



# STATE OF IOWA

## IOWA DENTAL BOARD

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

JILL STUECKER  
EXECUTIVE DIRECTOR

**IOWA DENTAL BOARD**  
**MINUTES**  
**January 28-29, 2016**  
**Conference Room**  
**400 S.W. 8<sup>th</sup> St., Suite D**  
**Des Moines, Iowa**

<b>Board Members</b>	<b>January 28, 2016</b>	<b>January 29, 2016*</b>
Steven Bradley, D.D.S.,	Present	Present
Steven C. Fuller, D.D.S.	Present	Present
Kaaren G. Vargas, D.D.S.	Present	Present
Thomas M. Jeneary, D.D.S.	Present	Present
William G. McBride, D.D.S.	Present	Present
Mary C. Kelly, R.D.H.	Present	Present
Nancy A. Slach, R.D.H.	Present	Present
Diane Meier, Public Member	Present	Present
Lori Elmitt, Public Member	Present	Present

\*Hearing in the Matter of Jay R. Buckley, D.D.S. held on January 29, 2016.

### **Staff Members**

Jill Stuecker, Phil McCollum, Christel Braness, David Schultz, 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  
Emily Boge, R.D.H., Hawkeye Community College  
Bob Russell, D.D.S, Iowa Department of Public Health  
Larry Carl, Iowa Dental Association  
Bruce Cochrane, D.D.S., Iowa Dental Association  
Mike Moffitt, D.D.S., Iowa Dental Association  
Jackie Krueger, Western Iowa Technical Community College  
Lori Brown, R.D.H., Des Moines Area Community College  
Tom Cope, Iowa Dental Hygienists' Association  
Lynh Patterson, Delta Dental of Iowa  
Sue Hyland, R.D.H., Iowa Dental Hygienists' Association  
Stephen Thies, Iowa Academy of General Dentistry

Francisco Olalde, University of Iowa, Office of Statewide Clinical Education Programs  
Patricia Meredith, D.D.S., University of Iowa College of Dentistry

**I. CALL TO ORDER FOR JANUARY 28, 2016**

Dr. Bradley called the open session meeting of the Iowa Dental Board to order at 11:33 a.m. on Thursday, January 28, 2016.

Roll Call:

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

A quorum was established with all members present.

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

Dr. Bradley asked everyone to introduce themselves. Dr. Bradley allowed the opportunity for public comment.

Dr. Cochrane reported that he and the Iowa Dental Association put a lot of time and effort into the retired volunteer license; and he thanked Ms. Stuecker and Mr. McCollum for their time and efforts on this.

Ms. Krueger, Iowa Western Technical Community College, stated that there was some discussion about supervision for lab activities of level 1 expanded functions training in educational programs. As she understood, the Board was leaning towards requiring supervision by a licensed dentist. Ms. Krueger suggested specifying certain tasks, or allowing peer-to-peer activities without that level of supervision, or to make allowances for non-invasive procedures. Dr. Bradley stated that this will be addressed later in the meeting.

**III. APPROVAL OF OPEN SESSION MINUTES**

- *October 22, 2015 – Quarterly Meeting Minutes*
- ❖ MOVED by JENEARY, SECONDED by KELLY, to APPROVE the open session minutes as submitted. Motion APPROVED unanimously.
- *December 3, 2015 – Teleconference Meeting Minutes*
- ❖ MOVED by MEIER, SECONDED by FULLER, to APPROVE the open session minutes as submitted. Motion APPROVED unanimously.

**IV. PRESENTATION ON LEVEL 2 EXPANDED FUNCTIONS CURRICULUM PRESENTED BY THE UNIVERSITY OF IOWA COLLEGE OF DENTISTRY**

Dr. Patricia Meredith, University of Iowa College of Dentistry, presented information to the Board about the University of Iowa College of Dentistry's proposed curriculum for level 2 expanded functions training. Dr. Meredith reported that the detailed curriculum was submitted previously. This discussion was an overview.

