



# STATE OF IOWA

## IOWA DENTAL BOARD

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

MELANIE JOHNSON, J.D.  
EXECUTIVE DIRECTOR

### ***TELEPHONIC MEETING***

### **IOWA DENTAL BOARD**

#### **AGENDA**

December 16, 2011

4:10 PM

**Location:** The public can participate in the public session of the teleconference by speakerphone at the Board's office, 400 SW 8<sup>th</sup> St., Suite D, Des Moines, Iowa.

**Board Members:** *Gary D. Roth, D.D.S., Chair; Marijo A. Beasler, R.D.H.; Mary Kelly, R.D.H.; Steven Bradley, D.D.S.; Lynn D. Curry, D.D.S.; Steven Fuller, D.D.S.; Michael J. Rovner, D.D.S.; Diane Meier; Kimberlee Spillers*

- I. CALL MEETING TO ORDER – ROLL CALL**
- II. \*\* ORDERS AND COMPLAINTS**
- III. OPEN SESSION ACTION ON CLOSED SESSION AGENDA ITEMS**
  1. Approval of Stipulation and Consent Orders
  2. Approval of Combined Notice of Hearing, Settlement Agreement & Final Orders
  3. Notice of Hearing and Statement of Charges
  4. Licensure/Registration Applications
  5. Other
- IV. ADMINISTRATIVE RULES**
  1. Notice of Intended Action to amend Chapter 1, "Administration," Chapter 10, "General Requirements," Chapter 11, "Licensure to Practice Dentistry or Dental Hygiene," Chapter 12, "Dental and Dental Hygiene Examinations," Chapter 14, "Renewal," Chapter 15, "Fees," Chapter 20, "Dental Assistants," Chapter 22, "Dental Assistant Radiography Qualification," Chapter 25, "Continuing Education," and Chapter 29, "Sedation and Nitrous Oxide Inhalation Analgesia."
- V. ADJOURN**

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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 board 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.

# REPORT TO THE IOWA DENTAL BOARD

ACTION

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**DATE OF MEETING:** December 16, 2011 Telephonic Meeting  
**RE:** **Rules – Notice of Intended Action**  
**SUBMITTED BY:** Melanie Johnson, Executive Director  
**ACTION REQUESTED:** Approval to File Notice of Intended Action

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At the October 27, 2011 Board meeting the Board directed staff to proceed with drafting rule amendments in these areas:

- *Online database system.* Amend the rules to reflect changes related to the new database system scheduled to “go live” in the next five-six months. The new system will offer online filing of all applications (e.g., initial licensure, registration, renewals, reinstatements, reactivation, continuing education courses) and complaints; license verification; and other electronic services that will increase access to Board services. Streamline the application process to reflect a more paperless system.
- *Fees.* Amend the rules to increase fees to cover projected costs for FY 2013 and the costs charged by external groups for use of the online system (e.g., bank fees for using a credit card to pay application fees); and provide for a prorated initial licensure fee for new licensees so they only pay for the time remaining in the 24 month licensure period. Thereafter, a licensee pays the biennial renewal fee.
- *Dental hygienists practicing dental assisting.* Amend the rules to implement the Dental Hygiene Committee’s recommendation, accepted by the Board, to authorize registered dental hygienists to practice dental assisting, provided they receive the same expanded functions training required of a registered dental assistant.
- *Implement 2011 Iowa Acts, SF 438, regarding licensure by credentials.* This recent statutory change directed the Board to establish by rule the regional clinical examinations that will be accepted for licensure by credentials. The amendments identify the following regional examinations as approved by the board for purposes of applications for licensure by credentials Central Regional Dental Testing Service, Inc.(CRDTS), the Western Regional Examining Board, Inc.(WREB), Southern Regional Testing Agency (SRTA), North East Regional Examining Board (NERB), or Council of Interstate Testing Agencies (CITA).

## Attachments

- ❖ Proposed rule amendments to Chapter 1, “Administration,” Chapter 10, “General Requirements,” Chapter 11, “Licensure to Practice Dentistry or Dental Hygiene,” Chapter 12, “Dental and Dental Hygiene Examinations,” Chapter 14, “Renewal,” Chapter 15, “Fees,” Chapter 20, “Dental Assistants,” Chapter 22, “Dental Assistant Radiography Qualification,” Chapter 25, “Continuing Education,” and Chapter 29, “Sedation and Nitrous Oxide Inhalation Analgesia.”
- ❖ IDB Fee History
- ❖ 2011 Iowa Acts, Senate File 438
- ❖ Tentative Rulemaking Schedule

**DENTAL BOARD[650]**

Notice of Intended Action

Pursuant to the authority of Iowa Code section 147.76, the Dental Board hereby gives Notice of Intended Action to amend Chapter 1, “Administration,” Chapter 10, “General Requirements,” Chapter 11, “Licensure to Practice Dentistry or Dental Hygiene,” Chapter 12, “Dental and Dental Hygiene Examinations,” Chapter 14, “Renewal,” Chapter 15, “Fees,” Chapter 20, “Dental Assistants,” Chapter 22, “Dental Assistant Radiography Qualification,” Chapter 25, “Continuing Education,” and Chapter 29, “Sedation and Nitrous Oxide Inhalation Analgesia,” Iowa Administrative Code.

These amendments:

- Update the rules to reflect changes related to a new database system scheduled to “go live” within the next six months. The new system will offer online filing of all applications (e.g., initial licensure, registration, renewals, reinstatements, reactivation, continuing education courses) and complaints; license verification; and other electronic services that will increase access to Board services. The amendments eliminate collection of unnecessary application information, streamline the application process and provide for a more paperless process.
- Implement the results of the annual fee review conducted by the Board, as required by Iowa Code section 147.80. The annual fee review indicated that some fees would need to be increased to cover projected costs for FY 2013-2014. The proposed fee increases would generate sufficient revenue to meet projected costs. Fees for renewal of a dental license were last increased in 2006. Fees for renewal of a dental hygiene license or dental assistant registration have not increased since 2007. Application fees for initial licensure as a dentist or dental hygienist have remained the same since 2005. Application fees to register as a

dental assistant have not changed since 2002. Fees for continuing education applications have remained the same since 2002.

- Provide for a prorated initial licensure fee for new licensees so they only pay for the time remaining in the biennial renewal period. Thereafter, a licensee pays the biennial renewal fee.
- Combine fee information currently located in nine chapters into one chapter to make the rules more user-friendly and understandable. Consolidate renewal and reinstatement information currently located in more than multiple chapters into one chapter for ease of reference.
- Provide that costs charged by external entities for use of the online system (e.g., bank fees for using a credit card to pay application fees) will be paid by the users of the system.
- Implement the Dental Hygiene Committee's Committee's recommendation, accepted by the Board, to authorize registered dental hygienists to practice dental assisting, provided they receive the same expanded functions training required of a registered dental assistant.
- Implement 2011 Iowa Acts, SF 438, regarding licensure by credentials. This recent statutory change directed the Board to establish by rule the regional clinical examinations that will be accepted for licensure by credentials. The amendments identify the following regional examinations as approved by the board for purposes of applications for licensure by credentials Central Regional Dental Testing Service, Inc.(CRDTS), the Western Regional Examining Board, Inc.(WREB), Southern Regional Testing Agency (SRTA), North East Regional Examining Board (NERB), or Council of Interstate Testing Agencies (CITA).

Written comments about the proposed amendments will be accepted through January 31, 2012. Comments should be directed to: Melanie Johnson, Executive Director, Iowa Dental Board, 400 S.W. 8<sup>th</sup> Street, Des Moines, IA or by email at [Melanie.Johnson@iowa.gov](mailto:Melanie.Johnson@iowa.gov).

