

# IOWA BOARD OF DENTAL EXAMINERS

MINUTES APRIL 4 AND 5, 2006

DES MOINES, IOWA

The meeting of the Iowa Board of Dental Examiners was called to order at 11:20 a.m. on Tuesday, April 4, 2006, in the conference room, 400 SW 8<sup>th</sup> St., Suite D, Des Moines, Iowa, by the Chairperson of the Board, Deena R. Kuempel, D.D.S.

Members present at this meeting:

Deena R. Kuempel, D.D.S., Chairperson  
Richard M. Reay, D.D.S., Vice-Chairperson  
Debra L. Yossi, R.D.H., Secretary  
Elizabeth Brennan, Public Member  
Eileen A. Cacioppo, R.D.H.  
Alan D. Hathaway, D.D.S.  
Gary D. Roth, D.D.S.  
Peter L. Vidal, D.D.S.

Also present: Constance L. Price, Executive Director  
Linda Pickering, Administrative Assistant  
Phil T. McCollum, Investigator  
Dee Ann Argo, Administrative Assistant  
Theresa O'Connell Weeg, Assistant Attorney General  
Jennifer Hart, Executive Officer  
Janet Arjes, Executive Officer

## PUBLIC COMMENT

Dr. Kuempel allowed time for public comment.

## MINUTES

The minutes of the January 18 and 19, 2006, meeting of the Board were discussed by members of the Board.

Motion by Mrs. Cacioppo, seconded Dr. Hathaway, to approve the minutes of the January 18 and 19, 2006, meeting of the Board as written.

Vote: Unanimous.  
Motion carried.

## EXECUTIVE DIRECTOR REPORT

### BOARD MEMBER RE-APPOINTMENT

Mrs. Price reported that Elizabeth Brennan, Public Member, Eileen Cacioppo, R.D.H., and Gary D. Roth, D.D.S. were re-appointed by the Governor, and confirmed by the Senate to serve another three-year term on the Board.

### FISCAL YEAR 2006

Mrs. Price reported the current expenditures and appropriations. With 75% of the fiscal year elapsed, 71% of the funds have been expended.

### FISCAL YEAR 2007

Mrs. Price reported at the last meeting that the Iowa Department of Public Health is sponsoring legislation which would allow retention of 100% of revenue generated by licensing boards. Mrs. Price reported that the bill passed Human Resources and Ways and Means committees and has passed the House 95-0. This would allow the Board to retain 100% of any revenue generated. If this legislation passes the Board could consider a change to the renewal process to collect renewal fees in the months of July and August by moving the expiration date to September 1, rather than July 1, starting with the renewal cycle in 2007.

### MEETING WITH SENIOR DENTAL STUDENTS

Mrs. Price reported that Richard M. Reay, D.D.S., Peter L. Vidal, D.D.S., Debra L. Yossi, R.D.H., and Eileen A. Cacioppo, R.D.H. met with the senior dental students at the College of Dentistry, University of Iowa, on March 22, 2006. Mrs. Yossi conducted a power point presentation explaining about the Board, Board duties and the complaint and disciplinary process.

Mrs. Price reported that Deena R. Kuempel, D.D.S. and Phil McCollum, Investigator met with the junior dental students at the College of Dentistry, University of Iowa, on February 28, 2006.

### MEETING WITH DENTAL SOCIETY PRESIDENTS

Mrs. Price is planning to schedule a meeting with the presidents of dental societies on May 8, 2006, at the Board office.

## WEB STATS

Mrs. Price reported that Phil McCollum has provided statistics regarding the use of our web site. In January 2006, there were 1,633 visitors to our web site, 13,132 hits and 5.63 pages per visit. The most popular areas of interest were the dental assistant information, rules, and public orders.

## RENEWALS

The Board is preparing renewals for dental and dental hygiene licenses. Dental licenses will be renewed for a two year period as usual and dental hygiene licenses will be renewed for a one-year period.

## RETIREMENT

Mrs. Price reported that Linda Pickering has advised her she will be retiring this July.