Dr. Meredith reported that they had interpreted forming and placement of stainless steel crowns to include full coverage crowns for primary teeth. Dr. Vargas stated that she had some reservations about this. Some of the crowns are technique sensitive and can be difficult to remove if cemented incorrectly. Dr. Vargas stated that she preferred to limit this to stainless steel crowns. Dr. Mabry, who was not present, believed that either these crowns fit or they did not. Dr. Vargas stated that the seating of the crown was the area where she had concerns, and with zirconia crowns more specifically.

Ms. Kelly asked for clarification that stainless steel crowns were considered temporary crowns. Dr. Vargas stated that she believed so. Dr. Meredith stated that this is what the University of Iowa College of Dentistry teaches.

Dr. Meredith indicated that the pre-test would cover level 1 materials. There was some question about what the pretest should cover. Ms. Stuecker checked the rule. The rules reference an "entrance exam."

The course will be broken into two parts: permanent dentition and edentulous arch; and pediatric dentition. This was intended to address the fact that not all dental offices treat pediatric patients. The Board members expressed some concern with this approach as Iowa Administrative Code 650 does not allow an a la carte approach to level 2 expanded functions. Dr. Meredith believed that this could be a problem since the University of Iowa College of Dentistry will not provide clinical experiences during the course of training. The intention is to have the sponsoring dentist provide the clinical experiences.

Dr. Meredith indicated that the University of Iowa College of Dentistry can offer this as a level 2 course, and stipulate the requirements for completion of the training. Dr. McBride stated that he believed the sponsoring dentist and the participant to be responsible for meeting those requirements. A number of the Board members agreed. If there are problems with this, they can reach out to the Board and the Board can consider changes as needed.

Dr. Meredith reported that the training will consist of five (5) modules. Dr. Meredith stated that the procedures must be clinically acceptable. Dr. Meredith indicated that they intend to involve the sponsoring dentists during some portions of the training.

Dr. Meredith stated that they will verify the training; however, they will leave "certification" up to the Board. Dr. Meredith stated that faculty will sign off on the completion of the procedures.

Dr. Meredith stated that they will provide remediation as needed. They are hoping that this will be limited. Additional fees may be charged based on the amount of remediation required.

The course will be approximately 140 hours between coursework completed online, and time spent in training at the school.

Ms. Elmitt asked about the cost. Dr. Meredith stated that they are still calculating the costs, but expected the cost to be around \$7000. This would include the materials, including the typodont.

Ms. Kelly asked if there would be a proposed limit to how many auxiliary could train in-office at a time. Dr. Meredith stated that they had not discussed that. Dr. Meredith indicated that this may require a discussion with the sponsoring dentist so that the sponsoring dentist can effectively manage the training.

Dr. Fuller asked if the supervising dentists could sit in on all modules. Dr. Meredith stated that they would welcome that. Dr. Meredith encouraged the Board to offer continuing education credit for the training. Board members stated that the University of Iowa College of Dentistry could request review for continuing education credit.

Dr. Meredith stated that they would like to offer the course this spring. This would require input from the Board regarding approval to move forward on the proposed coursework.

❖ MOVED by FULLER, SECONDED by MCBRIDE, to APPROVE the course with the modifications to include training in pediatric procedures in the training sessions, and to remove teaching of the use of zirconia crowns. Motion APPROVED unanimously.

## **V. REPORTS**

### EXECUTIVE DIRECTOR'S REPORT

Ms. Stuecker reported that the Board had been provided some statistics regarding licensure. Ms. Stuecker stated that staff was working on finalizing an annual report with more data.

Ms. Stuecker welcomed Mr. Schultz to the Board as the new investigator. Mr. Schultz came from the Iowa Board of Medicine, and also had previous law enforcement experience.

Ms. Stuecker thanked Ms. Argo and Mr. McCollum for their time and efforts while being short an investigator.

### BUDGET REPORT

Ms. Stuecker reported that an updated financial report was provided to the Board. The Board members did not have any comments or questions about the report.

