



STATE OF IOWA

IOWA DENTAL BOARD

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

JILL STUECKER
EXECUTIVE DIRECTOR

IOWA DENTAL HYGIENE COMMITTEE

AGENDA

April 29, 2016

8:00 A.M.

Location: Iowa Dental Board, 400 SW 8th St., Suite D, Des Moines, Iowa

Members: *Mary Kelly, R.D.H., Chair; Nancy Slach, R.D.H., Vice Chair; Thomas Jeneary, D.D.S.*

- I. CALL MEETING TO ORDER – ROLL CALL**
- II. 1st OPPORTUNITY FOR PUBLIC COMMENT**
- III. APPROVAL OF OPEN SESSION MINUTES**
 - a. January 23, 2016 – Quarterly Meeting
- IV. EXECUTIVE DIRECTOR’S REPORT**
- V. LEGAL REPORT**
- VI. ADMINISTRATIVE RULES/ADMINISTRATIVE RULE WAIVERS**
 - a. Vote on Final and Adopted – Iowa Administrative Code 650 – Chapter 10, Students Enrolled in Dental Hygiene Programs
 - b. Rulemaking Update: Chapter 25, “Continuing Education”
 - c. Rulemaking Update: Chapter 14, “Renewal and Reinstatement”
- VII. OTHER BUSINESS**
 - a. Legislative Update
 - b. Update on Retired Volunteer License
- VIII. APPLICATIONS FOR LICENSURE & OTHER REQUESTS***
 - a. Penny Lane Chambers, R.D.H.
- IX. 2nd OPPORTUNITY FOR PUBLIC COMMENT**
- X. CLOSED SESSION***
- XI. ACTION, IF ANY, ON CLOSED SESSION ITEMS**

XII. ADJOURN

NEXT QUARTERLY MEETING: July 21, 2016

If you require the assistance of auxiliary aids or services to participate in or attend the meeting because of a disability, please call the office of the Board at 515/281-5157.

*This portion of the meeting may be conducted in closed session to discuss confidential matters that may concern examination information, peace officers' investigative reports, attorney records related to litigation, patient records and reports on the condition, diagnosis, care or treatment of a patient, or investigation reports and other investigative information which is privileged and confidential under the provisions of Sections 22.7(2), 22.7(4), 22.7(5), 22.7(9), 22.7(19), and 272C.6(4) of the 2015 Code of Iowa. These matters constitute a sufficient basis for the committee to consider a closed session under the provisions of section 21.5(1), (a), (c), (d), (f), (g), and (h) of the 2015 Code of Iowa. These sections provide that a governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body or all of the members present at the meeting to review or discuss records which are required or authorized by state or federal law to be kept confidential, to discuss whether to initiate licensee disciplinary investigations or proceedings, and to discuss the decision to be rendered in a contested case conducted according to the provisions of Iowa Code chapter 17A.



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JILL STUECKER
EXECUTIVE DIRECTOR

DENTAL HYGIENE COMMITTEE

OPEN SESSION MINUTES

January 28, 2016
Conference Room
400 S.W. 8th St., Suite D
Des Moines, Iowa

Committee Members

Mary C. Kelly, R.D.H.
Nancy A. Slach, R.D.H.
Thomas M. Jeneary, D.D.S.

January 28, 2016

Present
Present
Present

Staff Members

Jill Stuecker, Phil McCollum, Christel Braness, David Schultz, Dee Ann Argo, Janet Arjes

Attorney General's Office

Sara Scott, Assistant Attorney General

I. CALL TO ORDER FOR JANUARY 28, 2016

Ms. Kelly called the meeting of the Dental Hygiene Committee to order at 9:00 a.m. on Thursday, January 28, 2016. A quorum was established with all members present.

Roll Call:

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

II. 1st OPPORTUNITY FOR PUBLIC COMMENT

Ms. Kelly asked Ms. Stuecker to introduce, David Schultz, the Board's new investigator. Mr. Schultz came from the Iowa Board of Medicine, and has an extensive history in law enforcement.

Ms. Kelly asked everyone to introduce themselves, and allowed the opportunity for public comment.

Ms. Boge commented on the Iowa Dental Hygienists' Association bill. Ms. Boge stated that she would be personally affected by this. When Ms. Boge left private practice, she no longer had a dentist to provide supervision for some of the educational services for which she used to volunteer her time. Ms. Boge recommended her support for the proposed legislation as it would allow dental hygienists to volunteer within their communities.

III. APPROVAL OF OPEN SESSION MINUTES

- *October 22, 2015 – Quarterly Meeting Minutes*
- ❖ MOVED by SLACH, SECONDED by JENEARY, to APPROVE the minutes as submitted. Motion APPROVED unanimously.

IV. EXECUTIVE DIRECTOR'S REPORT

Ms. Stuecker stated that a report with some basic licensure data has been put together and was available for review.

V. LEGAL REPORT

Ms. Scott stated that she did not have anything to report.

VI. ADMINISTRATIVE RULES/ADMINISTRATIVE RULE WAIVERS

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

Mr. McCollum provided an overview of the rulemaking process of the proposed rules. To date, comments have not been received. If approved by the Board, the rules could be filed with a possible effective date of April 6, 2016. Changes have not been made since the Notice of Intended Action was approved by the Board.

- ❖ MOVED by KELLY, SECONDED by SLACH, to RECOMMEND APPROVAL of the proposed rules as drafted. Motion APPROVED unanimously.
- *Vote on Notice of Intended Action – Iowa Administrative Code 650—Chapter 10, Students Enrolled in Dental Hygiene Programs*

Mr. McCollum reported that this was submitted as a Notice of Intended Action. The recommended changes would better clarify supervision requirements for educational programs. Clinical practice completed on fellow students would require direct supervision by a licensed faculty member whether that be a dental hygienist or a dentist; clinical skills completed on members of the public would require general supervision by a licensed dentist; and local anesthesia and nitrous oxide would require direct supervision by a licensed dentist.

There was some discussion about the language used in the proposal. Mr. McCollum clarified the reasons for the proposed changes.

- ❖ MOVED by KELLY, SECONDED by SLACH, to RECOMMEND APPROVAL of the Notice of Intended Action as drafted. Motion APPROVED unanimously.
- *Rule Waiver Request – SuzAnne Mahrt, R.D.H. – Iowa Administrative Code 650—10.4, “Unauthorized Practice of a Dental Hygienist”*

Ms. Stuecker reported that this was a request from a dental hygienist who was requesting a waiver of the rules so that she would be allowed to own a dental practice in Iowa, and also to be allowed to work as an employee in that practice. Specifically, Ms. Mahrt was interested in purchasing the practice from the dentist who currently employed and supervised her. The dentist would continue to practice and provide supervision to her if the rule waiver were approved in full.

Ms. Stuecker provided an overview of Iowa Administrative Code 650—10.4, which addresses this in rule. The rule has been interpreted to mean that a dental hygienist cannot own a dental practice, and also that the dental hygienist may not practice under the supervision of a dentist who were employed by her. There are two issues for consideration: ownership, and supervision by a dentist who would be an employee of said hygienist.

Ms. Stuecker reported that there was disparity with this rule. Iowa Administrative Code 650 and Iowa law make no other prohibition against ownership of dental practices. Staff was aware of some instances wherein dental assistants have owned practices in Iowa.