A public hearing will be held on January 31, 2011 at 10:30 a.m. in the Board Conference

Room, 400 SW 8<sup>th</sup> Street, Suite D, Des Moines, Iowa 50309-4687. The hearing will be held in conjunction with the Board's quarterly meeting. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments. Any person who plans to attend the public hearing and who may have special requirements, such as those related to hearing or mobility impairments should contact the board office and advise of specific needs.

These amendments were approved at the December 16, 2011 meeting of the Iowa Dental Board.

These amendments are intended to implement Iowa Code sections 153.33 and 153.34.

The following amendments are proposed.

ITEM 1. Amend 650—1.1(53) definition of “overpayment” and add new definitions of “reactivation” and reinstatement” as follows:

*“Overpayment”* means payment in excess of the required fee. Overpayment of ~~less than \$10~~ \$20 or less received by the board shall not be refunded.

ITEM 2. Amend 650—10.3(153) as follows:

**650—10.3(153) Authorized practice of a dental hygienist.**

**10.3(1)** “Practice of dental hygiene” as defined in Iowa Code section 153.15 means the performance of the following educational, therapeutic, preventive and diagnostic dental hygiene procedures which are delegated by and under the supervision of a dentist licensed pursuant to Iowa Code chapter 153.

*a.* Educational. Assessing the need for, planning, implementing, and evaluating oral health education programs for individual patients and community groups; conducting workshops and in-service training sessions on dental health for nurses, school personnel, institutional staff, community groups and other agencies providing consultation and technical assistance for promotional, preventive and educational services.

*b.* Therapeutic. Identifying and evaluating factors which indicate the need for and performing (1) oral prophylaxis, which includes supragingival and subgingival debridement of plaque, and detection and removal of calculus with instruments or any other devices; (2) periodontal scaling and root planing; (3) removing and polishing hardened excess restorative material; (4) administering local anesthesia with the proper permit; (5) administering nitrous oxide inhalation analgesia in accordance with 650—subrules 29.6(4) and 29.6(5); (6) applying or administering medicaments prescribed by a dentist, including chemotherapeutic agents and medicaments or therapies for the treatment of periodontal disease and caries.

*c.* Preventive. Applying pit and fissure sealants and other medications or methods for caries and periodontal disease control; organizing and administering fluoride rinse or sealant programs.

*d.* Diagnostic. Reviewing medical and dental health histories; performing oral inspection; indexing dental and periodontal disease; making occlusal registrations for mounting study casts; testing pulp vitality; analyzing dietary surveys.

*e.* The following services may only be delegated by a dentist to a dental hygienist: administration of local anesthesia, placement of sealants, and the removal of any plaque, stain, calculus, or hard natural or synthetic material except by toothbrush, floss, or rubber cup coronal polish.

**10.3(2)** All authorized services provided by a dental hygienist shall be performed under the general, direct, or public health supervision of a dentist currently licensed in the state of Iowa in accordance with 650—1.1(153) and 650—10.5(153).

**10.3(3)** Under the general or public health supervision of a dentist, a dental hygienist may provide educational services, assessment, screening, or data collection for the preparation of preliminary written records for evaluation by a licensed dentist. A dentist is not required to examine a patient prior to the provision of these dental hygiene services.

**10.3(4)** The administration of local anesthesia or nitrous oxide inhalation analgesia shall only be provided under the direct supervision of a dentist.

**10.3(5)** All other authorized services provided by a dental hygienist to a new patient shall be provided under the direct or public health supervision of a dentist. An examination by the dentist must take place during an initial visit by a new patient, except when hygiene services are provided under public health supervision.

**10.3(6)** Subsequent examination and monitoring of the patient, including definitive diagnosis and treatment planning, is the responsibility of the dentist and shall be carried out in a reasonable period of time in accordance with the professional judgment of the dentist based upon the individual needs of the patient.

**10.3(7)** General supervision shall not preclude the use of direct supervision when in the professional judgment of the dentist such supervision is necessary to meet the individual needs of the patient.

**10.3(8) Expanded dental assistant functions for dental hygienists.** A dentist may delegate an expanded dental assistant function duty to a licensed dental hygienist if the hygienist has completed approved dental assistant functions training pursuant to rule 650—20.16. The supervising dentist and registered dental hygienist shall be responsible for maintaining in the office of practice documentation of board-approved training. A dentist may delegate any of the following dental assistant expanded function duties:

- a. Taking occlusal registrations;
- b. Placement and removal of gingival retraction;
- c. Taking final impressions;
- d. Fabrication and removal of provisional restorations;
- e. Applying cavity liners and bases, desensitizing agents, and bonding systems;
- f. Placement and removal of dry socket medication;
- g. Placement of periodontal dressings; and
- h. Testing pulp vitality.

This rule is intended to implement Iowa Code section 153.15.

ITEM 3. Amend 650—10.6 as follows:

**650—10.6(147,153,272C) Other requirements.**

**10.6(1) *Change of address or name.*** Each person licensed or registered by the board must notify the board, ~~in writing~~ by written correspondence or through the board's online system, of a change of legal name or address within 60 days of such change. Proof of a legal name change, such as a notarized copy of a marriage certificate, must accompany the request for a name change.

**10.6(2) *Child and dependent adult abuse training.*** Licensees or registrants who regularly examine, attend, counsel or treat children or adults in Iowa must obtain mandatory training in child and dependent adult abuse identification and reporting within six months of initial employment and subsequently every five years in accordance with 650—subrule 25.2(9).

**10.6(3) *Reporting requirements.*** Each licensee and registrant shall be responsible for reporting to the board, within 30 days, any of the following:

- a. Every adverse judgment in a professional malpractice action to which the licensee or registrant was a party.
- b. Every settlement of a claim against the licensee or registrant alleging malpractice.
- c. Any license or registration revocation, suspension or other disciplinary action taken by a licensing authority of another state, territory or country within 30 days of the final action by the licensing authority.

This rule is intended to implement Iowa Code sections 147.9, 232.69, 235B.16 and 272C.9.

ITEM 4. Amend chapter 11 as follows:

CHAPTER 11  
LICENSURE TO PRACTICE DENTISTRY OR DENTAL HYGIENE

**650—11.1(147,153) Applicant responsibilities and license issuance.**

11.1(1) An applicant for dental or dental hygiene licensure bears full responsibility for each of the following:

1. Paying all fees charged by regulatory authorities, national testing or credentialing organizations, health facilities, and educational institutions providing the information required to complete a license or permit application; and

2. Providing accurate, up-to-date, and truthful information on the application form including, but not limited to, prior professional experience, education, training, examination scores, and disciplinary history.

3. Submitting complete application materials. An application for a license, permit, or registration or reinstatement of a license or registration will be considered active for 180 days from the date the application is received. For purposes of establishing timely filing, the postmark on a paper submittal will be used and for applications submitted online, the electronic timestamp will be deemed the date of filing. If the applicant does not submit all materials, including a completed fingerprint packet, within this time period or if the applicant does not meet the requirements for the license, permit, registration or reinstatement, the application shall be considered incomplete. An applicant whose application is filed incomplete must submit a new application and application fee.

11.1(2) Once an application has been approved a license will be issued. Licenses are valid for two years and expire on August 31 or even-numbered years. A dental or dental hygiene license shall not be issued for a period less than three months or greater than two years and three months. After initial licensure fee, a license shall be renewed as provided in 650—Chapter 14, Renewals and Reinstatement.

**650—11.2(147,153) Dental licensure by examination.**

**11.2(1)** Applications for licensure to practice dentistry in this state shall be made on the form provided by the board and must be completely answered, including required credentials and documents.