### LEGAL REPORT

Ms. Scott reported that there wasn't anything to report.

## ANESTHESIA CREDENTIALS COMMITTEE REPORT

Dr. Vargas reported that the Anesthesia Credentials Committee met recently to review and consider applications for general anesthesia and moderate sedation permits, which were approved for issuance.

## CONTINUING EDUCATION ADVISORY COMMITTEE REPORT

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

Ms. Elmitt reported that the Continuing Education Advisory Committee met recently. Ms. Elmitt provided an overview of the committee's recommendations.

- ❖ **MOVED** by KELLY, **SECONDED** by VARGAS, to **APPROVE** the committee's recommendations as submitted. Motion **APPROVED** unanimously.
- *Other Committee Recommendations, If Any*

There weren't any other recommendations.

## EXECUTIVE COMMITTEE REPORT

Dr. Bradley reported that the committee met earlier that morning. Most of the topics discussed will be addressed later in the meeting.

## LICENSURE/REGISTRATION COMMITTEE REPORT

- *Actions Taken by Committee on Applications*
- *Kayla Hewitt, Dental Assistant*
- *Shawn Leonard, Dental Assistant*

Dr. Vargas reported that due to the confidentiality of the information, these applications will be discussed in closed session. A list of actions taken by the committee was included in the Board members' folders.

## DENTAL HYGIENE COMMITTEE REPORT

- *Pending Dental Hygiene Applications*

There weren't any dental hygiene applications for review.

- *Actions Taken at Dental Hygiene Committee Meeting*
  - *Definition of Ongoing Practice in the Administration of Local Anesthesia in Another State*

Ms. Kelly reported that the committee met earlier this morning. The Dental Hygiene Committee discussed silver diamine fluoride, which is a recent issue of conversation, and may require further review.

Ms. Kelly reported that the committee directed Board staff to allow out-of-state practitioners to qualify for a local anesthesia permit on the basis of “ongoing practice in the administration of local anesthesia” if they have administered local anesthesia in another state, which allows the administration by dental hygienists, within 24 months preceding the date of application.

- *Other Committee Recommendations, If Any*
  - *Final and Adopted – Iowa Administrative Code 650—Chapter 13, Retired Volunteer Dentist and Dental Hygiene License*
  - *Notice of Intended Action – Iowa Administrative Code 650—Chapter 10, Students Enrolled in Dental Hygiene Programs*
  - *Rule Waiver Request – SuzAnne Mahrt, R.D.H. – Iowa Administrative Code 650—10.4, “Unauthorized Practice of a Dental Hygienist”*
  - *IDHA Bill*

Ms. Kelly reported that these matters will be discussed later in the meeting.

#### DENTAL ASSISTANT REGISTRATION COMMITTEE REPORT

- *Committee Update*

Dr. Bradley reported that the committee has not met since the last Board meeting, and had nothing new to report.

#### EXAMINATIONS REPORT

- *CRDTS – Dental Steering Committee Report*

Dr. Bradley reported that they met the week prior to the Board meeting. CRDTS has indicated that they were very interested in what is going on in Iowa as far as the clinical examination issues were concerned.

- *CRDTS – Dental Hygiene Examination Review Committee Report*

Ms. Kelly reported that the committee will meet again in July 2016.

- *CRDTS – Dental Examinations Review Committee Report*

Dr. Vargas reported that there was nothing new to report.

#### QUARTERLY IPRC REPORT

Ms. Stuecker provided an overview of the current IPRC data.

## EXPANDED FUNCTIONS COMMITTEE REPORT

- *Vote on Recommendations: RE: Expanded Functions Course Applications*
- *Other Committee Recommendations, If Any*

Ms. Slach reported that the committee had not met since the last Board meeting and had nothing new to report.

### **VI. ADMINISTRATIVE RULES/PETITIONS FOR RULE WAIVER**

- *Vote on Adopted and Final – Iowa Administrative Code 650—Chapter 13, “Retired Volunteer Dentist and Dental Hygiene License”*

Mr. McCollum reported that the Board approved the Notice of Intended Action at October 2015 meeting. The Board did not receive any comments. The proposed rules are eligible for adoption. There have been no changes to the language since the Notice of Intended Action was approved.