Dr. Jeneary asked Ms. Scott to weigh in on this since the rule appears to clearly prohibit this. Ms. Scott stated that Ms. Mahrt’s attorney has worked with the Board in making this request.

Ms. Kelly stated that almost anyone, apart from dental hygienists, would be allowed to own a practice; therefore, Ms. Kelly was in favor of approving the waiver as requested.

Dr. Jeneary was opposed to approval due to the language of the current rule. Ms. Scott clarified that Ms. Mahrt is asking for an exception to the rule. Ms. Scott went over the requirements for a rule waiver. Ms. Scott stated that this rule waiver would apply only to Ms. Mahrt. Dr. Jeneary was concerned about whether this would set a precedent that would affect the Board in future. Ms. Scott stated that this decision could be referred to with future requests.

Ms. Scott stated that if a waiver were granted, conditions can be set to limit the scope of the waiver request. Mr. McCollum stated that there are two components to this request; therefore, the waiver could be approved to allow her to own the practice, and yet prohibit her from practicing there since she may be able to exercise undue influence over the dentist if there were a concern about that. Mr. McCollum stated that, ultimately, the dentist would still be responsible for what occurred within the practice. Mr. McCollum provided an overview of other non-licensees who currently own dental practices.

Ms. Slach stated that it would be Ms. Mahrt and her husband who purchase the practice. However, Ms. Mahrt's husband is not a licensee. Mr. McCollum noted that if Ms. Mahrt's hygiene license were to lapse, she could legally purchase the practice.

Ms. Slach stated that she does not see the harm in approving the request.

There was some discussion as to whether the waiver could be restricted to ownership, and bar her from practicing there.

Ms. Kelly asked about the concerns with restriction to trade, and whether the Federal Trade Commission could take issue with this limitation. Ms. Scott stated that there could be some concern there.

- ❖ MOVED by KELLY, SECONDED by SLACH, to RECOMMEND APPROVAL of the waiver as requested, allowing the ownership of the practice and practice as a dental hygienist within the practice. Motion APPROVED, 2-1. Dr. Jeneary voted against the motion.

VII. OTHER BUSINESS

- *Discussion and Vote on IDHA Bill*

Mr. Cope reported that this bill was introduced to address a concern that arises when there are dental hygienists that do not have a current relationship with a supervising dentist to provide certain services within their community, specifically educational services and oral screenings.

Mr. Cope reported that the proposed legislation would exempt supervision requirements for dental hygienists when providing educational services, and oral screenings. Referral to a licensed dentist would be required if a screening were conducted. The proposed legislation would define educational and oral screening services. Mr. Cope indicated that, for the most part, the language was taken from Iowa Administrative Code 650. The definition for oral screening differed due to some of the equipment requirements, and other considerations.

Dr. Jeneary was not opposed to the educational services; however, he had concerns about the screening services since these are more diagnostic in nature. Ms. Stuecker stated that there has been confusion noted by board staff previously, regarding the difference between an oral screening and an exam. There was additional discussion about ways that might address Dr. Jeneary's concern. Mr. McCollum provided some example language about how to limit the scope of the screening services. Ms. Kelly was not opposed to restricting this given that there would not be any supervision by a dentist.

Dr. Fuller asked about the impact on public health supervision agreements. Ms. Kelly stated that public health supervision agreements currently cover educational services and other services such as sealants and fluoride varnish, which could not be provided under this language. Ms. Kelly believed there was still a place for public health supervision agreements. Ms. Stuecker asked Dr.

Russell if he believed there would be an impact to public health supervision. Dr. Russell did not believe there would be an impact.

Ms. Stuecker also suggested adding definitions in chapter 1 of Iowa Administrative Code 650 to further clarify these services. Mr. McCollum stated that it would be a good idea. Mr. McCollum knows that there will be questions about what would be allowed and what could be billed. Mr. Cope believed that most dental hygienists would volunteer their time for these services. Mr. Cope thought that the proposed language addition would likely not be an issue; though, the Iowa Dental Hygienists' Association would have to review this further.

- ❖ MOVED by KELLY, SECONDED by JENEARY, to RECOMMEND APPROVAL of the educational component of the Iowa Dental Hygienists' Association bill. Motion APPROVED unanimously.
- ❖ MOVED by JENEARY, SECONDED by SLACH, to RECOMMEND APPROVAL of the oral screening component provided that language is added to clarify what an oral inspection is not (i.e. not a diagnosis). Motion APPROVED unanimously.
- *Discussion on Silver Diamine Fluoride*

Ms. Kelly asked Dr. Russell to explain silver diamine fluoride. Dr. Russell stated that it is a mixture of silver nitrate and fluoride. The application of silver diamine fluoride is intended as an intermediary measure to limit decay. Ms. Kelly stated that this is particularly useful for children and the elderly, who may have limited access to dental care.

Ms. Kelly reported that the FDA has approved silver diamine fluoride for tooth sensitivity. The CD-10 coding for the application of silver diamine fluoride is for a caries-arresting medicament. Dental hygienists are allowed to apply medicaments as part of the scope of practice. The fluoride content is slightly higher than fluoride varnish. It was noted that there are things to be aware of when using this. For example, the application of silver diamine fluoride can turn the tooth black. Though, Dr. Russell stated that new formulations do not discolor the tooth the way some of the older formulations did.

Ms. Kelly believed that the application of silver diamine fluoride by dental hygienists would be allowed under general supervision. Ms. Kelly reported that, currently, application of fluoride would be allowed under public health supervision. For the time being, it did not appear that the application of silver diamine fluoride would be allowed under public health supervision.

Mr. McCollum asked about whether this would replace fluoride varnish. If not, then it would require a diagnosis prior to application, and a prescription would likely be required. Ms. Kelly agreed that a diagnosis would likely be required prior to application; though, prescription may not be an issue as this is considered a medicament, which falls under the scope of practice for dental hygienists. Ms. Stuecker made clear that this is a preliminary conversation, and the question of whether or not this is a permissible medicament in a public health setting would need to be further discussed by the Board. Based on current information, Ms. Stuecker stated that the use of silver diamine fluoride is not permissible in a public health setting.

- *Discussion and Vote on the Definition of Ongoing Practice in the Administration of Local Anesthesia in Another State – Iowa Administrative Code 650—11.7(1)c*

Ms. Braness provided an overview of the inquiry. The Board has recently received some applications wherein practitioners from out-of-state had administered local anesthesia in private practice following graduation; however, for a number of reasons, there was a lapse in their administration prior to application. Upon application in Iowa, it was unclear to staff what qualified as “ongoing practice” in the administration of local anesthesia. The committee was asked to weigh in on this.

Ms. Lori Brown stated that it may be helpful to require the same standard as is required for reinstatement of a lapsed permit. Ms. Braness reported that current rules allow reinstatement up to two years after a local anesthesia permit lapses.

The committee agreed with that standard for the purposes of ongoing practice. Ms. Braness asked if there was minimum amount of time wherein a dental hygienist would need to demonstrate administration of local anesthesia following graduation from school. The committee members stated that there would not need to be a minimum period of administration so long as they could document administration of local anesthesia in private practice.

- *Discussion on Level 2 Expanded Function Training*

Due to time constraints, Ms. Kelly stated that this would be discussed at the full meeting of the Board.