**11.2(2)** Applications for licensure must be filed with the board along with:

*a. Documentation of graduation from dental college.* Satisfactory evidence of graduation with a DDS or DMD from an accredited dental college approved by the board or satisfactory evidence of meeting the requirements specified in rule 650—11.4(153).

*b. Certification of good standing from dean or designee.* Certification by the dean or other authorized representative of the dental school that the applicant has been a student in good standing while attending that dental school.

*c. ~~Certification~~ Evidence of good standing in each state where licensed.* If the applicant is a dentist licensed by another jurisdiction, the applicant shall furnish ~~certification from the board of dental examiners of that jurisdiction that~~ evidence that the applicant is a licensed dentist in good standing in those states in which the applicant is licensed.

*d. Documentation of passage of national dental examination.* Evidence of successful

completion of ~~Part I and Part II~~ of the examination, ~~with resulting scores~~, administered by the Joint Commission on National Dental Examinations. ~~At the discretion of the board,~~ Any dentist who has lawfully practiced dentistry in another state or territory for five years may be exempted from presenting this evidence.

*e. Documentation of passage of a regional clinical examination.*

(1) Successful passage of CRDTS. Evidence of successful completion of the examination taken in the last five years, ~~with resulting scores~~, administered by the Central Regional Dental Testing Service, Inc. (CRDTS).

(2) Special transition period for dentists passing WREB or ADEX examination prior to September 1, 2011. An applicant who has successfully taken and passed the WREB or ADEX examination within the five years prior to September 1, 2011, may apply for licensure by examination by submitting evidence of successful completion of the WREB or ADEX examination.

*f. Explanation of any legal or administrative actions.* A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).

*g. Payment of application, fingerprint and background check fees.* The nonrefundable application fee, initial licensure fee, and plus the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), as specified in 650—Chapter 15.

*h. Documentation of passage of jurisprudence examination.* Evidence of successful completion of the jurisprudence examination administered by the Iowa dental board.

*i. Current CPR certification.* ~~Evidence~~ A statement confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

~~*j. Current photograph.* A photograph of the applicant suitable for positive identification.~~

~~*k. Completed fingerprint packet.* A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.~~

**11.2(3)** The board may require a personal appearance or any additional information relating to the character, education and experience of the applicant.

**11.2(4)** Applications must be signed and ~~notarized~~ verified as to the truth of the statements contained therein.

This rule is intended to implement Iowa Code sections 147.3, 147.29, and 147.34.

**650—11.3(153) Dental licensure by credentials.**

**11.3(1)** Applications for licensure by credentials to practice dentistry in this state shall be made on the form provided by the board and must be completely answered, including required credentials and documents.

**11.3(2)** Applications must be filed with the board along with:

*a.* Satisfactory evidence of graduation with a DDS or DMD from an accredited dental college approved by the board or satisfactory evidence of meeting the requirements specified in

rule 650—11.4(153).

*b.* Evidence of successful completion of ~~Parts I and II~~ of the examination of the Joint Commission on National Dental Examinations, ~~with resulting scores~~, or evidence of having passed a written examination during the last ten years that is comparable to the examination given by the Joint Commission on National Dental Examinations. Any dentist who has lawfully practiced dentistry in another state or territory for five years may be exempted from presenting this evidence.

*c.* A statement of any dental examinations taken by the applicant, ~~with resulting scores indicating pass/fail~~. Any dentist who has lawfully practiced dentistry in another state or territory for five or more years may be exempted from presenting this evidence.

*d.* Evidence of a current, valid license to practice dentistry in another state, territory or district of the United States issued ~~upon clinical examination~~ under requirements equivalent or substantially equivalent to those of this state.

*e.* ~~Certification by a state board of dentistry, or equivalent authority, from a state in which applicant has been licensed for at least three years immediately preceding the date of application and evidence of having engaged in the practice of dentistry in that state for three years immediately preceding the date of application or evidence of three years of practice satisfactory to the board.~~ Evidence that the applicant has met at least one of the following:

(1) Passed an examination administered by a regional or national testing service, which examination has been approved by the board in accordance with Iowa Code 147.34(1). The clinical examinations approved by the board are as specified in subrule 12.1(5); or

(2) Has for three consecutive years immediately prior to the filing of the application been in legal practice of dentistry in such other state, territory or district of the United States.

*f.* ~~Certification by~~ Evidence from the state board of dentistry, or equivalent authority, from each state in which applicant has ~~engaged in the~~ been licensed to practice of dentistry, that the applicant has not been the subject of final or pending disciplinary action.

*g.* A statement disclosing and explaining any disciplinary actions, investigations, malpractice claims, complaints, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).

*h.* The nonrefundable application fee for licensure by credentials, ~~plus the~~ initial licensure fee and the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal bureau of Investigation (FBI), as specified in 650—Chapter 15.

*i.* ~~Evidence~~ A statement confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation(CPR) that included a “hands-on” clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

*j.* Evidence of successful completion of the jurisprudence examination administered by the ~~board of dental examiners~~ Iowa dental board.

~~*k.* A photograph of the applicant suitable for positive identification.~~

~~*l.*~~ *k.* A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.

**11.3(3)** The board may require a personal appearance or may require any additional information relating to the character, education, and experience of the applicant.

**11.3(4)** The board may also require such examinations as may be necessary to evaluate the applicant for licensure by credentials.

**11.3(5)** Applications must be signed and ~~notarized~~ verified attesting to the truth of the statements contained therein.

This rule is intended to implement Iowa Code chapters 147 and 153.

**650—11.4(153) Graduates of foreign dental schools.** No change.

**650—11.5(147,153) Dental hygiene licensure by examination.**

**11.5(1)** Applications for licensure to practice dental hygiene in this state shall be made on the form provided by the dental hygiene committee and must be completely answered, including required credentials and documents.

**11.5(2)** Applications for licensure must be filed with the dental hygiene committee along with:

*a. Documentation of graduation from dental hygiene school.* Satisfactory evidence of graduation from an accredited school of dental hygiene approved by the dental hygiene committee.

*b. Certification of good standing from dean or designee.* Certification by the dean or other authorized representative of the school of dental hygiene that the applicant has been a student in good standing while attending that dental hygiene school.

*c. ~~Certification~~ Evidence of good standing in each state where licensed.* If the applicant is licensed as a dental hygienist by another jurisdiction, the applicant shall furnish ~~certification~~ evidence from the appropriate examining board of that jurisdiction that the applicant is a licensed dental hygienist in good standing.

*d. Documentation of completion of national examination.* Evidence of successful completion of the examination, ~~with resulting scores,~~ administered by the Joint Commission on National Dental Examinations.

*e. Passage of regional clinical examination.*

(1) Successful passage of CRDTS. Evidence of successful completion of the examination taken in the last five years, with resulting scores, administered by the Central Regional Dental Testing Service, Inc. (CRDTS).

(2) Special transition period for dental hygienists passing WREB examination prior to September 1, 2011. An applicant who has successfully taken and passed the WREB examination within the five years prior to September 1, 2011, may apply for licensure by examination by submitting evidence of successful completion of the WREB examination.

*f. Payment of application, fingerprint and background check fees.* The nonrefundable application fee, plus the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), as specified in 650—Chapter 15.

*g. Documentation of passage of jurisprudence examination.* Evidence of successful completion of the jurisprudence examination administered by the dental hygiene committee.

*h. Current CPR certification. ~~Evidence~~ A statement confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.*

*i. Explanation of any legal or administrative actions.* A statement disclosing and explaining

any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).

~~j. Current photograph. A photograph of the applicant suitable for positive identification.~~

~~k. i. Completed fingerprint packet. A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.~~

**11.5(3)** The dental hygiene committee may require a personal appearance or any additional information relating to the character, education and experience of the applicant.