Ms. Kelly reported that the Dental Hygiene Committee recommended approval of the rules as drafted.

- ❖ **MOVED** by KELLY, **SECONDED** by MCBRIDE, to **ADOPT** the rules as drafted. Motion **APPROVED** unanimously.

Mr. McCollum reported the rules would be filed, and would potentially be effective on April 6, 2016.

- *Vote on Notice of Intended Action – Iowa Administrative Code 650—Chapter 10, “Students Enrolled in Dental Hygiene Programs”*

Mr. McCollum reported that this was a first draft of the proposed changes. Approval of the Notice of Intended Action would begin the rulemaking process. Mr. McCollum provided an overview of the proposed supervision levels in dental hygiene programs: dental hygiene students, who complete clinical services on peers enrolled in the same program, could perform those serviced under direct supervision of a faculty member, who holds either an active dental hygiene license, faculty permit or dental license; clinical skills performed on the public would require general supervision by a licensed dentist; and clinical administration of local anesthesia or nitrous oxide would require direct supervision by a licensed dentist.

Ms. Kelly reported that the Dental Hygiene Committee recommended approval of the Notice of Intended Action as drafted.

- ❖ **MOVED** by KELLY, **SECONDED** by SLACH, to **APPROVE** the Notice of Intended Action as drafted. Motion **APPROVED** unanimously.

- *Vote on Notice of Intended Action – Iowa Administrative Code 650—Chapter 20, “Students Enrolled in Dental Assisting Programs”*

Mr. McCollum provided an overview of the proposed supervision requirements: dental assistant students, who complete clinical services on peers enrolled in the same program, could perform those serviced under direct supervision of a faculty member, who holds either an active dental hygiene license, faculty permit, dental assistant registration, or dental license; clinical skills performed on the public would require direct supervision by a licensed dentist; and clinical expanded functions duties would require supervision by a licensed dentist.

Mr. McCollum addressed Ms. Krueger’s comments from earlier in the meeting regarding supervision; the supervision levels were based on what would be required in private practice. The public will have an opportunity to comment on the proposed rules during the rulemaking process.

- ❖ MOVED by FULLER, SECONDED by MEIER, to APPROVE the Notice of Intended Action as drafted.

Ms. Jane Slach commented on the expanded functions supervision as part of the curriculum since those duties would be performed on fellow students. Ms. Jane Slach asked if this would still require direct supervision by a licensed dentist. Mr. McCollum stated that proposed rules would require direct supervision by a licensed dentist if performing clinical expanded functions procedures. The proposed supervision levels were intended to correlate to that required in private settings.

- ❖ Vote taken. Motion APPROVED unanimously.

- *Vote on Notice of Intended Action – Iowa Administrative Code 650—Chapter 27, “Standards of Practice and Principles of Professional Ethics”*

Mr. McCollum reported that this was submitted as a Notice of Intended Action. The proposed changes would clarify notification requirements for licensees discontinuing practice in a community. The proposed changes clarified that patient records may be transferred to another licensee for retention.

- ❖ MOVED by ELMITT, SECONDED by JENEARY, to APPROVE the Notice of Intended Action as drafted.

Dr. Bradley asked if licensees would be allowed to provide notification in the newspaper. Mr. McCollum clarified that this, along with other options, would be allowed.

Ms. Kelly asked about locum tenens dentists. Ms. Kelly inquired as to how the proposed rule would affect those practitioners. Mr. McCollum noted that the designation to “permanent practice location” was not made in this draft; therefore, that was something to consider. Mr. McCollum believed that the assumption would be that a locum tenens practitioner would be considered part of the practice. Ms. Slach asked about faculty. Ms. Stuecker stated that that if the University of Iowa College of Dentistry is considered a practice then they would need to do this also.