- *Report from Nancy Slach on CODA Site Visit*

Ms. Slach assisted with the CODA site visit at Indian Hills Community College. Ms. Slach stated that there was limited information to report as much of the information related to the CODA visits is confidential. This program is intended to be a one plus one program. Attendees of the program will complete one year of dental assisting education and then complete one year of dental hygiene education. The program is approved by the ADA. Ms. Slach believed that the new program would begin in the fall.

Ms. Kelly asked about what functions would be taught given that CODA requires that instruction be inclusive of the functions that are allowed in the state. Ms. Slach indicated that she had suggested that they teach to that standard.

VIII. 2nd OPPORTUNITY FOR PUBLIC COMMENT

Ms. Kelly allowed the opportunity for public comment.

No comments were received.

IX. CLOSED SESSION

- ❖ **MOVED** by JENEARY, **SECONDED** by SLACH, to go into closed session in compliance with the following requirements:

Section 21.5(1)(a) for closed session minutes “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)(d) for consideration of statement of charges, settlement agreement and final order 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 a complaint, 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).

Roll Call:

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

Motion **APPROVED** by ROLL CALL.

- The Dental Hygiene Committee convened in closed session at 10:14 a.m.

RECONVENE IN OPEN SESSION

- ❖ **MOVED** by JENEARY, **SECONDED** by SLACH, to return to open session. Motion **APPROVED** unanimously.
- The Dental Hygiene Committee reconvened in open session at 10:24 a.m.

X. ACTION ON CLOSED SESSION ITEMS

- ❖ **MOVED** by JENEARY, **SECONDED** by SLACH to **APPROVE** the closed session minutes as submitted. Motion **APPROVED** unanimously.
- ❖ **MOVED** by KELLY, **SECONDED** by JENEARY, to **CLOSE** complaint #15-0103 without action. Motion **APPROVED** unanimously.
- ❖ **MOVED** by KELLY, **SECONDED** by JENEARY, to **CLOSE** complaint #15-0166 without action. Motion **APPROVED** unanimously.

XI. ADJOURN

- ❖ MOVED by JENEARY, SECONDED by SLACH, to ADJOURN. Motion APPROVED unanimously.

The meeting of the Dental Hygiene Committee adjourned at 10:25 a.m. on January 28, 2016.

NEXT MEETING OF THE COMMITTEE

The next meeting of the Dental Hygiene Committee is scheduled for April 28, 2016, in Des Moines, Iowa.

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

DRAFT

DENTAL BOARD[650]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 147.76 and 153.33, the Dental Board adopts an amendment to Chapter 10, "General Requirements," Iowa Administrative Code.

This amendment clarifies supervision requirements in an accredited dental hygiene program. The subrule establishes the supervision criteria that must be met when students practice clinical skills as part of their regular course of instruction.

Notice of Intended Action was published in the Iowa Administrative Bulletin on March 2, 2016, as ARC 2432C.

A public hearing was held on March 30, 2016 at 2pm at the office of the Iowa Dental Board. There were no attendees. No written comments were received.

This amendment was approved by the Board on April 29, 2016.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment will become effective on XXXX, 2016.

This amendment is intended to implement Iowa Code sections 153.38 and 153.39.

The following amendment is adopted.

ITEM 1. Add subrule 650—10.4(4)

10.4(4) Students enrolled in dental hygiene programs. Students enrolled in an accredited dental hygiene program are not considered to be engaged in the unlawful practice of dental hygiene provided that such practice is in connection with their regular course of instruction and meets the following:

a. The practice of clinical skills on peers enrolled in the same program must be under the direct supervision of a program instructor with an active Iowa dental hygiene license, Iowa faculty permit, or Iowa dental license;

b. The practice of clinical skills on members of the public must be under the general supervision of a dentist with an active Iowa dental license;

c. The practice of clinical skills involving the administration or monitoring of nitrous oxide or

the administration of local anesthesia must be under the direct supervision of a dentist with an active Iowa dental license.

Pending Board Approval

TITLE V
PROFESSIONAL STANDARDS
CHAPTER 25
CONTINUING EDUCATION
[Prior to 5/18/88, Dental Examiners, Board of[320]]

650—25.1(153) Definitions. For the purpose of these rules on continuing education, definitions shall apply:

“Advisory committee.” An advisory committee on continuing education shall be formed to review and advise the board with respect to applications for approval of sponsors or activities and requests for ~~postapproval~~ approval of activities. Its members shall be appointed by the board and consist of a member of the board, two licensed dentists with expertise in the area of professional continuing education, two licensed dental hygienists with expertise in the area of professional continuing education, and two registered dental assistants with expertise in the area of professional continuing education. The advisory committee on continuing education may tentatively approve or deny applications or requests submitted to it pending final approval or disapproval of the board at its next meeting.

“Approved program or activity” means a continuing education program activity meeting the standards set forth in these rules which has received ~~advanced~~ approval by the board pursuant to these rules, or which otherwise meets the requirements herein.

“Approved sponsor” means a person or an organization sponsoring continuing education activities which has been approved by the board as a sponsor pursuant to these rules. During the time an organization, educational institution, or person is an approved sponsor, all continuing education activities of such person or organization may be deemed automatically approved provided they meet the continuing education guidelines of the board.

“Board” means the dental board of dental examiners.

“Continuing dental education” consists of education activities designed to review existing concepts and techniques and to update knowledge on advances in dental and medical sciences. The objective is to improve the knowledge, skills, and ability of the individual to deliver the highest quality of service to the public and professions.

Continuing dental education should favorably enrich past dental education experiences. Programs should make it possible for practitioners to attune dental practice to new knowledge as it becomes available. All continuing dental education should strengthen the skills of critical inquiry, balanced judgment and professional technique.

“Dental public health” is the science and art of preventing and controlling dental diseases and promoting dental health through organized community efforts. It is that form of dental practice in which the community serves as the patient rather than the individual. It is concerned with the dental health education of the public, with applied dental research, and with the administration of group dental care programs as well as the prevention and control of dental diseases on a community basis.

“Hour” of continuing education means one unit of credit which shall be granted for each hour of ~~contact~~ instruction and shall be designated as a “clock hour.” ~~This credit shall apply to either academic or clinical instruction.~~

“Licensee” means any person licensed to practice dentistry or dental hygiene in the state of Iowa.

“Registrant” means any person registered to practice as a dental assistant in the state of Iowa.

650—25.2(153) Continuing education requirements.

25.2(1) Each person licensed to practice dentistry or dental hygiene in this state shall complete during the biennium renewal period a minimum of 30 hours of continuing education approved by the board. ~~However, for the dental hygiene renewal period beginning July 1, 2006, and ending August 30, 2007, a dental hygienist shall complete a minimum of 12 hours of continuing education approved by the board.~~

25.2(2) The continuing education compliance period shall be the 24-month period commencing September 1 and ending on August 31 of the renewal cycle. ~~However, for the dental hygiene renewal period beginning July 1, 2006, and ending August 30, 2007, the continuing education compliance period for dental hygienists shall be the 14 month period commencing July 1, 2006, and ending August 30, 2007. For the dental assistant renewal period beginning July 1, 2005, and ending August 30, 2007, the continuing education compliance period for dental assistants shall be the previous 26 month period. For the dental license renewal period beginning July 1, 2006, and ending August 30, 2008, the continuing education compliance period for dentists shall be the previous 26 month period.~~

25.2(3) Hours of continuing education credit may be obtained by attending and participating in a continuing education activity, either ~~previously approved by the board or which otherwise meets the requirement herein and is approved by the board~~ pursuant to subrule **25.3(5)**.