**11.5(4)** Applications must be signed and ~~notarized~~ verified as to the truth of the statements contained therein.

**11.5(5)** Following review by the dental hygiene committee, the committee shall make recommendation to the board regarding the issuance or denial of any license to practice dental hygiene. The board's review of the dental hygiene committee recommendation is subject to 650—Chapter 1.

This rule is intended to implement Iowa Code chapters 147 and 153.

**650—11.6(153) Dental hygiene licensure by credentials.** To be issued a license to practice dental hygiene in Iowa on the basis of credentials, an applicant shall meet the following requirements.

**11.6(1)** Applications for licensure by credentials to practice dental hygiene in this state shall be made on the form provided by the dental hygiene committee and must be completely answered, including required credentials and documents.

**11.6(2)** Applications must be filed with the dental hygiene committee along with:

a. Satisfactory evidence of graduation from an accredited school of dental hygiene approved by the dental hygiene committee.

b. Evidence of successful completion of the examination of the Joint Commission on National Dental Examinations ~~with resulting scores~~, or evidence of having passed a written examination that is comparable to the examination given by the Joint Commission on National Dental Examinations.

c. A statement of any dental hygiene examinations taken by the applicant, ~~with resulting scores~~ indicating pass/fail. Any dental hygienist who has lawfully practiced dental hygiene in another state or territory for five or more years may be exempted from presenting this evidence.

d. Evidence of a current, valid license to practice dental hygiene in another state, territory or district of the United States ~~issued upon clinical examination~~ under requirements equivalent or substantially equivalent to those of this state.

e. ~~Certification by the state board of dentistry, or equivalent authority, from a state in which applicant has been licensed for at least three years immediately preceding the date of application and evidence of having engaged in the practice of dental hygiene in that state for three years immediately preceding the date of application or evidence of practice satisfactory to the dental hygiene committee.~~ Evidence that the applicant has met at least one of the following:

(1) Passed an examination administered by a regional or national testing service, which examination has been approved by the board in accordance with Iowa Code 147.34(1). The clinical examinations approved by the board are as specified in subrule 12.1(5)

(2) Has for three consecutive years immediately prior to the filing of the application been in legal practice of dental hygiene in such other state, territory or district of the United States.

~~f. Certification by~~ Evidence from the state board of dentistry, or equivalent authority, in each state in which applicant has ~~engaged in the~~ been licensed to practice of dental hygiene, that the applicant has not been the subject of final or pending disciplinary action.

g. A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).

h. The nonrefundable application fee for licensure by credentials, ~~plus~~ the initial licensure fee and the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), as specified in 650—Chapter 15.

~~i. Evidence-~~ A statement confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

j. Successful completion of the jurisprudence examination administered by the dental hygiene committee.

~~k.—A photograph of the applicant suitable for positive identification.~~

~~l. A~~ l. A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.

**11.6(3)** Applicant shall appear for a personal interview conducted by the dental hygiene committee or the board by request only.

**11.6(4)** The dental hygiene committee may also require such examinations as may be necessary to evaluate the applicant for licensure by credentials.

**11.6(5)** Applications must be signed and ~~notarized~~ verified attesting to the truth of the statements contained therein.

**11.6(6)** Following review by the dental hygiene committee, the committee shall make a recommendation to the board regarding issuance or denial of a dental hygiene license. The board’s review of the dental hygiene committee recommendation is subject to 650—Chapter 1.

This rule is intended to implement Iowa Code section 147.80 and chapter 153.

**650—11.7(147,153) Dental hygiene application for local anesthesia permit.** A licensed dental hygienist may administer local anesthesia provided the following requirements are met:

1. The dental hygienist holds a current local anesthesia permit issued by the board of dental examiners.

2. The local anesthesia is prescribed by a licensed dentist.

3. The local anesthesia is administered under the direct supervision of a licensed dentist.

**11.7(1)** Application for permit. A dental hygienist shall make application for a permit to administer local anesthesia on the form approved by the dental hygiene committee and provide the following:

- a. The fee for a permit to administer local anesthesia as specified in 650—Chapter 15; and
- b. Evidence that formal training in the administration of local anesthesia has been completed within 12 months of the date of application. The formal training shall be approved by the dental hygiene committee and conducted by a school accredited by the American Dental Association Commission on Dental Education; or
- c. Evidence of completion of formal training in the administration of local anesthesia approved by the dental hygiene committee and documented evidence of ongoing practice in the administration of local anesthesia in another state or jurisdiction that authorizes a dental hygienist to administer local anesthesia.

**11.7(2)** Permit renewal. ~~Prior to June 30, 2006, the permit shall expire on June 30 of every even-numbered year. For the renewal period beginning July 1, 2006, and ending June 30, 2007, the permit shall expire on June 30, 2007. A permit due to expire on June 30, 2007, shall be automatically extended until August 30, 2007, and expire August 31, 2007. After August 30, 2007, the~~ The permit shall expire on August 31 of every odd-numbered year. To renew the permit, the dental hygienist must:

- a. At the time of renewal, document evidence of holding an active Iowa dental hygiene license.
- b. Submit the application fee for renewal of the permit as specified in 650—Chapter 15.

**11.7(3)** Failure to meet the requirements for renewal shall cause the permit to lapse and become invalid.

**11.7(4)** A permit that has been lapsed for two years or less may be reinstated upon the permit holder's application for reinstatement and payment of the reinstatement fee as specified in 650—Chapter 15. A permit that has been lapsed for more than two years may be reinstated upon application for reinstatement, documentation of meeting the requirements of 11.7(1)“b” or “c,” and payment of the reinstatement fee as specified in 650—Chapter 15.

This rule is intended to implement Iowa Code sections 147.10 and 147.80 and chapter 153.

**650—11.8(147,153) Review of applications.** No change.

**650—11.9(147,153) Grounds for denial of application.** No change.

**650—11.10(147,153) Denial of licensure – appeal procedure.** No change.

**650—11.11(147,153) Receipt of certificate of noncompliance.** No change.

ITEM 5. Amend chapter 12 as follows:

CHAPTER 12  
DENTAL AND DENTAL HYGIENE EXAMINATIONS

**650—12.1(147,153) Clinical examination procedure for dentistry.**

**12.1(1)** *Completion of regional clinical examination required.*

- a. ***CRDTS accepted for licensure by examination.*** To meet the requirements for dental licensure by examination, applicants shall complete the examination administered by the Central

Regional Dental Testing Service, Inc. (CRDTS).

*b. Special transition period for dentists passing WREB or ADEX examination prior to September 1, 2011.* An applicant who has successfully passed the WREB or ADEX examination prior to September 1, 2011, may apply for licensure by examination.

**12.1(2) Compliance with testing requirements and procedures.**

*a. CRDTS.* Examinees shall meet the requirements for testing and follow the procedures established by the Central Regional Dental Testing Service, Inc.

*b. Special transition period for dentists passing WREB or ADEX examination prior to September 1, 2011.* Examinees who have completed the WREB or ADEX examination prior to September 1, 2011, shall meet the requirements for testing and follow the procedures established by WREB or ADEX.

**12.1(3) Scoring requirements.**

*a.* Prior to April 1, 1995, the examinee must attain an average grade of not less than 70 percent on each clinical portion of the examination and 70 percent on the written portion of the examination.

*b.* Between April 1, 1995, and December 31, 2000, the examinee must attain an average grade of not less than 75 percent on each clinical portion of the examination and 75 percent on the written portion of the examination.

*c.* Between January 1, 2001, and June 22, 2011, the examinee must attain a comprehensive score that meets the standard for passing established by ADEX, CRDTS, or WREB.