Mr. McCollum asked if the Board needed to look at some of these things further prior to approving the Notice of Intended Action. Mr. McCollum stated that with all of the questions, it may be better to wait and come back at a later date with an updated draft, which may better address some of these concerns. Ms. Kelly stated that the current rule would still be enforceable. Mr. McCollum agreed, and stated that the intent of the rule was to clarify requirements.

Dr. Cochrane asked about corporate practices with a revolving number of dentists. Ms. Stuecker stated that they would be required to notify patients upon discontinuation of practice under the current rules.

- ❖ Dr. Jeneary withdrew his motion.
- *Discuss Next Rulemaking Priority*

Ms. Stuecker referred the Board to its list of ongoing rulemaking priorities. Ms. Stuecker recommended prioritizing the continuing education rules in Iowa Administrative Code 650—Chapter 25 given the length of time since these rules have been reviewed and updated. This could take a couple of meeting cycles to complete; however, an update will be provided at the next meeting.

- *Rule Waiver Request – Axel Ruprecht, D.D.S. – Iowa Administrative Code 650—11.2(2)d-e, “Dental Licensure by Examination”*

Ms. Braness reported that this was a request that was first discussed at the October 2015 meeting. Ms. Braness provided an overview of the request. The Board has been provided updated information about the Canadian national board, which Dr. Ruprecht reported having completed.

- ❖ MOVED by VARGAS, SECONDED by KELLY, to DENY the waiver request.

Dr. Vargas stated that Iowa Administrative Code 650—Chapter 11 requires passage of a clinical examination to obtain a license on the basis of examination. To date, there wasn't any information indicating that Dr. Ruprecht had completed a clinical examination. Dr. Ruprecht is also a specialist; and the Iowa Dental Board does not have provisions to issue specialty licenses or permits, which would restrict the practice of dentistry.

Ms. Slach wondered if there were any options available. Ms. Slach believed that denying the request would mean denying the citizens of Iowa Dr. Ruprecht's expertise. Dr. Vargas stated that the unbiased argument would be to require compliance with what is required by rule, or what is substantially similar. Exceptions to policy may be difficult to justify in the future.

Ms. Braness stated that Dr. Ruprecht could complete the CRDTS examination to qualify for licensure. The question to consider was whether taking CRDTS would be considered a significant hardship for the purposes of the request for rule waiver.

Ms. Slach stated that the Board could choose to grant the rule waiver to allow his licensure. There was some additional discussion about whether the rule waiver could be allowed. Ms. Braness and Ms. Scott clarified that the Iowa Code makes reference to requirement for examinations approved by the Board, but does not specify which examinations.

Ms. Braness noted that approval of this rule waiver would set a precedent. Ms. Braness reported on two past requests for rule waivers related to the Board's examination requirements. In one case, a practitioner had failed one portion of the CRDTS examination and asked to be licensed without having to retest in that section. The Board denied that waiver request. The other request related to a practitioner who had completed a clinical examination approved by the Board, but had missed the cut-off for licensure by examination by a couple months, and was ineligible for licensure by credentials. The Board approved the second request. The past precedent has been to deny licensure to those who have not successfully completed clinical examinations.

Ms. Slach believed that these circumstances were unique in that Dr. Ruprecht is not a general practitioner. Ms. Slach stated that Dr. Ruprecht has no intention to practice general dentistry. Ms. Slach stated that Dr. Ruprecht's expertise was far beyond anyone else. Ms. Slach stated that the Board did not receive many of these requests and ought to approve it based on his expertise.

Dr. Vargas reported that she went through the rule waiver process to obtain her dental license. Dr. Vargas believed that the Board had to treat this request without bias as to who Dr. Ruprecht is.

❖ Motion APPROVED, 8-1. Ms. Slach voted in opposition to the motion.

