



# STATE OF IOWA

## IOWA DENTAL BOARD

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

MELANIE JOHNSON, J.D.  
EXECUTIVE DIRECTOR

### IOWA DENTAL HYGIENE COMMITTEE

#### AGENDA

April 12-13, 2011

9:30 a.m.

**Location:** Iowa Dental Board, 400 SW 8<sup>th</sup> St., Suite D, Des Moines, Iowa

**Committee Members:** *VaLinda Parsons, R.D.H., Chair; Gary Roth, D.D.S.; Marijo Beasler, R.D.H.*

- I. OPEN SESSION** (OPEN) *VaLinda Parsons*
1. Call to Order, Roll Call
  2. Approval of Open Session Minutes
    - January 25, 2011 Meeting
  3. Administrative Rules - Committee's Recommendation Concerning Action on Final Rule Amendments Re: Clinical Examination(s) Accepted for Licensure of Dental Hygienists
    - 650 IAC Chapter 11, "Licensure to Practice Dentistry or Dental Hygiene," and 650 IAC Chapter 12, "Dental and Dental Hygiene Examinations" (Notice of Intended Action ARC #9243B)
- II. APPLICATIONS FOR LICENSURE\*** (CLOSED)
- III. COMPLAINTS & OTHER REQUESTS\*** (CLOSED)
- IV. RECONVENE IN OPEN SESSION** (OPEN)
- V. OPEN SESSION ACTION, IF ANY, ON CLOSED SESSION AGENDA ITEMS**
1. Committee Recommendations Re: Licensure applications
  2. Committee Recommendations Re: Statement of Charges; Combined Notice of Hearing, Settlement Agreement and Final Order; and Settlement Agreements
  3. Other Committee Recommendations
- VI. ADJOURN**

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 2011 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 2011 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.

***Please Note: The times given for discussion of agenda items are approximate times and are intended to serve only as a general guide. The actual time of the discussion of each agenda item may occur earlier or later than stated.***



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### **DRAFT JANUARY MINUTES – SUBJECT TO FINAL COMMITTEE APPROVAL**

#### **DENTAL HYGIENE COMMITTEE**

##### **OPEN SESSION MINUTES**

**January 25, 2011**  
**Conference Room**  
**400 S.W. 8<sup>th</sup> St., Suite D**  
**Des Moines, Iowa**

##### **Committee Members**

VaLinda J. Parsons, D.H., Chairperson  
Gary D. Roth, D.D.S.  
Marijo A. Beasler, D.H.

##### **January 25**

Present  
Present  
Present

##### **Staff Members**

Melanie Johnson, Phil McCollum, Jennifer Hart

##### **Attorney General's Office**

Theresa O'Connell Weeg, Assistant Attorney General

##### **CALL TO ORDER FOR JANUARY 25, 2011**

Chairman Parsons called the meeting of the Dental Hygiene Committee to order at 9:45 a.m. on Tuesday, January 25, 2011. A quorum was established with all members present.

##### **Roll Call:**

<u>Member</u>	<u>Beasler</u>	<u>Roth</u>	<u>Parsons</u>
Present	x	x	x
Absent			

##### **ELECTION OF OFFICERS**

Ms. Hart reported that the Committee needed to elect its officers.

- ❖ **MOVED** by ROTH, **SECONDED** by BEASLER, to appoint Ms. Parsons as the chairperson of the Dental Hygiene Committee. Motion **APPROVED** unanimously.

- ❖ MOVED by ROTH, SECONDED by PARSONS, to appoint Ms. Beasler as the vice-chairperson of the Dental Hygiene Committee. Motion APPROVED unanimously.

Ms. Parsons reported that she notified Governor Branstad's office that she was not seeking reappointment to the Iowa Dental Board or the Dental Hygiene Committee after her term expires on April 30, 2011.

### **APPROVAL OF OPEN SESSION MINUTES**

- *October 14, 2010 Open Session Minutes*

- ❖ MOVED by ROTH, SECONDED by BEASLER, to approve the October 14, 2010 minutes of the Dental Hygiene Committee as submitted. Motion APPROVED unanimously.

- *November 2, 2010 Open Session Teleconference Minutes*

- ❖ MOVED by ROTH, SECONDED by BEASLER, to approve the minutes of the November 2, 2010 teleconference meeting of the Dental Hygiene Committee. Motion APPROVED unanimously.

### **PUBLIC COMMENT**

Chairperson Parsons allowed time for public comment.

### **ADMINISTRATIVE RULES**

- *Action on Final Rule Amendments: Chpts. 11 & 12 (Notice ARC #9243B)*

Ms. Parsons indicated that she would prefer to hold off further discussion on these proposed rules until the Board has the opportunity to discuss the portion of the proposed rule changes, which apply to dentists. Ms. Parsons would like to take that information into account before the Dental Hygiene Committee makes a recommendation on the portion of the proposed rule changes that pertain to dental hygienists.

Dr. Roth stated that he would prefer to recess the open portion of the Dental Hygiene Committee meeting at the end of the current agenda items to allow the possibility of the Dental Hygiene Committee to reconvene briefly following the open Board meeting discussion on the dental portion of the rules. This would allow the Committee members to make a recommendation based on the input of all of the Board members.

Ms. Hart reported that the Dental Hygiene Committee would be allowed to do this if an announcement was made during the open Board meeting that the Dental Hygiene Committee intended to reconvene following open session discussion. This would allow the Committee to reconvene and remain in compliance with open meetings laws.

Ms. Parsons inquired as to when the Dental Hygiene Committee could reconvene. Dr. Roth recommended that they reconvene immediately following the open session Board meeting discussion of the rules, during a recess. This would allow the Dental Hygiene Committee to bring a recommendation back to the Board at the current meeting for approval.