*d.* Post-June 22, 2011, and special transition period.

(1) Effective June 22, 2011, the examinee must attain a comprehensive score that meets the standard for passing established by CRDTS.

(2) Special transition period for dentists passing WREB or ADEX. Examinees who successfully complete the WREB or ADEX examination by September 1, 2011, must attain a comprehensive score that meets the standard for passing established by WREB or ADEX.

**12.1(4) Compliance with performance clinical operations requirements.**

*a.* Each examinee shall be required to perform such clinical operations as may be required by the Central Regional Dental Testing Service, Inc. for the purpose of sufficiently evaluating and testing the fitness of the examinee to practice dentistry.

*b.* Special transition period for dentists passing WREB or ADEX. Examinees who successfully complete the WREB or ADEX examination by September 1, 2011, shall be required to perform such clinical operations as may be required by WREB or ADEX for the purpose of sufficiently evaluating and testing the fitness of the examinee to practice dentistry.

**12.1(5) Clinical examinations accepted for purposes of licensure by credentials.** The board is authorized by 2011 Iowa Acts, Senate File 438, to establish the regional or national testing service examinations that will be accepted for purposes licensure by credentials. The following regional examinations are approved by the board for purposes of applications for licensure by credentials submitted pursuant to 650—Chapter 11, Licensure to Practice Dentistry or Dental Hygiene: Central Regional Dental Testing Service, Inc.(CRDTS), the Western Regional Examining Board, Inc.(WREB), Southern Regional Testing Agency (SRTA), North East Regional Examining Board (NERB), or Council of Interstate Testing Agencies (CITA).

**650—12.2(147,153) System of retaking dental examinations.** No changes.

**650—12.3(147,153) Clinical examination procedure for dental hygiene.**

**12.3(1)** *Completion of regional clinical examination required.*

*a. CRDTS accepted for licensure by examination.* To meet the requirements for dental hygiene licensure by examination, applicants shall complete the examination administered by the Central Regional Dental Testing Service, Inc.

*b. Special transition period for dentists passing WREB examination prior to September 1, 2011.* An applicant who has successfully passed the WREB examination prior to September 1, 2011, may apply for licensure by examination.

**12.3(2)** *Compliance with testing requirements and procedures.*

*a. CRDTS.* Examinees shall meet the requirements for testing and follow the procedures established by the Central Regional Dental Testing Service, Inc.

*b. Special transition period for dentists passing WREB examination prior to September 1, 2011.* Examinees who successfully complete the WREB examination prior to September 1, 2011, shall meet the requirements for testing and follow the procedures established by WREB.

**12.3(3)** *Scoring requirements.*

*a.* Prior to December 31, 2003, the examinee must attain an average grade of 70 percent on the examination.

*b.* Between January 1, 2004, and June 22, 2011, the examinee must attain a comprehensive score that meets the standard for passing established by CRDTS or WREB.

*c.* Post-June 22, 2011, and special transition period.

(1) Effective June 22, 2011, the examinee must attain a comprehensive score that meets the standard for passing established by CRDTS.

(2) Special transition period for dental hygienists passing WREB. Examinees who successfully complete the WREB examination by September 1, 2011, must attain a comprehensive score that meets the standard for passing established by WREB.

**12.3(4)** *Practical demonstrations.* Each examinee shall be required to perform such practical demonstrations as may be required by the Central Regional Dental Testing Service, Inc., for the purpose of sufficiently evaluating and testing the fitness of the examinee to practice dental hygiene.

**12.3(5)** *Clinical examinations accepted for purposes of licensure by credentials.* The board is authorized by 2011 Iowa Acts, Senate File 438, to establish the regional or national testing service examinations that will be accepted for purposes licensure by credentials. The following regional examinations are approved by the board for purposes of applications for licensure by credentials submitted pursuant to 650—Chapter 11, Licensure to Practice Dentistry or Dental Hygiene: Central Regional Dental Testing Service, Inc.(CRDTS), the Western Regional Examining Board, Inc.(WREB), Southern Regional Testing Agency (SRTA), North East Regional Examining Board (NERB), or Council of Interstate Testing Agencies (CITA).

**650—12.4(147,153) System of retaking dental hygiene examinations.** No change.

ITEM 6. Amend chapter 13 as follows:

CHAPTER 13  
SPECIAL LICENSES

**650—13.1(153) Resident license.**

**13.1(1)** A dentist or dental hygienist seeking permission to practice as a resident, intern or graduate student in a board-approved teaching or educational institution offering specialty oriented courses shall be required to make application to the board on official board forms and furnish to the board the following:

*a.* A signed written statement from the dean or designated administrative officer of the institution in which the applicant seeks to enroll.

*b.* A signed written statement of a dentist who holds an active Iowa license or faculty permit and who proposes to exercise supervision and direction over said applicant, specifying in general terms the time and manner thereof.

*c.* Satisfactory evidence of graduation from an accredited school of dentistry or other school approved by the board.

*d.* Such additional information as the board may deem necessary to enable it to determine the proficiency, character, education or experience of such applicant.

*e.* Applications must be signed and verified as to the truth of the statements contained therein, and all questions must be completely answered.

*f.* The appropriate fee as specified in 650—Chapter 15 of these rules.

**13.1(2)** If approved by the board, a resident license shall allow the licensee to serve as a resident, intern, or graduate student dentist or dental hygienist, under the supervision of a practitioner who holds an active Iowa license or faculty permit, at the University of Iowa College of Dentistry or at an institution approved by the board.

**13.1(3)** If a resident licensee leaves the service of such institution during the tenure of residency, internship or graduate study, the license shall be considered null and void and the authority granted by the board to the licensee shall be automatically canceled. The director of the resident training program shall notify the board within 30 days of the licensee's terminating from the program.

**13.1(4)** The resident license shall be valid for one year and may be renewed annually during such period of time as the dental resident is continuously enrolled in a graduate dental education program. A resident license issued or renewed on or after January 1, 2006, shall expire on the expected date of completion of the resident training program as indicated on the licensure or renewal application.

**13.1(5)** A resident license may be extended past the original expected completion date of the training program at the discretion of the board. A licensee who wishes to extend the expiration date of the license shall submit an extension application to the board office that includes a letter explaining the need for an extension, an extension fee of \$40 in the amount specified in 650—Chapter 15, and a statement from the director of the resident training program attesting to the progress of the resident in the training program, the new expected date of completion of the program, and whether any warnings have been issued, investigations conducted or disciplinary actions taken, whether by voluntary agreement or formal action.

**13.1(6)** The director of the resident training program shall report annually on July 1 the progress of residents under the director's supervision and whether any warnings have been

issued, investigations conducted or disciplinary actions taken, whether by voluntary agreement or formal action. The board shall notify the program directors of the reporting requirement at least 30 days prior to the deadline.

**13.1(7)** A resident licensee who changes resident training programs shall apply for a new resident license and also include a statement from the director of the applicant's most recent residency program documenting the applicant's progress in the program.

**13.1(8)** No examination or continuing education shall be required for this license.

**13.1(9)** The resident licensee shall be subject to all applicable provisions of the law and the rules of the board. Any violations of these laws or rules or the failure of the licensee to perform and progress satisfactorily or receive effective supervision as determined by the board shall be grounds for revocation of the license after proper notice and hearing.

This rule is intended to implement Iowa Code section 153.22.

**650—13.2(153) Dental college and dental hygiene program faculty permits.**

**13.2(1)** The board may issue a faculty permit entitling the holder to practice dentistry or dental hygiene as a faculty member within the University of Iowa College of Dentistry or a dental hygiene program and affiliated teaching facilities.