- *Rule Waiver Request – SuzAnne Mahrt, R.D.H. – Iowa Administrative Code 650—10.4, “Unauthorized Practice of a Dental Hygienist”*

Ms. Stuecker reported that Ms. Mahrt requested a rule waiver to be allowed to own a dental practice, and also to be allowed to work as a dental hygienist within that practice. Ms. Stuecker provided an overview of the current rule. The rule has been interpreted to mean that a dental hygienist may not own a practice, and cannot work for a dentist, who would be employed by that hygienist.

Ms. Stuecker stated that there are two issues to consider: ownership, and practicing as a dental hygienist in the practice where she would be the employer of the supervising dentist(s).

Ms. Kelly reported that the Dental Hygiene Committee recommended approval of the rule waiver as requested. Ms. Kelly stated that dental assistants and others could legally own a dental practice; the prohibition is only stated with respect to dental hygienists. Ms. Stuecker agreed that the rules are inequitable when it came to ownership of a practice.

❖ MOVED by VARGAS, SECONDED by KELLY, to APPROVE the rule waiver as requested.

Dr. Vargas believed that the current rule was discriminatory when anyone else would be allowed to own a practice. The licenses would still allow the Board to take action if wrongdoing were to occur.

Dr. Jeneary wanted to deny the request based on the current language in rule. Dr. Vargas stated that the rule should be changed. Dr. Jeneary believed that the rule should be changed prior to allowing this to occur.

Dr. Vargas believed the rule was antiquated and recommended that the rule be made a priority for change.

Ms. Stuecker asked for input regarding the supervision issue. Dr. Vargas reiterated her support to approve the request. Ms. Slach agreed with Dr. Vargas.

❖ Motion APPROVED, 8-1. Dr. Jeneary voted in opposition to the motion.

The Board asked that rulemaking with respect to this rule be made a priority.

## **VII. LEGISLATIVE UPDATES**

Ms. Stuecker reported that House Study Bill 532 was introduced that would require an alternative examination for licensure, which would include a station-based examination that does not involve the use of patients.

Ms. Stuecker reported that this issue had been discussed at previous meetings, and the Board's position on this issue was clear. Ms. Stuecker reported that she met with Representative Taylor, who is the subcommittee chair for this bill. Ms. Stuecker believes the Buffalo Model may address the concerns expressed. The bill subcommittee is scheduled for February 10, 2016.

Ms. Stuecker reported that a bill would likely be filed regarding dental assistants. Mr. Carl stated that he was approached by a legislator to remove the legislative intent language from 2000 that stated that the Iowa Dental Board could not adopt rules as it related to dental assistant placing sealants. Mr. Carl had not yet seen the language. Mr. McCollum stated that it just came through during the meeting. Mr. Carl stated that he was not certain if the language addressed their concerns, which was to remove the legislative intent language. Mr. McCollum read the language of the bill as drafted at that time. Mr. Carl stated that the removal of this language would allow the Board to write rules to address those services as needed.

Mr. Cope asked to speak on this proposed legislation. Mr. Cope was concerned about the proposed legislation as it would potentially allow dental assistants to do more than place sealants. Mr. Carl stated that the proposed legislation would grant the Board authority to draft rules to address these services if they determined that it was appropriate.

- *Discussion and Vote on IDHA Bill*

Mr. Cope reported that Senate Study Bill 3060 has been filed. This would allow dental hygienists to provide educational services and oral screening services without requiring supervision by a dentist.

Mr. Cope reported that the Dental Hygiene Committee discussed this earlier. There was a question of what an oral inspection is. There were concerns about whether this could be construed as a diagnosis. Board staff proposed language to be added to clarify that an oral screening would not include diagnosis. The leadership of the Iowa Dental Hygienists' Association met briefly after the Dental Hygiene Committee meeting; they were in support of the proposed amendment to address these concerns.

Ms. Kelly reported that the Dental Hygiene Committee recommended approval for the legislation.

- ❖ MOVED by KELLY, SECONDED by VARGAS, to SUPPORT the legislation as proposed.

Dr. Vargas believed that this made sense since pediatricians can complete oral inspection. It made sense to allow dental hygienists to provide these services as well. Ms. Kelly stated that the language would still require referral to a licensed dentist for further examination, and treatment as needed.