## **DAVID C. JOHNSEN, D.D.S.** **UNIVERSITY OF IOWA COLLEGE OF DENTISTRY**

Dr. Johnsen addressed the members of the Board and his desire to maintain a good relationship with the Board. One of the top issues for the university is recruiting faculty. He reported that the college has an outstanding group of students and is working to assist them with practice opportunities in Iowa after graduation. Also, the College of Dentistry building is 35 years old and the college is gearing to up date the facility.

Dr. Kuempel thanked Dr. Johnsen for his visit. The Board looks forward to continuing a good working relationship with the College of Dentistry.

## **CENTRAL REGIONAL DENTAL TESTING SERVICE, INC. (CRDTS)**

### DENTAL STEERING COMMITTEE REPORT Peter L. Vidal, D.D.S.

Dr. Vidal reported that he attended the Steering Committee meeting on March 3, 2006, in Kansas City, Missouri. Dr. Vidal reported that ADEX has 25 member states, with 40 states recognizing the ADEX examination through their

recognition of either NERB or CRDTS. There are some concerns, however, that the WREB examination is different in scoring of critical failures and content. According to WREB, however, they have not changed their examination content and the Board has received no information from CRDTS to indicate the examinations are no longer equivalent. Some states will accept WREB examination only if the candidate also takes and passes Part I and IV of the ADEX examination. It was the consensus of the Board that we continue acceptance of both the CRDTS/ADEX and the WREB examinations for licensure in Iowa.

**DENTAL HYGIENE EXAMINATION REVIEW COMMITTEE**  
Eileen A. Cacioppo, R.D.H.

Mrs. Cacioppo reported that she attended the Annual Meeting and Workshop Session on March 4, 2006, in Kansas City, Missouri. Mrs. Cacioppo will attend the Dental Hygiene Examination Review Committee meeting on August 26, 2006, in Kansas City, Missouri.

**DENTAL EXAMINATION REVIEW COMMITTEE REPORT**  
Gary D. Roth, D.D.S.

Dr. Roth reported that he attended the Dental Examination Review Committee meeting held on March 3, 2006, in Kansas City, Missouri.

**COUNCIL OF INTERSTATE TESTING AGENCIES**

Mrs. Price reported that information was received from Council of Interstate Testing Agencies (CITA) asking the Board to consider recognizing the results of the CITA dental and dental hygiene licensure examinations for licensure in Iowa. The Board has not received any information from CRDTS indicating that the CITA examination is equivalent to CRDTS.

Motion by Dr. Roth, seconded Mrs. Cacioppo, to not accept the CITA examination in dental and dental hygiene for licensure in Iowa at this time.

Vote: Unanimous.  
Motion carried.

**AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE)**

**AADE MID-YEAR MEETING, FORUM ON EXAMINATIONS AND NATIONAL  
DENTAL EXAMINERS ADVISORY FORUM**

Gary D. Roth, D.D.S.

Dr. Roth reported that he attended the AADE Forum on Examinations on March 19, 2006, the AADE Mid-Year Meeting on March 20, 2006, and the National Dental Examiner's Advisory Forum on March 21, 2006, in Chicago, Illinois. The main emphasis was accreditation of international schools. The American Dental Association (ADA) is considering accrediting foreign schools. Also discussed were two bylaw changes: 1) to move the annual meeting date to June rather than March so as not to interfere with examination schedule and 2) to allow the executive committee to re-district states as representation is not equal.

**ACCREDITATION SITE VISIT**

Eileen A. Cacioppo, R.D.H.

Mrs. Cacioppo reported that she represented the Board during the Commission on Dental Accreditation's on-site evaluation of the Dental Hygiene Program at Iowa Central Community College in Fort Dodge, Iowa, on March 23-24, 2006. A total of 14 students have been selected to begin the dental hygiene program.

**DENTAL ASSISTANT REGISTRATION COMMITTEE**

Ms. Arjes reported the committee received a request for approval of the following expanded function course. The committee recommends approval.

Dr. Dona Prince's expanded function course:

- 1) Placement and Removal of Gingival Retraction.
- 2) Applying Cavity Liners and Bases, Desensitizing Agents and Bonding Systems.
- 3) Testing Pulp Vitality.