**13.2(2)** The dean of the college of dentistry or chairperson of a dental hygiene program shall certify to the board or the dental hygiene committee those bona fide members of the college's or a dental hygiene program's faculty who are not licensed to practice dentistry or dental hygiene in Iowa. Any faculty member so certified shall, prior to commencing duties in the college of dentistry or a dental hygiene program, make on official board forms written application to the board or the dental hygiene committee for a permit and shall provide the following:

*a.* The nonrefundable application fee, ~~plus the~~ initial licensure and the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), as specified in 650—Chapter 15.

*b.* Information regarding the professional qualifications and background of the applicant.

*c.* A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.

*d.* If the applicant is licensed by another jurisdiction, the applicant shall furnish ~~certification~~ evidence from the board of dental examiners of that jurisdiction that the applicant is licensed in good standing and has not been the subject of final or pending disciplinary action.

*e.* A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).

~~*f.* A photograph of the applicant suitable for positive identification.~~

~~*g.* Evidence that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation.~~ A statement confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a "hands-on" clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

*h. g.* Such additional information as the board may deem necessary to enable it to determine the character, education or experience of such applicant.

*i. h.* Applications must be signed and ~~notarized~~ verified as to the truth of the statements contained therein and include required credentials and documents, and all questions must be completely answered.

*j. i.* Evidence of successful completion of the jurisprudence examination administered by the Iowa dental board.

**13.2(3)** A faculty permit shall expire on August 31 of every even-numbered year and may, at the sole discretion of the board, be renewed on a biennial basis. ~~Prior to June 30, 2006, a faculty permit expired on June 30 of every even-numbered year. A faculty permit due to expire on June 30, 2008, shall be automatically extended until August 30, 2008, and expire August 31, 2008.~~

**13.2(4)** The appropriate fee as specified in 650—Chapter 15 of these rules shall be paid for renewal of the faculty permit. A faculty permit holder who fails to renew by the expiration date of the permit shall be assessed a late fee in accordance with 650—14.4(147,153,272C).

**13.2(5)** The faculty permit shall be valid only so long as the holder remains a member of the faculty of the college of dentistry or member of the faculty of a dental hygiene program in Iowa and shall subject the holder to all provisions of the law regulating the practice of dentistry and dental hygiene in this state.

**13.2(6)** Faculty permit holders are required to obtain 30 hours of continuing education in accordance with the guidelines in 650—Chapter 25 for renewal of the faculty permit.

**13.2(7)** Faculty permit holders shall also be required to submit ~~evidence of current certification in a nationally recognized course in cardiopulmonary resuscitation~~ a statement confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring to renew the permit.

**13.2(8)** Application for issuance of a dental hygiene program faculty permit shall be made to the dental hygiene committee for consideration and recommendation to the board pursuant to 650—Chapter 1.

This rule is intended to implement Iowa Code section 153.37.

**650—13.3(153) Temporary permit.** The board may issue a temporary permit authorizing the permit holder to practice dentistry or dental hygiene on a short-term basis in Iowa at a specific location or locations to fulfill an urgent need, to serve an educational purpose, or to provide volunteer services. A temporary permit may be granted on a case-by-case basis.

**13.3(1) General provisions.**

*a.* The temporary permit is intended for dentists and dental hygienists with short-term assignments in Iowa that fulfill an urgent need, serve an educational purpose, or provide volunteer services, and clearly have no long-term implications for licensure. If the need changes or if the permit holder wishes to continue in short-term assignments in other Iowa locations, the permit holder is expected to seek permanent licensure. A temporary permit is not meant as a way to practice before a permanent license is granted or as a means to practice because the applicant does not fulfill the requirements for permanent licensure.

*b.* The board may issue a temporary permit authorizing the permit holder to practice at a specific location or locations in Iowa for a specified period up to three months.

c. Following expiration of the permit, a permit holder shall be required to obtain a new temporary permit or a permanent license in order to practice dentistry or dental hygiene in Iowa.

d. A person may be issued not more than three temporary permits to fulfill an urgent need or serve an educational purpose.

e. The board may cancel a temporary permit if the permit holder has practiced outside the scope of the permit or for any of the grounds for which licensure may be revoked or suspended as specified in Iowa Code chapters 147, 153, and 272C and 650—30.4(147,153,272C). When cancellation of a permit is proposed, the board shall promptly notify the permit holder by sending a statement of charges and notice of hearing by certified mail to the last-known address of the permit holder. The provisions of 650—Chapter 51 shall govern a contested case proceeding following notice of intent to cancel the permit.

f. A temporary permit shall be displayed in the primary location of practice.

g. A temporary permit holder shall notify the board ~~in writing~~ by written correspondence or through the board's online system of any change in name or mailing address within seven days of the change. A certified copy of a marriage license or a certified copy of court documents is required for proof of a name change.

**13.3(2) Eligibility for a temporary permit to fulfill an urgent need or serve an educational purpose.** An application for a temporary permit shall be filed on the form provided by the board and must be completely answered, including required credentials and documents. An applicant for a temporary permit may submit an application online or on a paper form. To be eligible for a temporary permit to fulfill an urgent need or serve an educational purpose, an applicant shall provide all of the following:

a. Satisfactory evidence of graduation with a DDS or DMD degree for applicants seeking a temporary permit to practice dentistry or satisfactory evidence of graduation from a dental hygiene school for applicants seeking a temporary permit to practice dental hygiene.

b. The nonrefundable application fee for a temporary permit to fulfill an urgent need or serve an educational purpose as specified in 650—Chapter 15.

c. ~~Evidence that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation.~~ A statement confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a "hands-on" clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

d. A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges against the applicant.

e. Certification from the state board of dentistry, or equivalent authority, from a state in which the applicant has been licensed for at least three years immediately preceding the date of application and evidence of having engaged in the practice of dentistry in that state for three years immediately preceding the date of application or evidence of three years of practice satisfactory to the board. The applicant must also provide evidence that the applicant has not been the subject of final or pending disciplinary action.

f. ~~Certification~~ Evidence from the appropriate examining board from each jurisdiction in which the applicant has ever held a license. At least one license must be issued on the basis of clinical examination.

g. A request for the temporary permit from those individuals or organizations seeking the

applicant's services that establishes, to the board's satisfaction, the justification for the temporary permit, the dates the applicant's services are needed, and the location or locations where those services will be delivered.

**13.3(3) Eligibility for a temporary permit to provide volunteer services.**

a. A temporary permit to provide volunteer services is intended for dentists and dental hygienists who will provide volunteer services at a free or nonprofit dental clinic and who will not receive compensation for dental services provided. A temporary permit issued under this subrule shall be valid only at the location specified on the permit, which shall be a free clinic or a dental clinic for a nonprofit organization, as described under Section 501(c)(3) of the Internal Revenue Code.

b. An application for a temporary permit shall be filed on the form provided by the board and must be completely answered, including required credentials and documents. To be eligible for a temporary permit to provide volunteer services, an applicant shall provide all of the following:

~~(1) Satisfactory evidence of graduation with a DDS or DMD degree for applicants seeking a temporary permit to practice dentistry or satisfactory evidence of graduation from a dental hygiene school for applicants seeking a temporary permit to practice dental hygiene.~~

~~(2) (1) The nonrefundable application fee for a temporary permit to provide volunteer services as specified in 650—Chapter 15.~~

~~(3) (2) Evidence that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation. A statement confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a "hands-on" clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.~~

~~(4) (3) A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges against the applicant.~~

~~(5) (4) Evidence that the applicant holds an active, permanent license in good standing to practice in at least one United States jurisdiction and that no formal disciplinary action is pending or has even been taken.~~