25.2(4) It is the responsibility of each licensee or registrant to finance the costs of continuing education.

25.2(5) Every licensee or registrant shall maintain a record of all courses attended by keeping the certificates of attendance for four years after the end of the year of attendance. The board reserves the right to require any licensee or registrant to submit the certificates of attendance for the continuing education courses attended. If selected for continuing education audit, the licensee or registrant shall file a signed continuing education form reflecting the continuing education hours reported to include the evidence of attendance.

25.2(6) Licensees and registrants are responsible for obtaining proof of attendance forms when attending courses. Clock hours must be verified by the sponsor with the issuance of proof of attendance forms to the licensee or registrant.

25.2(7) Each licensee or registrant shall ~~file a signed continuing education reporting form reflecting the required minimum~~ report the number of continuing education credit hours completed during the current renewal cycle reflecting the required minimum in compliance with this chapter and 650—Chapter 20. Such report shall be filed with the board at the time of application for renewal of a dental or dental hygiene license or renewal of dental assistant registration.

25.2(8) No carryover of credits from one biennial period to the next will be allowed.

25.2(9) Mandatory training for child abuse and dependent adult abuse reporting.

a. Licensees or registrants who regularly examine, attend, counsel or treat children in Iowa shall indicate on the renewal application completion ~~of two hours~~ of training in child abuse identification and reporting in the previous five years or conditions for exemptions as identified in paragraph “f” of this subrule.

b. Licensees or registrants who regularly examine, attend, counsel or treat adults in Iowa shall indicate on the renewal application completion ~~of two hours~~ of training in dependent adult abuse identification and reporting in the previous five years or conditions for exemptions as identified in paragraph “f” of this subrule.

c. Licensees or registrants who regularly examine, attend, counsel or treat both children and adults in Iowa shall indicate on the renewal application completion ~~of at least two hours of training~~ on the identification and reporting of abuse in children and dependent adults in the previous five years or conditions for exemptions as identified in paragraph “f” of this subrule. Training may be completed through separate courses or in one combined course that includes curricula for identifying and reporting child abuse and dependent adult abuse. ~~Up to three hours of continuing education may be awarded for taking a combined course.~~

d. The licensee or registrant shall maintain written documentation for five years after completion of the mandatory training, including program date(s), content, duration, and proof of participation. The board may audit this information at any time within the five-year period.

e. Training programs in child and dependent adult abuse identification and reporting that are approved by the board are those that use a curriculum approved by the abuse education review panel of the department of public health or a training program offered by the department of human services, the department of education, an area education agency, a school district, the Iowa law enforcement

academy, an Iowa college or university, or a similar state agency.

f. Exemptions. Licensees and registrants shall be exempt from the requirement for mandatory training for identifying and reporting child and dependent adult abuse if the board determines that it is in the public interest or that at the time of the renewal the licensee or registrant is issued an extension or exemption pursuant to 650—25.7(153).

25.2(10) Licensees, ~~faculty permit holders,~~ and registrants shall furnish evidence of valid certification for cardiopulmonary resuscitation, (CPR), which shall be credited toward the continuing education requirement for renewal of the license, faculty permit or registration. Such evidence shall be filed at the time of renewal of the license, faculty permit or registration. ~~Credit hours awarded shall not exceed three continuing education credit hours per biennium.~~ Valid certification means certification by an organization on an annual basis or, if that certifying organization requires certification on a less frequent basis, evidence that the licensee or registrant has been properly certified for each year covered by the renewal period. In addition, the course must include a clinical component.

650—25.3(153) Approval of programs and activities. A continuing education activity shall be qualified for approval if the board determines that:

25.3(1) It constitutes an organized program of learning (including a workshop or symposium) which contributes directly to the professional competency of the licensee or registrant; and

25.3(2) It pertains to ~~common subjects or other subject matters~~ which relate ~~integrally~~ to the practice of dentistry, dental hygiene, or dental assisting which are intended to refresh and review, or update knowledge of new or existing concepts and techniques; and

25.3(3) It is conducted by individuals who have ~~special~~ education, training and experience ~~to be considered experts~~ concerning the subject matter of the program. The program must include a manual or written outline that substantively pertains to the subject matter of the program.

25.3(4) Activity types acceptable for continuing dental education credit may include:

a. Attendance at a ~~multiply~~ **multiday** convention-type meeting. A multiday, convention-type meeting is held at a national, state, or regional level and involves a variety of concurrent educational experiences directly related to the practice of dentistry. ~~Effective July 1, 2000, attendees shall receive three hours of credit with the maximum allowed six hours of credit per biennium. Prior to July 1, 2000, attendees received five hours of credit with the maximum allowed ten hours of credit per biennium. Four hours of credit shall be allowed for presentation of an original table clinic at a convention type meeting as verified by the sponsor when the subject matter conforms with 25.3(7). Attendees at the table clinic session of a dental, dental hygiene, or dental assisting convention shall receive two hours of credit as verified by the sponsor.~~

~~b. Postgraduate study relating to health sciences shall receive 15 credits per semester.~~

~~c. Successful completion of Part II of the National Board Examination for dentists, or the National Board Examination for dental hygienists, if taken five or more years after graduation, or a recognized specialty examination will result in 15 hours of credit.~~

~~d. Self study activities shall result in a maximum of 12 hours of credit per biennium. Activity may include television viewing, video programs, correspondence work or research or computer CD-ROM programs that are interactive and require branching, navigation, participation and decision making on the part of the viewer.~~

~~e. Original presentation of continuing dental education courses shall result in credit double that which the participant receives. Credit will not be granted for repeating presentations within the biennium. Credit is not given for teaching that represents part of the licensee's or registrant's normal academic duties as a full time or part time faculty member or consultant.~~

~~f. Publications of scientific articles in professional journals related to dentistry, dental hygiene, or dental assisting shall result in a maximum of 5 hours per article, maximum of 20 hours per biennium.~~

g. Credit may be given for other continuing education activities upon request and approval by

the Iowa board of dental ~~board~~ examiners.

25.3(5) Prior approval of activities. An organization or person, other than an approved sponsor, that desires prior approval for a course, program or other continuing education activity or that desires to establish approval of the activity prior to attendance shall apply for approval to the board at least 90 days in advance of the commencement of the activity ~~on a form provided by the board~~ using board-approved forms. The board shall approve or deny the application. The application shall state the ~~dates, subjects offered, total hours of instruction, names and qualifications of speakers and other pertinent information~~. An application fee as specified in 650—Chapter 15 is required.

25.3(6) Postapproval of activities. A licensee or registrant seeking credit for attendance and participation in an educational activity which was not conducted by an approved sponsor or otherwise approved ~~may submit to the board, within 60 days after completion of such activity, its dates, subjects, instructors, and their qualifications, the number of credit hours and proof of attendance~~ shall apply for approval to the board using board-approved forms. Within 90 days after receipt of such application, the board shall advise the licensee or registrant in writing ~~by ordinary mail~~ whether the activity is approved and the number of hours allowed. All requests may be reviewed by the advisory committee on continuing education prior to final approval or denial by the board. ~~A licensee or registrant not complying with the requirements of this paragraph may be denied credit for such activity~~. An application fee as specified in 650—Chapter 15 is required.

