest in contacting the committee members to let her know. Dr. Bradley asked Ms. Stuecker to provide the Board members with a list of the committee members. Ms. Stuecker stated that she would forward that information.

Ms. Stuecker reported that the proposed legislation from the previous year died in the House of Representatives as well.

Dr. Bradley reported having met with Representative Miller numerous times last year after the bill was voted down. Dr. Bradley reported that he intended to meet with Representative Miller the next week.

UPDATE ON SENATE FILE 202 – “A BILL RELATED TO LICENSURE OF RETIRED VOLUNTEER DENTISTS AND DENTAL HYGIENISTS.”

Ms. Stuecker reported that the bill has passed in the House of Representatives. The bill is pending in a Senate subcommittee.

Ms. Stuecker reported that Mr. McCollum inquired about a quote from the database vendor to implement and manage the proposed license type should the bill be signed into law. The estimate to implement these changes was \$90,000. Ms. Stuecker reported that the Board could not absorb this cost without discussing fee increases in the future. Should the bill be signed into law, which is likely, this license type may be managed on paper or with minimal changes to the current database. This is not an ideal solution; however, the Board has agreed to do this.

Ms. Stuecker stated that the Board will need to keep an eye on the number of licensees who may transition over to the retired volunteer license, since there would be an impact on the revenue of the Board. Mr. Stuecker and Mr. McCollum ran some quick numbers to provide an estimate of the impact on revenue. If 10% of all dentists and dental hygienists over the age of 65 switched over to a retired volunteer license, the Board's revenue would decrease by \$9,000 over a two-year period. If 20% of licensees over the age of 65 switched over to retired volunteer license, the two-year impact would be a decrease of \$18,000. The participation in this program will need to be closely monitored to see what the short term and long term impacts are.

Ms. Kelly asked if the Board has registered support for the legislation. Ms. Stuecker stated that the Board had not registered support or opposition to the proposed legislation. Dr. Bradley stated that the Board ought to support this.

Ms. Braness reported that a motion of the Board, made during a Board meeting in October 2014, stated that Board would only register legislative support if specific language was used in the proposed legislation. Ms. Braness stated that the Board could change their position on this; however, she wanted to reference the earlier motion in case that impacted the Board's position on the matter.

Ms. Stuecker stated that if the legislation should be passed, Board staff would monitor this closely for the impact on revenue.

VI. 2nd OPPORTUNITY FOR PUBLIC COMMENT

Ms. Stuecker offered the opportunity for public comment.

No comments were received.

VII. ADJOURN

- ❖ MOVED by BRADLEY, SECONDED by FULLER, to adjourn the meeting. Motion APPROVED unanimously.

The meeting was adjourned at 12:57 p.m. on February 25, 2015.

NEXT MEETING OF THE BOARD

The next meeting of the Board is scheduled for April 23-24, 2015, in Des Moines, Iowa.

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