~~(6) (5) Certification Evidence from the appropriate examining board from each jurisdiction in which the applicant has ever held a license. At least one license must be issued on the basis of clinical examination. In lieu of providing verifications from each licensing jurisdiction to meet this requirement, the applicant may authorize the board office to conduct a search of the National Practitioner Data Bank (NPDH/HIPDB). If an applicant chooses to have the board office run the search the applicant shall pay the additional fee as specified in 650—Chapter 15 to cover the costs to perform the search.~~

~~(7) (6) A request for the temporary permit from those individuals or organizations seeking the applicant's services that establishes, to the board's satisfaction, the justification for the temporary permit, the dates the applicant's services are needed, and the location or locations where those services will be delivered.~~

~~(8) (7) A statement from the applicant seeking the temporary permit that the applicant shall practice only in a free dental clinic or dental clinic for a nonprofit organization and that the applicant shall not receive compensation directly or indirectly for providing dental services.~~

**13.3(4) Dental hygiene committee review.** The dental hygiene committee shall make recommendations to the board regarding the issuance or denial of any temporary permit to practice dental hygiene. The board's review of the dental hygiene committee's recommendation is subject to 650—Chapter 1.

**13.3(5) Denial of temporary permit.** The board may deny a temporary permit in accordance with 650—11.9(147,153) or, at the sole discretion of the board, for failure to justify the need for a temporary permit. The procedure for appealing the denial of a permit is set forth in 650—11.10(147).

**13.3(6)** A temporary permit holder shall be subject to and follow all rules and state laws pertaining to the practice of dentistry and dental hygiene in this state.

This rule is intended to implement Iowa Code section 153.19.

ITEM 7. Amend Chapter 14 as follows:

CHAPTER 14  
RENEWAL AND REINSTATEMENT

**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. ~~Prior to July 1, 2008, dental licenses expired on June 30 of every even-numbered year. A dental license due to expire on June 30, 2008, shall be automatically extended until August 30, 2008, and expire August 31, 2008. Beginning July 1, 2008, dental licenses expire on August 31 of every even-numbered year. Prior to July 1, 2006, dental hygiene licenses expired on June 30 of every even-numbered year. However, for the renewal period beginning July 1, 2006, a dental hygiene license expires on June 30, 2007. A dental hygiene license due to expire on June 30, 2007, shall be automatically extended until August 30, 2007, and expire August 31, 2007. Beginning July 1, 2007, D~~dental hygiene licenses expire on August 31 of every odd-numbered year. Dental licenses expire August 31 of every even-numbered year. The board will notify each licensee by mail of the expiration of the license.

**14.1(1)** ~~Application for renewal must be made in writing on forms provided by the board at least 30 days before the current license expires.~~ **Application renewal procedures.**

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

*b. Licensee and permit holder obligation.* The licensee is responsible for renewing the license or permit prior to its expiration. Failure of the licensee to receive the notice does not relieve the licensee of the responsibility for renewing that license or permit in order to continuing 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 license and permit online or via paper application.

*d. Application must be complete and timely filed.* 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 timestamp on a paper submittal will be

used and for renewals submitted online, the electronic postmark 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, Fees.

**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, ~~evidence of current certification in a nationally recognized course in cardiopulmonary resuscitation is required. The course must include a clinical component~~ an applicant must submit a statement confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component, the expiration date of the CPR certificate, and a statement 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.

~~650—14.2 (153)–Notice of renewal. Rescinded IAB 2/6/02, effective 3/13/02.~~ **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 email to each registrant at the registrant’s last-known mailing address or email address. The board will notify each registrant by mail or email of the expiration of the registration or certification.

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 continuing practicing 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 registration expires. Registrants may renew their registration online or via paper application.

d. *Application must be complete and timely filed.* 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.

**14.2(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, Fees.

**14.2(3) Continuing education requirements.** Completion of continuing education as specified in rule 20.12 and 650—Chapter 25, Continuing Education 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 confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

**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 email to each registrant at the registrant’s last-known mailing address or email address. The board will notify each registrant by mail or email 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. *Application must be complete and timely filed.* 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.

**14.3(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, Fees.

**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 confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

**650—14.3 (147,153,272C) Grounds for nonrenewal.** The board may refuse to renew a license, ~~or~~ registration or radiography qualification on the following grounds:

14.3(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 or registration or renewal of license or registration.

14.3(2) Failure to pay required fees.

14.3(3) Failure to obtain required continuing education.

14.3(4) Failure to provide ~~proof~~ a statement of current certification in cardiopulmonary resuscitation in a course that includes a clinical component.

14.3(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.

**650—14.4 (147,153,272C) Late fee renewal.**

**14.4(1) Failure to renew license or permit.**

a. Failure to renew ~~the~~ a dental, dental hygiene license or permit prior to September 1 following expiration shall result in a late fee of \$100, 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 a late fee of \$150, in the amount specified in 650—Chapter 15, being assessed.

~~14.4(1) No renewal application shall be considered timely and sufficient until received by the board and accompanied by the material required for renewal and all applicable renewal and late fees.~~

c. 14.4(2) Failure of a licensee 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 14.5(153).

**14.4(2) Failure to renew registration.**

a. Failure to renew a dental assisting registration prior to September 1 following expiration shall result in a late 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 a late fee in the amount specified in 650—Chapter 15, being assessed.

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 650—14.5(147,153,272C).

**14.4(3) Failure to renew radiography qualification.** Failure to renew 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 650—14.6(136C,153).

This rule is intended to implement Iowa Code sections 147.10, 147.11, 153.30 and 272C.2.

**650—14.5 (147,153,272C) Reinstatement of a lapsed license or registration.**

**14.5(1)** A licensee or a registrant who allows a license or registration to lapse by failing to renew may be 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, ~~not to exceed \$750 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.

**14.5(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.

**14.5(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.

**14.5(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, 153.30 and 272C.2

**650—14.6(136C,153) Reinstatement of lapsed radiography qualification.**

A dental assistant who allows a radiography qualification to lapse by failing to renew may be reinstated at the discretion of the board by submitting the following:

14.6(1) A completed application for reinstatement of dental assistant radiography qualification.

14.6(2) Payment of the radiography reinstatement application fee and the current renewal fee, both as specified in 650—Chapter 15, Fees.

14.6(3) Proof of current registration as a dental assistant or proof of an active Iowa nursing license.

14.6(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.

14.6(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.

ITEM 8. Amend Chapter 15 as follows:

CHAPTER 15

FEES

**650—15.1(147, 153) Establishment of fees.** The board is self-supporting through the collection of fees and does not receive an appropriation from the general fund. Pursuant to Iowa Code section 147.80 the board is to establish fees by rule based on the costs of sustaining the board and the actual costs of the service. Under Iowa law the board is required to annually prepare an estimate of projected revenues generated by the fees received and review projected expenses to ensure that there are sufficient funds to cover projected expenses.

**650—15.2(147,153) Definitions.** The following definitions apply to this chapter:

“Fees” means the amount charged for the services described in this chapter. All fees are nonrefundable. The board office will refund any overpayment of fees.

“Service charge” means the amount charged for making a service available online and is in addition to the actual fee for a service itself. For example, one who renews a license online will pay the license renewal fee and a service charge.

**650—15.115.3(153) License, permit and registration application fees.** All fees are nonrefundable. In addition to the fees specified in this rule, an applicant will pay a service charge for filing online.

15.1(4)15.3(1) *Dental licensure on the basis of examination.* The fees for a dental license issued on the basis of examination include an application fee, an initial licensure fee, and a fee for evaluation of a fingerprint packet and criminal background check.