- ❖ MOVED by ROTH, SECONDED by BEASLER, to table the discussion and vote on this matter until after the Board makes a decision relating to the dental portion of the rules in the open session meeting of the Board. Motion APPROVED unanimously.

**RECOMMENDATION – CRDTS DENTAL HYGIENE DEPUTY EXAMINERS**

Ms. Parsons reported that the Dental Hygiene Committee previously reviewed the list of potential dental hygiene deputy examiners candidates. CRDTS asked that the list be narrowed down to two or three candidates.

- ❖ MOVED by ROTH, SECONDED by BEASLER, to submit the following names to CRDTS for dental hygiene deputy examiners: Jill Engbrecht, R.D.H.; Sandra Leonard, R.D.H.; Mary Kelly, R.D.H. Motion APPROVED unanimously.

**CLOSED SESSION**

- ❖ MOVED by ROTH, SECONDED BEASLER, to go into closed session pursuant to Iowa Code 21.5(d) to discuss and review complaints, examination scores and other information required by state law to be kept confidential.

<u>Member</u>	<u>Beasler</u>	<u>Parsons</u>	<u>Roth</u>
Aye	x	x	x
Nay			

Motion APPROVED by ROLL CALL.

- The Dental Hygiene Committee convened in closed session at 10:03 a.m.
- The Committee returned to open session at 10:17 a.m.

**OPEN SESSION**

- *Ann Burbach, R.D.H.*
  - ❖ MOVED by ROTH, SECONDED by BEASLER, to approve issuance of a dental hygiene license to Ann Burbach, R.D.H. Motion APPROVED unanimously.

- *Taylor Marshall, R.D.H.*
  - ❖ MOVED by ROTH, SECONDED by BEASLER, to approve issuance of a dental hygiene license to Taylor Marshall, R.D.H. Motion APPROVED unanimously.
  
- *09-144 In The Matter of Toni Hatfield, R.D.H.*
  - ❖ MOVED by ROTH, SECONDED by BEASLER, to approve the combined Notice of Hearing, Settlement Agreement and Final Order. Motion APPROVED unanimously.

### **OTHER COMMITTEE DISCUSSION**

Ms. Parsons clarified that she would needed to remind Board members of the Board rule, IAC 650—1.4(1), which requires the Board to approve Dental Hygiene Committee recommendations provided the recommendations do not exceed the jurisdiction and scope of the Committee.

Ms. Hart reported that this would be her last meeting with the Dental Hygiene Committee and the Board as she is leaving the employment of the Iowa Dental Board at the end of March 2011. Dr. Roth thanked Ms. Hart for her service to the Dental Hygiene Committee and the Board over the years.

### **RECESSED FOR LATER DISCUSSION RE: RULES**

- ❖ MOVED by BEASLER, SECONDED by ROTH, to recess the open portion of the Dental Hygiene Committee and reconvene in open session following the discussion during the Board meeting of the proposed dental examination rules. Motion APPROVED unanimously.
  
- The Dental Hygiene Committee recessed at 10:21 a.m. with the intention to reconvene following discussion of the proposed dental examination rules at the open session Board meeting.

### **RECONVENE/ADJOURNMENT**

During the open session of the Board meeting, the Dental Hygiene Committee members reconvened to discuss the pending rules.

- ❖ MOVED by ROTH, SECONDED by BEASLER, to table the discussion and vote regarding a Committee recommendation concerning final action on the clinical examination rule changes. Motion APPROVED unanimously.

The meeting of the Dental Hygiene Committee was adjourned at approximately 12:15 p.m. on January 25, 2011.

**NEXT MEETING OF THE COMMITTEE**

The next meeting of the Dental Hygiene Committee is scheduled for April 12, 2011, in Des Moines, Iowa.

Respectfully submitted,

Melanie Johnson, J.D.  
Executive Director

MJ/cb

# REPORT TO THE DENTAL HYGIENE COMMITTEE

REQUEST FOR  
COMMITTEE  
RECOMMENDATION

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**DATE OF MEETING:** April 12-13, 2011  
**RE:** Rules – Final Rule Amendments for Chapters 11 and 12 (Notice ARC #9243B)  
**SUBMITTED BY:** Melanie Johnson, Executive Director  
**ACTION REQUESTED:** Recommendation to Board Re: Final Rule Amendments

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## **Background**

On November 2, 2010 the Board approved the filing of proposed rules to amend Chapter 11, “Licensure to Practice Dentistry or Dental Hygiene,” and Chapter 12, “Dental and Dental Hygiene Examinations.” The purpose of the proposed amendments is to establish Central Regional Dental Testing Service, Inc. (CRDTS) as the examination the Dental Board will recognize for purposes of licensure in Iowa as a dentist or dental hygienist. The amendments would remove Western Regional Examining Board, Inc. (WREB) and American Board of Dental Examiners, Inc. (ADEX) from the list of allowable examinations for purposes of licensure in the state.

A public hearing was held on December 21, 2010. Comments were received by e-mail, U.S. Mail and at the public hearing.

## **Action at January 25-26, 2011 Meeting**

Both the Committee and the Board voted to table the discussion and vote regarding final action on the pending rules.

## **Options For Consideration By the Committee**

The proposed rules are eligible for final adoption. The Committee makes recommendations about amendments that apply to dental hygiene rules. There are a number of options available to the Committee. It could recommend to the full Board the:

1. Adoption of final rule amendments as proposed, no changes.
2. Adoption of final rule amendments with changes in response to the comments received.
3. Adoption of a Notice of Termination and terminating the rulemaking.
4. Deferring action until a later date. This Notice of Intended Action will expire on May 30, 2011.