Ms. Slach asked about the inclusion of dental assistants within this. The scope of the proposed legislation was limited to dental hygienists; and that discussion of dental assistants would need to be addressed as a separate matter.

Mr. Carl asked about the impact on public health supervision. Mr. Cope clarified that the intent was not to mirror the locations as allowed by public health supervision.

Ms. Boge provided an example as to how this legislation would benefit her, by allowing her to provide educational services within her community.

- ❖ Motion APPROVED unanimously.

Ms. Stuecker asked for clarification regarding the motion. The Board confirmed that the motion meant Ms. Stuecker should register in support of the bill and lobby in favor of it at the legislature.

## **VIII. OTHER BUSINESS**

- *Nancy Slach Report on CODA Site Visit*

Ms. Slach stated that there was limited information to share as much of the information related to the site visit is confidential. Indian Hills Community College intends to start a dental hygiene program at its school. The proposed dental hygiene program is a “one+one” program. The ADA-

accredited program would include one year of dental assisting education, and one year of dental hygiene education.

- *Set Date for Future Board Teleconference*

Ms. Stuecker stated that the Board will need to meet again in about 4-5 weeks. Ms. Stuecker proposed meeting on February 25, 2016 or March 3, 2016.

The Board agreed to meet on February 25, 2016 at 7:00 a.m. via teleconference.

## **IX. 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 ELMITT, SECONDED by KELLY, to APPROVE the list as submitted. Motion APPROVED unanimously.

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

Dr. Bradley allowed the opportunity for public comment.

Dr. Steven Thies inquired about the proposed changes to the notification of the discontinuation of practice. Dr. Thies asked about the situations in which a practitioner would be required to notify patients of a discontinuation of practice. Ms. Braness and Mr. McCollum stated that the requirement would be to notify active patients of record, which is defined in rule. Mr. McCollum reported that this was proposed for clarification due to turnover rates in some offices, and there have also been questions about where patient records are maintained. The proposal was intended to address those concerns.

- The Board took a recess at 1:08 p.m.
- The Board reconvened at 1:20 p.m.

## **CLOSED SESSION**

- ❖ MOVED by BRADLEY, SECONDED by ELMITT, for the Board to go into closed session at 1:20 p.m., pursuant to:

Section 21.5(1)(h) for agenda item 1a “to avoid disclosure of specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law”.

Section 21.5(1)(a) for agenda item 2a “to review or discuss records which are required or authorized by state or federal law to be kept confidential...”, specifically to review or discuss information that is confidential under Iowa Code § 21.5(4).

Section 21.5(1)(f) for agenda item 2b, to discuss the decision to be rendered in a contested case.

Section 21.5(1)(d) for agenda item 2c to discuss whether to initiate licensee disciplinary investigations or proceedings, and Iowa code § 21.5(1)(f) to discuss the decision to be rendered in a contested case.

Section 21.5(1)(d) for agenda items 2d, 2e, 2f and 2g to discuss whether to initiate licensee disciplinary investigations or proceedings and pursuant to Iowa Code § 21.5(1)(a) to review or discuss records which are required or authorized by state or federal law to be kept confidential, specifically information that is confidential under Iowa Code § 272C.6(4).

Section 21.5(1)(a) for agenda items 2h, 2i, 2j and 2k to review information required by state or federal law to be kept confidential, specifically Iowa Code § 272C.6(4) and Iowa Code § 21.5(1)(d) to discuss whether to initiate licensee disciplinary investigations or proceedings.

Section 21.5(1)(d) for agenda item 2l to discuss whether to initiate licensee disciplinary investigations or proceedings and pursuant to Iowa Code § 21.5(1)(a) to review or discuss records which are required or authorized by state or federal law to be kept confidential, specifically information that is confidential under Iowa Code § 272C.6(4).

<u>Member</u>	<u>Bradley</u>	<u>Elmitt</u>	<u>Fuller</u>	<u>Jeneary</u>	<u>Kelly</u>	<u>McBride</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.