25.3(7) Subject matter acceptable for continuing dental education credit:

a. In order for specific course subject material to be acceptable for credit, the stated course objectives, overall curriculum design or course outlines shall clearly establish conformance with the following criteria:

- (1) The subject matter is of value to dentistry and directly applicable to oral health care.
- (2) The information presented enables the dental professional to enhance the dental health of the public.
- (3) The dental professional is able to apply the knowledge gained within the professional capacity of the individual.
- (4) The dental science courses include, but are not limited to, ~~those within the eight recognized dental specialty areas and~~ topics such as dental public health, endodontics, geriatric dentistry, hospital dentistry, oral diagnosis, oral and maxillofacial pathology, oral and maxillofacial radiology, oral rehabilitation, oral and maxillofacial surgery, orthodontics, pediatric dentistry, periodontics, and preventive dentistry and prosthodontics.

b. Acceptable subject matter includes, but is not limited to, courses in patient treatment record, medical conditions which may play a role in oral health, keeping, HIPAA, risk management, sexual boundaries, communication with patients, and OSHA regulations, Iowa jurisprudence and courses related to clinical practice. ~~A course on Iowa jurisprudence that has been prior approved by the board is also acceptable subject matter.~~

c. Unacceptable subject matter and activity types includes, but are not limited to, personal development, business aspects of practice, business strategy, financial management, marketing, sales, practice growth, personnel management, ~~government regulations~~, insurance, collective bargaining, and community service presentations events where volunteer services are provided. While desirable, those subjects and activities are not applicable to dental skills, knowledge, and competence. Therefore, such courses will receive no credit toward renewal. The board may deny credit for any course.

25.3(8) Inquiries relating to acceptability of continuing dental education activities, approval of sponsors, or exemptions should be directed to Advisory Committee on Continuing Dental Education, Iowa Board of Dental ~~Board~~ Examiners, 400 S.W. 8th Street, Suite D, Des Moines, Iowa 50309-4687. [ARC 8369B, IAB 12/16/09, effective 1/20/10; ARC 0265C, IAB 8/8/12, effective 9/12/12]

650—25.4(153) Designation of continuing education hours. Continuing education hours shall be determined by the length of a continuing education course in "clock hours". For the purposes of calculating continuing education hours for renewal of a license, registration, qualification or permit,

Commented [BC[1]]: May want to consider revising the wording here since volunteer services are technically applicable to dental skills; though, it does not necessarily increase skills or knowledge.

the following rules shall apply:

25.4(1) Licensees and registrants may claim continuing education credit for completion of the mandatory reporter training if completed in the current biennium.

a. Completion of training in the identification and reporting of abuse in children shall result in two hours credit.

b. Completion of training in the identification and reporting of abuse in dependent adults shall result in two hours of credit.

c. Completion of training in the identification and reporting of abuse in children and dependent adults as a combined course shall result in three hours of credit.

25.4(2) Credit hours awarded for certification in cardiopulmonary resuscitation (CPR) shall not exceed three continuing education hours per biennium.

25.4(3) Attendees of a multiday convention-type meeting, shall receive three hours of credit with the maximum allowed six hours of credit per biennium.

a. Four hours of credit shall be allowed for presentation of an original table clinic at a convention-type meeting as verified by the sponsor when the subject matter conforms with 25.3(7).

b. Attendees at the table clinic session of a dental, dental hygiene, or dental assisting convention shall receive two hours of credit as verified by the sponsor when the subject matter conforms with 25.3(7).

25.4(4) Postgraduate study relating to health sciences shall receive 15 credits per semester.

25.4(5) Successful completion of a specialty examination or the Dental Assisting National Board (DANB) shall result in 15 hours of credit.

25.4(6) Self-study activities shall result in a maximum of 12 hours of continuing education credit per biennium. Activity may include Internet-based coursework, television viewing, video programs, correspondence work or research, or computer CD-ROM programs that are interactive and require branching, navigation, participation and decision making on the part of the viewer. Internet-based webinars, which includes the involvement of an instructor and participants in real time and which allow for communication with the instructor through messaging, telephone or other means shall not be construed to be self-study activities.

25.4(7) Original presentation of continuing education dental education shall result in credit double that which the participants receives. Additional credit will not be granted for repeating presentations within the biennium. Credit is not given for teaching that represents part of the licensee's or registrant's normal academic duties as a full-time or part-time faculty member or consultant.

25.4(8) Publication of scientific articles in professional journals related to dentistry, dental hygiene, or dental assisting shall result in 5 hours of credit per article, maximum of 20 hours per biennium.

650—25.5(153) Extensions and exemptions.

25.5(1) *Illness or disability.* The board may, in individual cases involving physical disability or illness, grant an exemption of the minimum education requirements or an extension of time within which to fulfill the same or make the required reports. No exemption or extension of time shall be granted unless written application is made on forms provided by the board and signed by the licensee or registrant and a physician licensed by the board of medicine. Extensions or exemptions of the minimum educational requirements may be granted by the board for any period of time not to exceed one calendar year. In the event that the physical disability or illness upon which an exemption has been granted continues beyond the period granted, the licensee or registrant must reapply for an extension of the exemption. The board may, as a condition of the exemption, require the applicant to make up a certain portion or all of the minimum educational requirements.

25.5(2) *Other extensions or exemptions.* Extensions or exemptions of continuing education requirements will be considered by the board on an individual basis. Licensees or registrants will be exempt from the continuing education requirements for:

a. Periods that the person serves honorably on active duty in the military services;

b. Periods that the person practices the person's profession in another state or district having a continuing education requirement and the licensee or registrant meets all requirements of that state or district for practice therein;

c. Periods that the person is a government employee working in the person's licensed or registered specialty and assigned to duty outside the United States;

d. Other periods of active practice and absence from the state approved by the board;

e. The current biennium renewal period, or portion thereof, following original issuance of the license.

f. For dental assistants registered pursuant to 650—20.7(153), the current biennium renewal period, or portion thereof, following original issuance of the registration.

650—25.6(153) Exemptions for inactive practitioners. A licensee or registrant who is not engaged in practice in the state of Iowa, residing in or out of the state of Iowa, may place the license or registration on inactive status by submitting a written renewal form and paying the required renewal fee. No continuing education hours are required to renew a license or registration on inactive status until application for reactivation is made. A request to place a license or registration on inactive status shall also contain a statement that the applicant will not engage in the practice of the applicant's profession in Iowa without first complying with all rules governing reactivation of inactive practitioners.

[ARC 8369B, IAB 12/16/09, effective 1/20/10]

650—25.47(153) Approval of sponsors.

25.-47(1) An organization or person not previously approved by the board, which desires approval as a sponsor of courses, programs, or other continuing education activities, shall apply for approval to the board stating its education history ~~for the preceding two years~~, including approximate dates, subjects offered, total hours of instruction presented, and names and qualifications of instructors. All applications shall be reviewed by the advisory committee on continuing education prior to final approval or denial by the board.

25.-47(2) Prospective sponsors must apply to the Iowa dental board using a ~~"Sponsor Approval Form"~~ board-approved forms in order to obtain approved sponsor status. An application fee as specified in 650—Chapter 15 is required. Board-approved sponsors must pay the biennial renewal fee as specified in 650—Chapter 15 and file a sponsor recertification record report biennially.