Motion by Mrs. Cacioppo, seconded Mrs. Yossi, that the Board accept the committee recommendation to approve the expanded function course.

Vote: Unanimous.  
Motion carried.

**CONTINUING EDUCATION ADVISORY COMMITTEE**

Eileen A. Cacioppo, R.D.H., Chairperson

Dr. Vidal asked that the Board discuss the development of a course for continuing education credit that includes jurisprudence, rules on employment of a dental assistant, record keeping, and infection control, similar to the power point presentation at the College of Dentistry, University of Iowa.

Motion by Mrs. Yossi, seconded Dr. Vidal, following discussion the Board directed staff to draft a rule change to Chapter 25 to include jurisprudence as acceptable subject matter for continuing dental education credit.

Vote: Unanimous.  
Motion carried.

**DENTAL HYGIENE COMMITTEE**

Debra L. Yossi, R.D.H., Chairperson

There was no report at this meeting.

**ANESTHESIA CREDENTIALS COMMITTEE**

Gary D. Roth, D.D.S., Chairperson

Dr. Roth reported that he is working with Board staff to up date the application forms for conscious sedation and deep sedation/general anesthesia permits and renewal forms for permits. The Anesthesia Credentials Committee hopes to meet prior to the next Board meeting to consider the new application forms.

Dr. Roth reported that the Anesthesia Credentials Committee has recommended approval for issuance of a conscious sedation permit to Edward B. Murray, D.D.S., and issuance of a deep sedation/general anesthesia permit to Jason H. Fleischmann, D.D.S. Also, the committee recommends issuance of a conscious sedation permit (pending completion of on-site facility evaluation) to Joshua S. Brower, D.D.S.

Motion by Dr. Roth, seconded Mrs. Yossi, to approve issuance of permits as recommended by committee.

Vote: Unanimous.  
Motion carried.

### CONSIDERATION OF RULES

IOWA ADMINISTRATIVE CODE 650  
CHAPTER 11, LICENSURE TO PRACTICE DENTISTRY OR DENTAL  
HYGIENE  
CHAPTER 12, DENTAL AND DENTAL HYGIENE EXAMINATIONS

Ms. Hart explained that the purpose of the amendments is to allow applicants for dental or dental hygiene licensure to complete the examination administered by the American Board of Dental examiners, Inc. (ADEX) to qualify for dental or dental hygiene licensure by examination. Applicants for licensure by examination may also take either the Central Regional Dental Testing Service, Inc. (CRDTS) examination or the Western Regional Examining Board, Inc. (WREB) examination. A public hearing was held on March 7, 2006. One written comment was received in support of the amendments.

Motion by Dr. Roth, seconded Mrs. Cacioppo, to adopt the amendments to Chapter 11 and 12. The amendments will become effective on May 31, 2006.

Vote: Unanimous.  
Motion carried.

IOWA ADMINISTRATIVE CODE 650  
CHAPTER 14, RENEWAL  
CHAPTER 25, CONTINUING EDUCATION

Ms. Hart explained that the amendments specify that the cardiopulmonary resuscitation (CPR) course required for issuance, renewal, or reinstatement of a license, permit, or registration must include a clinical component. The purpose of the amendments is to protect patient safety by ensuring that licensees, permit holders and registrants demonstrate clinical CPR skills and do not simply take a home study or on-line CPR course. A public hearing was held on March 7, 2006. One written comment was received. In response to the comments, the effective date of the amendments was delayed until after July 1 because according to the Iowa Dental Association a number of licensees may have already taken an on-line CPR course and would have difficulty obtaining a clinical CPR course prior to license renewal.

Motion by Dr. Roth, seconded Dr. Vidal, to adopt the amendments to Chapter 14 and 25. The amendments will become effective July 1, 2006.

Vote: Unanimous.  
Motion carried.

IOWA ADMINISTRATIVE CODE 650  
CHAPTER 29, DEEP SEDATION/GENERAL ANESTHESIA, CONSCIOUS  
SEDATION AND NITROUS OXIDE INHALATION ANALGESIA

Ms. Hart reported that these amendments as adopted by the Board at the January 18, 2006, meeting became effective on March 22, 2006.