**OPEN SESSION**

- ❖ MOVED by KELLY, SECONDED by VARGAS, to return to open session. Motion APPROVED unanimously.
- The Board reconvened in open session at 4:44 p.m. on January 28, 2016.

**ACTION ON CLOSED SESSION ITEMS**

*1. Closed Session Minutes*

- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the closed session minutes for the October 22-23, 2015 quarterly meeting. Motion APPROVED unanimously.

- ❖ MOVED by MEIER, SECONDED by VARGAS, to approve the closed session hearing minutes in the Matter of Cynthia D. Adams, Q.D.A. hearing on October 23, 2015. Motion APPROVED unanimously.

## *2. Requests to Modify Board Orders*

- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to DENY the request for termination of probation in the Matter of Andre' Q. Bell, D.D.S., file number 06-055. Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to APPROVE the request to modify his Board Order in the Matter of Lance P. Forbes, D.D.S., file numbers 12-059, 12-091. Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to DENY the request to modify his Board Order in the Matter of David C. Reff, D.D.S., file number 14-0139. Motion APPROVED unanimously.

## *3. Final Action on Cases*

- ❖ MOVED by SLACH, SECONDED by FULLER, to keep open file numbers 13-0056, 13-0064. Motion APPROVED unanimously.
- ❖ MOVED by SLACH, SECONDED by FULLER, to close file number 14-0111. Motion APPROVED unanimously.
- ❖ MOVED by SLACH, SECONDED by FULLER, to close file numbers 15-0043. Motion APPROVED unanimously.
- ❖ MOVED by SLACH, SECONDED by FULLER, to close file numbers 15-0044, 15-0069, 15-0070. Motion APPROVED unanimously.
- ❖ MOVED by SLACH, SECONDED by FULLER, to keep open file number 15-0046. Motion APPROVED unanimously.
- ❖ MOVED by SLACH, SECONDED by FULLER, to keep open file number 15-0080. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 15-0050. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0095. Motion APPROVED unanimously.

- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0104. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0110. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0125. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0131. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file numbers 15-0132, 15-0121. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0133. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0134. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0135. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0136. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0137. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0138. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0139. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0140. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 15-0141. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 15-0142. Motion APPROVED unanimously.

- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0143. Motion APPROVED unanimously. Vargas recused.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0144. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0145. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 15-0146. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to keep open file number 15-0147. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0148. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0149. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0150. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0151. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0152. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0153. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0154. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0155. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0158. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0159. Motion APPROVED unanimously.

- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0160. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0162. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0164. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0167. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0168. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0169. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0170. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0173. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0175. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0176. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0179. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0180. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close file number 15-0181. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close the matter Board reviewed on insurance company rejecting a claim that was submitted by a licensee. Motion APPROVED unanimously.
- ❖ MOVED by ELMITT, SECONDED by JENEARY, to close the matter Board reviewed regarding licensees names appearing under specialty headings when googled on the internet. Motion APPROVED unanimously.

- ❖ MOVED by VARGAS, SECONDED by KELLY, to keep open file number 11-190. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by KELLY, to keep open file numbers 14-0081, 15-0048. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by KELLY, to close file number 15-0018. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by KELLY, to close file number 15-0035. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by KELLY, to keep open file number 15-0055. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by KELLY, to close file number 15-0064. Motion APPROVED unanimously.
- ❖ MOVED by VARGAS, SECONDED by KELLY, to close file number 15-0079. Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to approve registration and close file number 15-0183. Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to keep open file number 15-0184. Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to close file number 15-0103. Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to close file number 15-0166. Motion APPROVED unanimously.

## **XVII. ADJOURN**

The meeting took a recess at 4:50 p.m. on January 28, 2016. The Board reconvened at 8:30 a.m. on January 29, 2016 for the hearing in the Matter of Jay R. Buckley, D.D.S.

### **NEXT MEETING OF THE BOARD**

The next quarterly meeting of the Board is scheduled for April 28-29, 2016, in Des Moines, Iowa.

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