25.-47(3) The person or organization sponsoring continuing education activities shall make a written record of the Iowa licensees or registrants in attendance, maintain the written record for a minimum of five years, and submit the record upon the request of the board. The sponsor of the continuing education activity shall also provide proof of attendance and the number of credit hours awarded to the licensee or registrant who participates in the continuing education activity.

25.-47(4) Sponsors must be formally organized and adhere to board rules for planning and providing continuing dental education activities. Programs sponsored by individuals or institutions for commercial or proprietary purposes, especially programs in which the speaker advertises or urges the use of any particular dental product or appliance, may be recognized for credit on a prior approval basis only. When courses are promoted as approved continuing education courses which do not meet the requirements as defined by the board, the sponsor will be required to refund the registration fee to the participants. Approved sponsors may offer noncredit courses provided the participants have been informed that no credit will be given. Failure to meet this requirement may result in loss of approved sponsor status.

[ARC 9218B, IAB 11/3/10, effective 12/8/10; ARC 0265C, IAB 8/8/12, effective 9/12/12]

650—25.58(153) Review of programs or sponsors. The board on its own motion or at the recommendation of the advisory committee on continuing education may monitor or review any continuing education program or sponsors already approved by the board. Upon evidence of significant variation in the program presented from the program approved, the board may disapprove

all or any part of the approved hours granted to the program or may rescind the approval status of the sponsor.

650—25.69(153) Hearings. In the event of denial, in whole or in part, of any application for approval of a continuing education program or credit for continuing education activity, the applicant, licensee, or registrant shall have the right, within 20 days after the sending of the written notification of the denial ~~by ordinary mail~~, to request a hearing which shall be held within 60 days after receipt of the request for hearing. The hearing shall be conducted by the board or a qualified hearing officer designated by the board. If the hearing is conducted by a hearing officer, the hearing officer shall submit a transcript of the hearing with the proposed decision of the hearing officer. The decision of the board or decision of the hearing officer after adoption by the board shall be final.

650—25.7(153) Extensions and exemptions.

~~—25.7(1) *Illness or disability.* The board may, in individual cases involving physical disability or illness, grant an exemption of the minimum education requirements or an extension of time within which to fulfill the same or make the required reports. No exemption or extension of time shall be granted unless written application is made on forms provided by the board and signed by the licensee or registrant and a physician licensed by the board of medical examiners. Extensions or exemptions of the minimum educational requirements may be granted by the board for any period of time not to exceed one calendar year. In the event that the physical disability or illness upon which an exemption has been granted continues beyond the period granted, the licensee or registrant must reapply for an extension of the exemption. The board may, as a condition of the exemption, require the applicant to make up a certain portion or all of the minimum educational requirements.~~

~~—25.7(2) *Other extensions or exemptions.* Extensions or exemptions of continuing education requirements will be considered by the board on an individual basis. Licensees or registrants will be exempt from the continuing education requirements for:~~

- ~~— a. Periods that the person serves honorably on active duty in the military services;~~
- ~~— b. Periods that the person practices the person's profession in another state or district having a continuing education requirement and the licensee or registrant meets all requirements of that state or district for practice therein;~~
- ~~— c. Periods that the person is a government employee working in the person's licensed or registered specialty and assigned to duty outside the United States;~~
- ~~— d. Other periods of active practice and absence from the state approved by the board;~~
- ~~— e. The current biennium renewal period, or portion thereof, following original issuance of the license.~~
- ~~— f. For dental assistants registered pursuant to 650—20.6(153), the current biennium renewal period, or portion thereof, following original issuance of the registration.~~

650—25.8(153) Exemptions for inactive practitioners. A licensee or registrant who is not engaged in practice in the state of Iowa, residing in or out of the state of Iowa, may place the license or registration on inactive status by submitting a written renewal form and paying the required renewal fee. No continuing education hours are required to renew a license or registration on inactive status until reinstatement. A request to place a license or registration on inactive status shall also contain a statement that the applicant will not engage in the practice of the applicant's profession in Iowa without first complying with all rules governing reinstatement of inactive practitioners.

[ARC 8369B, IAB 12/16/09, effective 1/20/10]

650—25.9(153) Reinstatement of inactive practitioners. Inactive practitioners shall, prior to engaging in the practice of dentistry, dental hygiene, or dental assisting in the state of Iowa, satisfy the following requirements for reinstatement:

- ~~—25.9(1) Submit written application for reinstatement to the board upon forms provided by the board; and~~

~~25.9(2) Furnish in the application evidence of one of the following:~~

- ~~a. The full time practice of the profession in another state of the United States or the District of Columbia and completion of continuing education for each year of inactive status substantially equivalent in the opinion of the board to that required under the rules; or~~
- ~~b. Completion of a total number of hours of approved continuing education computed by multiplying 15 by the number of years the license has been on inactive status for a dentist or dental hygienist, up to a maximum of 75 hours for a dentist or dental hygienist, or by multiplying 10 by the number of years the registration has been on inactive status for a dental assistant, up to a maximum of 50 hours for a dental assistant; or~~
- ~~c. Successful completion of CRDTS or other Iowa state license or registration examination conducted within one year immediately prior to the submission of such application for reinstatement;~~
- ~~or~~
- ~~d. The licensee or registrant may petition the board to determine the continuing education credit hours required for reinstatement of the Iowa license or registration;~~
- ~~e. Evidence that the applicant possesses a current certificate in a nationally recognized course in cardiopulmonary resuscitation. The course must include a clinical component.~~

~~25.9(3) Applications must be filed with the board along with the following:~~

- ~~a. Certification by the state board of dentistry or equivalent authority in which applicant has engaged in the practice of the applicant's profession that the applicant has not been the subject of final or pending disciplinary action.~~
- ~~b. Statement as to any claims, complaints, judgments or settlements made with respect to the applicant arising out of the alleged negligence or malpractice in rendering professional services as a dentist, dental hygienist, or dental assistant.~~

~~[ARC 8369B, IAB 12/16/09, effective 1/20/10; ARC 9218B, IAB 11/3/10, effective 12/8/10]~~

650—25.10(153) Noncompliance with continuing dental education requirements. It is the licensee's or registrant's personal responsibility to comply with these rules. The license or registration of individuals not complying with the continuing dental education rules may be subject to disciplinary action by the board or nonrenewal of the license or registration.

650—25.11(153) Dental hygiene continuing education. The dental hygiene committee, in its discretion, shall make recommendations to the board for approval or denial of requests pertaining to dental hygiene education. The dental hygiene committee may utilize the continuing education advisory committee as needed. The board's review of the dental hygiene committee recommendation is subject to 650—Chapter 1. The following items pertaining to dental hygiene shall be forwarded to the dental hygiene committee for review.

1. Dental hygiene continuing education requirements and requests for approval of programs, activities and sponsors.
2. Requests by dental hygienists for waivers, extensions and exemptions of the continuing education requirements.
3. Requests for exemptions from inactive dental hygiene practitioners.
4. Requests for reinstatement from inactive dental hygiene practitioners.
5. Appeals of denial of dental hygiene continuing education and conduct hearings as necessary.

These rules are intended to implement Iowa Code sections 147.10, 153.15A, and 153.39 and chapter 272C.

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Commented [BC[2]: Intent is to move this section to IAC 650—Chapter 14 where renewal and reinstatements are addressed.