IOWA ADMINISTRATIVE CODE 650  
CHAPTER 10, GENERAL REQUIREMENTS

Ms. Hart reported that these amendments as adopted by the Board at the January 18, 2006, meeting became effective on March 22, 2006.

**LEGISLATION FOR 2006 LEGISLATIVE SESSION**

**FEES LEGISLATION**

Mrs. Price explained in the Executive Director's report that the Iowa Department of Public Health supports a bill to request retention of 100% of revenue generated by licensing boards. This allows our Board to retain 100% of the revenue generated, not subject to reversion. If the bill passes, the effective date would be July 1, 2007, for fiscal year 2008.

**IOWA PRESCRIPTION MONITORING PROGRAM/CONTROLLED  
SUBSTANCE CENTRAL DATA BASE**

Mrs. Price reported that the Iowa Prescription Monitoring Program has passed the Senate. It will likely pass this legislative session.

**HOUSE JOINT RESOLUTION 2006**

Mrs. Price reported that HJR 2006 resolution passed the House today. This resolution would nullify certain mandatory reporting rules. The resolution moves to the Senate now.

## **ISSUES FOR DISCUSSION**

### **MICRODERMABRASION**

Mrs. Price reported that the American Association of Oral and Maxillofacial Surgeons is asking if the Board has a policy regarding the performance of microdermabrasion in dental offices. The Board responded that they currently have no policy. However, Iowa law states that the dentists may only utilize "methods by education, background, experience, and expertise are common to the practice of dentistry."

## **APPLICATIONS FOR LICENSURE/PERMITS/REGISTRATION**

### **REQUEST FOR RENEWAL OF LICENSE FOR SIX MONTHS WITHOUT CONTINUING EDUCATION**

The Board office received a request for a six month renewal of license without the required continuing education. The dentist has retired but wants to work at a free clinic for six months.

Motion by Mrs. Cacioppo, seconded Dr. Roth, that the Board is unable to grant the request to renew the license without meeting the continuing education requirements. The Board wishes to thank the licensee for her volunteer efforts and encourage her to continue. However, the Board is unable to issue a six-month license renewal. Thirty hours of continuing education will be required to renew the license.

Vote: Unanimous.  
Motion carried.

### **CONTINUING EDUCATION REQUEST FOR EXTENSION**

Ms. Arjes reported that a dental assistant has filed an application for reinstatement. She also filed a request for extension/exemption of the continuing education requirements due to an illness.

Motion by Dr. Reay, seconded Dr. Roth, to approve her application for reinstatement of the dental assistant registration and grant an extension of six months for completion of the continuing education.

Vote: Unanimous.  
Motion carried.

#### REINSTATEMENT OF A DENTAL LICENSE

Thomas E. Benjamin, D.D.S.

Motion by Dr. Roth, seconded Mrs. Brennan, to approve the reinstatement of dental license for Thomas E. Benjamin, D.D.S.

Vote: Unanimous.  
Motion carried.

The following applications for license were presented to the Board for review. All applications were approved. The Dental Hygiene Committee recommends that the Board approve the dental hygiene applications for licensure.

#### Applications for Dental Hygiene License by Examination

Katrina Sue Wohlrabe, R.D.H.

Tatum Collette Kruser, R.D.H.

Robin Marie Tippitt, R.D.H.

#### Applications for Reinstatement of a Dental Hygiene License

Linda Lynn Andersen, R.D.H.

Doreen Ann Glass, R.D.H.

#### Application for Dental License by Examination

Stephanie Colleen Donnell-Randall, D.D.S.

Scott Davin Seiler, D.D.S.

#### Application for Dental License by Credentials

John Robert Wightman, D.D.S.

Jason Howard Fleischmann, D.M.D.

Arthur Lee, Jr., D.M.D.

Gary Martin Raska, D.M.D.

#### **OPPORTUNITY FOR PUBLIC COMMENT**

Dr. Kuempel allowed time for public comment.

The Board recessed at 4:45 p.m. on April 4, 2006, to continue the meeting on Wednesday, April 5, 2006, in the conference room, 400 SW 8<sup>th</sup> St., Suite D, Des Moines, Iowa. The meeting was called to order at 8:30 a.m. by the Chairperson of the Board, Deena R. Kuempel, D.D.S.

The following members were present at this portion of the meeting:

Deena R. Kuempel, D.D.S., Chairperson  
Richard M. Reay, D.D.S., Vice-Chairperson  
Debra L. Yossi, R.D.H., Secretary  
Elizabeth Brennan, Public Member  
Eileen A. Cacioppo, R.D.H.  
Alan D. Hathaway, D.D.S.  
Gary D. Roth, D.D.S.  
Peter L. Vidal, D.D.S.

Also present: Constance L. Price, Executive Director  
Linda Pickering, Administrative Secretary  
Phil T. McCollum, Investigator  
Dee Ann Argo, Administrative Assistant  
Janet Arjes, Executive Officer  
Theresa O'Connell Weeg, Assistant Attorney General

#### PETITION FOR WAIVER

The Board discussed this petition for waiver in closed session as it pertained to confidential examination information.

The Board discussed a petition for waiver of 650 Iowa Administrative Code 11.3(2)"e." This administrative rule requires an applicant for dental licensure by credentials to provide certification from a state board of dentistry in which the applicant has been licensed and engaged in the practice of dentistry for three years immediately preceding the date of application. Specifically, the petitioner asked the Board to grant a dental license by credentials with only 22 months of licensure and work experience in another state. After review of the related materials, the Board found that granting a waiver would not provide substantially equal protection of public health, safety, and welfare, as would compliance with the rule.

The Board requires evidence of licensure and practice in another state for three years preceding application for an Iowa license as a measure of competency in lieu of licensure by Board-approved examination. If a dentist has not passed the CRDTS or WREB examination, the Board has determined an alternative indicia of qualification for a license is if that dentist has been licensed without difficulty, and practiced without incident, in another state, for a significant period of time. However, the petitioner cannot meet either the licensure or practice requirements of the rule. In addition, petitioner is also unable to meet the licensure by exam

requirements. The Board has thus already established an alternative route for licensure without examination, and believes that further reduction of those alternative requirements would not ensure the level of competency the Board has determined is necessary to merit licensure. The Board believes that any further reduction of the license and practice requirements as requested in the waiver would render them meaningless.

Motion by Dr. Roth, seconded Mrs. Brennan, to deny the petition for waiver of 650 IAC 11.3(2)"e".

Vote: Unanimous.  
Motion carried.

#### **DISCIPLINARY ORDERS**

IN THE MATTER OF  
BRENDA M. BUENROSTRO, RDA

Motion by Mrs. Cacioppo, seconded Mrs Yossi, that the Board approve the Stipulation and Consent Order as proposed in this matter.

Vote: Unanimous.  
Motion carried.

IN THE MATTER OF  
MARGARET A. KRAMER, D.D.S.

Motion by Mrs. Cacioppo, seconded Mrs. Yossi, that the Board approve the Reinstatement Order as proposed in this matter.

Vote: Unanimous.  
Motion carried.

IN THE MATTER OF  
LISA J. NASH, R.D.A.

Motion by Mrs. Cacioppo, seconded Mrs. Yossi, that the Board approve the Notice of Hearing, Settlement Agreement and Final Order as proposed in this matter.

Vote: Unanimous.  
Motion carried.

IN THE MATTER OF  
TIFFANY K. DOTY, R.D.A.

Motion by Mrs. Cacioppo, seconded Mrs. Yossi, that the Board approve the Registration Stipulation and Consent Order as proposed in this matter.

Vote: Unanimous.  
Motion carried.

**NEXT MEETING OF THE BOARD**

The next meeting of the Board is scheduled for June 16, 2006, in Des Moines, Iowa.

**ADJOURNMENT**

The Board adjourned its meeting at 11:45 a.m.

Respectfully submitted,



CONSTANCE L. PRICE  
Executive Director

CLP/llp