IAC 8/8/12

Dental Board[650]

Ch , p.9

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CHAPTER 14
RENEWAL AND REINSTATEMENT
[Prior to 5/18/88, Dental Examiners, Board of[320]]

650—14.1(147,153,272C) Renewal of license to practice dentistry or dental hygiene. A license to practice dentistry or a license to practice dental hygiene must be renewed prior to the expiration date of the license. Dental hygiene licenses expire on August 31 of every odd-numbered year. Dental licenses expire August 31 of every even-numbered year.

14.1(1) Application renewal procedures.

a. Renewal notice. The board office will send a renewal notice by regular mail or e-mail to each licensee at the licensee's last-known mailing or e-mail address.

b. Licensee and permit holder obligation. The licensee or permit holder is responsible for renewing the license or permit prior to its expiration. Failure of the licensee or permit holder to receive the notice does not relieve the licensee or permit holder of the responsibility for renewing that license or permit in order to continue practicing in the state of Iowa.

c. Renewal application form. Application for renewal must be made on forms provided by the board office. Licensees and permit holders may renew their licenses and permits online or via paper application.

d. Complete and timely filed application. No renewal application shall be considered timely and sufficient until received by the board office and accompanied by all material required for renewal and all applicable renewal and late fees. Incomplete applications will be not be accepted. For purposes of establishing timely filing, the postmark on a paper submittal will be used, and for renewals submitted online, the electronic timestamp will be deemed the date of filing.

14.1(2) Application fee. The appropriate fee as specified in 650—Chapter 15 of these rules must accompany the application for renewal. A penalty shall be assessed by the board for late renewal, as specified in 650—Chapter 15.

14.1(3) Continuing education requirements. Completion of continuing education in accordance with 650—Chapter 25 is required for renewal of an active license. However, licensees are exempt from the continuing education requirement for the current biennium in which the license is first issued.

14.1(4) CPR certification. In order to renew a license, an applicant must submit a statement:

a. Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a "hands-on" clinical component;

b. Providing the expiration date of the CPR certificate; and

c. Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

14.1(5) Dental hygiene committee review. The dental hygiene committee may, in its discretion, review any applications for renewal of a dental hygiene license and make recommendations to the board. The board's review is subject to 650—Chapter 1.

This rule is intended to implement Iowa Code section 147.10 and chapters 153 and 272C.
[ARC 0265C, IAB 8/8/12, effective 9/12/12]

650—14.2(153) Renewal of registration as a dental assistant. A certificate of registration as a registered dental assistant must be renewed biennially. Registration certificates shall expire on August 31 of every odd-numbered year.

14.2(1) Renewal procedures.

a. Renewal notice. The board office will send a renewal notice by regular mail or e-mail to each registrant at the registrant's last-known mailing address or e-mail address. The board will notify each registrant by mail or e-mail of the expiration of the registration certificate.

b. Registrant obligation. The registrant is responsible for renewing the registration prior to its expiration. Failure of the registrant to receive the notice does not relieve the registrant of the

responsibility for renewing that registration in order to continue practicing in the state of Iowa.

c. Renewal application form. Registrants may renew their registration online or via paper application. Paper application for renewal must be made in writing on forms provided by the board office before the current registration expires.

d. Complete and timely filed application. No renewal application shall be considered timely and sufficient until received by the board office and accompanied by all material required for renewal and all applicable renewal and late fees. Incomplete applications will not be accepted. For purposes of establishing timely filing, the postmark on a paper submittal will be used, and for renewals submitted online, the electronic timestamp will be deemed the date of filing.

14.2(2) Application fee. The appropriate fee as specified in 650—Chapter 15 must accompany the application for renewal. A penalty shall be assessed by the board for late renewal, as specified in 650—Chapter 15.

14.2(3) Continuing education requirements. Completion of continuing education as specified in rule 650—20.11(153) and 650—Chapter 25 is required for renewal of an active registration. Failure to meet the requirements of renewal in the time specified by rule will automatically result in a lapsed registration.

14.2(4) CPR certification. In order to renew a registration, an applicant must submit a statement:

a. Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;

b. Providing the expiration date of the CPR certificate; and

c. Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

This rule is intended to implement Iowa Code sections 147.10 and 153.39.

[ARC 0265C, IAB 8/8/12, effective 9/12/12]

650—14.3(136C,153) Renewal of dental assistant radiography qualification. A certificate of radiography qualification must be renewed biennially. Radiography qualification certificates shall expire on August 31 of every odd-numbered year.

14.3(1) Renewal procedures.

a. Renewal notice. The board office will send a renewal notice by regular mail or e-mail to each registrant at the registrant’s last-known mailing address or e-mail address. The board will notify each registrant by mail or e-mail of the expiration of the radiography qualification.

b. Registrant obligation. The registrant is responsible for renewing the radiography qualification prior to its expiration. Failure of the registrant to receive the notice does not relieve the registrant of the responsibility for renewing that radiography qualification if the registrant wants to continue taking dental radiographs in the state of Iowa.

c. Renewal application form. Application for renewal must be made in writing on forms provided by the board office before the current radiography qualification expires. Registrants may renew their radiography qualification online or via paper application.

d. Complete and timely filed application. No renewal application shall be considered timely and sufficient until received by the board office and accompanied by all material required for renewal and all applicable renewal and late fees. Incomplete applications will not be accepted. For purposes of establishing timely filing, the postmark on a paper submittal will be used, and for renewals submitted online, the electronic timestamp will be deemed the date of filing.

14.3(2) Application fee. The appropriate fee as specified in 650—Chapter 15 must accompany the application for renewal. A penalty shall be assessed by the board for late renewal, as specified in 650—Chapter 15.

14.3(3) Continuing education requirements. In order to renew a radiography qualification, the dental assistant shall obtain at least two hours of continuing education in the subject area of dental radiography. Proof of attendance shall be retained by the dental assistant and must be submitted to the board office upon request.

14.3(4) CPR certification. In order to renew a radiography qualification, an applicant must submit a statement:

- a. Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;
- b. Providing the expiration date of the CPR certificate; and
- c. Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

This rule is intended to implement Iowa Code chapters 136C and 153.
[ARC 0265C, IAB 8/8/12, effective 9/12/12]

650—14.4(147,153,272C) Grounds for nonrenewal. The board may refuse to renew a license, registration or radiography qualification on the following grounds:

14.4(1) After proper notice and hearing, for a violation of these rules or Iowa Code chapter 147, 153, or 272C during the term of the last license, registration or radiography qualification or renewal of license, registration or radiography qualification.

14.4(2) Failure to pay required fees.

14.4(3) Failure to obtain required continuing education.

14.4(4) Failure to provide a statement of current certification in cardiopulmonary resuscitation in a course that includes a clinical component.

14.4(5) Receipt of a certificate of noncompliance from the college student aid commission or the child support recovery unit of the department of human services in accordance with 650—Chapter 33 and 650—Chapter 34.

This rule is intended to implement Iowa Code section 153.23 and chapters 147, 252J, 261, and 272C.

[ARC 0265C, IAB 8/8/12, effective 9/12/12]

650—14.5(147,153,272C) Late renewal.

14.5(1) Failure to renew license or permit.

a. Failure to renew a dental or dental hygiene license or permit prior to September 1 following expiration shall result in a late fee in the amount specified in 650—Chapter 15 being assessed by the board in addition to the renewal fee.

b. Failure to renew prior to October 1 following expiration shall result in assessment of a late fee in the amount specified in 650—Chapter 15.

c. Failure of a license or permit holder to renew a license or permit prior to November 1 following expiration shall cause the license or permit to lapse and become invalid. A licensee or permit holder whose license or permit has lapsed and become invalid is prohibited from the practice of dentistry or dental hygiene until the license or permit is reinstated in accordance with rule 650—14.6(147,153,272C).

14.5(2) Failure to renew registration.

a. Failure to renew a dental assistant registration prior to September 1 following expiration shall result in a late fee in the amount specified in 650—Chapter 15 assessed by the board in addition to the renewal fee.

b. Failure to renew prior to October 1 following expiration shall result in assessment of a late fee in the amount specified in 650—Chapter 15.

c. Failure to renew a registration prior to November 1 following expiration shall cause the registration to lapse and become invalid. A registrant whose registration has lapsed and become invalid is prohibited from practicing as a dental assistant until the registration is reinstated in accordance with rule 650—14.6(147,153,272C).

14.5(3) Failure to renew radiography qualification. Failure to renew a radiography qualification prior to November 1 following expiration shall cause the radiography qualification to lapse and become invalid. A dental assistant whose radiography qualification is lapsed is prohibited from

engaging in dental radiography until the qualification is reinstated in accordance with rule 650—14.7(136C,153).

This rule is intended to implement Iowa Code sections 147.10, 147.11, and 272C.2.
[ARC 0265C, IAB 8/8/12, effective 9/12/12]

650—14.6(147,153,272C) Reinstatement of a lapsed license or registration.

14.6(1) A licensee or a registrant who allows a license or registration to lapse by failing to renew may have the license or registration reinstated at the discretion of the board by submitting the following:

a. A completed application for reinstatement of a lapsed license to practice dentistry or dental hygiene or application for reinstatement of a lapsed registration on the form provided by the board.

b. Dates and places of practice.

c. A list of other states in which licensed or registered and the identifying number of each license or registration.

d. Reasons for seeking reinstatement and why the license or registration was not maintained.

e. Payment of all renewal fees past due, as specified in 650—Chapter 15, plus the reinstatement fee as specified in 650—Chapter 15.

f. Evidence of completion of a total of 15 hours of continuing education for each lapsed year or part thereof in accordance with 650—Chapter 25, up to a maximum of 75 hours. Dental assistants shall be required to submit evidence of completion of a total of 10 hours of continuing education for each lapsed year or part thereof in accordance with 650—20.12(153), up to a maximum of 50 hours.

g. If licensed or registered in another state, the licensee or registrant shall provide certification by the state board of dentistry or equivalent authority of such state that the licensee or registrant has not been the subject of final or pending disciplinary action.

h. A statement disclosing and explaining any disciplinary actions, investigations, claims, complaints, judgments, settlements, or criminal charges.

i. Evidence that the applicant possesses a current certificate in a nationally recognized course in cardiopulmonary resuscitation. The course must include a clinical component.

j. For reinstatement of a lapsed license, a completed fingerprint packet to facilitate a criminal history background check by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), including the fee for the evaluation of the fingerprint packet and the criminal history background checks by the DCI and FBI, as specified in 650—Chapter 15.

14.6(2) The board may require a licensee or registrant applying for reinstatement to successfully complete an examination designated by the board prior to reinstatement if necessary to ensure the licensee or registrant is able to practice the licensee's or registrant's respective profession with reasonable skill and safety.

14.6(3) When the board finds that a practitioner applying for reinstatement is or has been subject to disciplinary action taken against a license or registration held by the applicant in another state of the United States, District of Columbia, or territory, and the violations which resulted in such actions would also be grounds for discipline in Iowa in accordance with rule 650—30.4(153), the board may deny reinstatement of a license or registration to practice dentistry, dental hygiene, or dental assisting in Iowa or may impose any applicable disciplinary sanctions as specified in rule 650—30.2(153) as a condition of reinstatement.

14.6(4) The dental hygiene committee may, in its discretion, review any applications for reinstatement of a lapsed dental hygiene license and make recommendations to the board. The board's review of the dental hygiene committee recommendation is subject to 650—Chapter 1.

This rule is intended to implement Iowa Code sections 147.10, 147.11, and 272C.2.
[ARC 0265C, IAB 8/8/12, effective 9/12/12]

650—14.7(136C,153) Reinstatement of lapsed radiography qualification. A dental assistant who allows a radiography qualification to lapse by failing to renew may have the radiography qualification

reinstated at the discretion of the board by submitting the following:

14.7(1) A completed application for reinstatement of the dental assistant radiography qualification.

14.7(2) Payment of the radiography reinstatement application fee and the current renewal fee, both as specified in 650—Chapter 15.

14.7(3) Proof of current registration as a dental assistant or proof of an active Iowa nursing license.

14.7(4) If the radiography qualification has been lapsed for less than four years, proof of two hours of continuing education in the subject area of dental radiography, taken within the previous two-year period.

14.7(5) If the radiography qualification has been lapsed for more than four years, the dental assistant shall be required to retake and successfully complete an examination in dental radiography. A dental assistant who presents proof of a current radiography qualification issued by another state and who has engaged in dental radiography in that state is exempt from the examination requirement.

This rule is intended to implement Iowa Code section 136C.3 and chapter 153.

[ARC 0265C, IAB 8/8/12, effective 9/12/12]

650—14.8 (153) Reactivation of inactive practitioners. Inactive practitioners shall, prior to engaging in the practice of dentistry, dental hygiene, or dental assisting in the state of Iowa, satisfy the following requirements for reactivation:

14.8(1) Submit written application for reactivation to the board upon forms provided by the board; and

14.8(2) Furnish in the application evidence of one of the following:

a. The full-time practice of the profession in another state of the United States or the District of Columbia and completion of continuing education for each year of inactive status substantially equivalent in the opinion of the board to that required under the rules; or

b. Completion of a total number of hours of approved continuing education computed by multiplying 15 by the number of years the license has been on inactive status for a dentist or dental hygienist, up to a maximum of 75 hours for a dentist or dental hygienist, or by multiplying 10 by the number of years the registration has been on inactive status for a dental assistant, up to a maximum of 50 hours for a dental assistant; or

c. Successful completion of CRDTS, WREB, SRTA or ADEX examination or registration examination conducted within one year immediately prior to the submission of such application for reactivation; or

d. The licensee or registrant may petition the board to determine the continuing education credit hours required for reactivation of the Iowa license or registration.

e. Evidence that the applicant possesses a current certificate in a nationally recognized course in cardiopulmonary resuscitation. The course must include a clinical component.

f. The board may require a licensee or registrant applying for reactivation to successfully complete an examination designated by the board prior to reactivation if necessary to ensure the licensee or registrant is able to practice the licensee's or registrant's prospective profession with reasonable skill and safety.

g. The dental hygiene committee may, in its discretion, review any applications for reactivation of an inactive dental hygiene license and make recommendations to the board. The board's review of the dental hygiene committee recommendation is subject to 650—Chapter 1.

14.8(3) Applications must be filed with the board along with the following:

a. Certification by the state board of dentistry or equivalent authority in which applicant has engaged in the practice of the applicant's profession that the applicant has not been the subject of final or pending disciplinary action.

b. Statement as to any claims, complaints, judgments or settlements made with respect to the applicant arising out of the alleged negligence or malpractice in rendering professional services as a dentist, dental hygienist, or dental assistant.

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