*a. Application fee.* The application fee for a license to practice dentistry is ~~\$200~~ \$250 if an application is submitted online or \$350 if submitted via a paper application.

*b. Initial licensure fee.* The initial licensure fee for a two-year period is \$540. The fee shall be pro rated by month based on the time period remaining prior to expiration. The initial license shall not be issued for a period of less than three months or greater than two years and three months. Thereafter, a licensee pays the renewal fee as specified in 650—15.4(153).

*c. Fingerprint packet and criminal history check.* The fee for evaluation of a fingerprint packet and criminal background check is a specified in subrule 15.6(4).

~~15.1(2)~~ 15.3(2) ***Dental hygiene licensure on the basis of examination.***

The fees for a dental hygiene license issued on the basis of examination include an application fee, an initial licensure fee, and a fee for evaluation of a fingerprint packet and criminal background check.

*a. Application fee.* The application fee for a license to practice dental hygiene is ~~\$100~~ \$125 if an application is submitted online or \$200 if submitted via a paper application .

*b. Initial licensure fee.* The initial licensure fee for a two-year period is \$220. The fee shall be pro rated by month based on the time period remaining prior to expiration. The initial license shall not be issued for a period of less than three months or greater than two years and three months. Thereafter, a licensee pays the renewal fee as specified in 650—15.4(153).

*c. Fingerprint packet and criminal history check.* The fee for evaluation of a fingerprint packet and criminal background check is a specified in subrule 15.7(4).

~~15.1(3)~~ 15.3(3) ***Resident dental license.*** The application fee for a resident dentist license is ~~\$120~~ \$150 if application is submitted online or \$250 if submitted via a paper application. The fee shall be pro rated by month based on the time period remaining prior to expiration. The initial license shall not be issued for a period of less than three months or greater than two years and three months. Thereafter, a licensee pays the renewal fee as specified in 650—15.4(153).

~~15.1(4)~~ 15.3(4) ***Faculty permit.*** The application fee for a faculty permit is ~~\$200~~ \$250 if application is submitted online or \$350 if submitted via a paper application. The fee shall be pro rated by month based on the time period remaining prior to expiration. The initial license shall not be issued for a period of less than three months or greater than two years and three months. Thereafter, a licensee pays the renewal fee as specified in 650—15.4(153).

~~15.1(5)~~ 15.3(5) ***Dental licensure on the basis of credentials.*** The fees for a dental license issued on the basis of credentials include an application fee, an initial licensure fee, and a fee for evaluation of a fingerprint packet and criminal background check.

*a. Application fee.* The application fee for a license to practice dentistry issued on the basis of credentials is ~~\$550~~ \$600 if an application is submitted online or \$700 if submitted via a paper application.

*b. Initial licensure fee.* The initial licensure fee for a two-year period is \$540. The fee shall be pro rated by month based on the time period remaining prior to expiration. The initial license shall not be issued for a period of less than three months or greater than two years and three months. Thereafter, a licensee pays the renewal fee as specified in 650—15.4(153).

c. Fingerprint packet and criminal history check. The fee for evaluation of a fingerprint packet and criminal background check is a specified in subrule 15.7(4).

~~15.1(6)~~ 15.3(6) **Dental hygiene licensure on the basis of credentials.** The fees for a dental hygiene license issued on the basis of credentials include an application fee, an initial licensure fee, and a fee for evaluation of a fingerprint packet and criminal background check.

a. Application fee. The application fee for a license to practice dental hygiene issued on the basis of credentials is ~~\$200~~ \$250 if an application is submitted online or \$325 if submitted via a paper application.

b. Initial licensure fee. The initial licensure fee for a two-year period is \$220. The fee shall be pro rated by month based on the time period remaining prior to expiration. The initial license shall not be issued for a period of less than three months or greater than two years and three months. Thereafter, a licensee pays the renewal fee as specified in 650—  
15.4(153).

c. Fingerprint packet and criminal history check. The fee for evaluation of a fingerprint packet and criminal background check is a specified in subrule 15.7(4).

~~15.1(7)~~ 15.3(7) **Reactivation of an inactive license or registration.** The fee for a ~~reinstatement~~ reactivation application for inactive practitioners is \$50 if an application is submitted online or \$75 if submitted via a paper application.

~~15.1(8)~~ 15.3(8) **Reinstatement of an inactive license or registration.** The fee for a reinstatement application for a lapsed license or registration is \$150 if an application is submitted online or \$200 if submitted via a paper application.

~~15.1(9)~~ 15.3(9) **General anesthesia permit application .** The application fee for a general anesthesia permit is \$500 if an application is submitted online or \$600 if submitted via a paper application.

~~15.1(10)~~ 15.3(10) **Moderate sedation permit application.** The application fee for a ~~conscious~~ moderate sedation permit is \$500 if an application is submitted online or \$600 if submitted via a paper application.

~~15.1(11)~~ 15.3(11) **Local anesthesia permit – initial application and reinstatement.** The application or reinstatement fee for a permit to authorize a dental hygienist to administer local anesthesia is \$70 if an application is submitted online or \$105 if submitted via a paper application.

~~15.1(12)~~ 15.3(12) **Dental assistant trainee application.** The fee for an application for registration as a dental assistant trainee is ~~\$25~~ \$30 if an application is submitted online or \$45 if submitted via a paper application.

~~15.1(13)~~ 15.3(13) **Dental assistant registration only application.** The fee for an application for registration as a registered dental assistant is \$40-if an application is submitted online or \$60 if submitted via a paper application.

~~15.1(14)~~ The fee for evaluation of a fingerprint packet and the criminal history background checks is \$46. The fee shall be considered a repayment receipt as defined in Iowa Code section 8.2.

~~15.3(14)~~ **15.3(14) Combined application - dental assistant registration and qualification in radiography.** The fee for a combined application for both registration as a registered dental assistant and radiography qualification is \$60 if an application is submitted online or \$90 if submitted via a paper application.

~~15.1(15)~~ **15.3(15) Dental assistant radiography qualification application fee.** The fee for an application for dental assistant radiography qualification is \$40 if an application is submitted online or \$60 if submitted via a paper application.

~~15.1(16)~~ **15.3(16) Temporary permit – urgent need or educational services.** The fee for an application for a temporary permit to serve an urgent need or provide educational services is \$100.

~~15.1(17)~~ **15.3(17) Temporary permit – volunteer services.** The fee for an application for a temporary permit to provide volunteer services is \$25. If an applicant requests that the board office conduct a national practitioner databank search in lieu of providing evidence of licensure in other states, there is an additional \$10 fee.

**650—15.2 15.4(153) Renewal fees.** All fees are nonrefundable. Each two-year renewal period begins on September 1 and runs through August 31. Dental licenses, moderate sedation permits, and general anesthesia permits expire in even-numbered years. Dental hygiene licenses, local anesthesia permits, dental assistant registration and qualification in dental radiography expire in odd-numbered years. To avoid late fees, paper renewal application must be postmarked on or received in the board office by August 31. To avoid late fees, online renewal applications must be timestamped no later than 11:59 p.m. (CST) on August 31.

~~15.2(1)~~ **15.4(1) Dental license renewal.** The fee for renewal of a license to practice dentistry for a biennial period is ~~\$315 for an active practitioner and \$315 for an inactive practitioner.~~ The renewal fee for an active practitioner to practice dentistry or an inactive practitioner is \$540 if a renewal application is submitted online or \$640 if submitted via a paper application

~~15.2(2)~~ **15.4(2) Dental hygiene license renewal.** The fee for renewal of a license to practice dental hygiene for a biennial period is \$150 for an active practitioner and \$150 for an inactive practitioner. The renewal fee for an active practitioner to practice dental hygiene or an inactive practitioner is \$220 if a renewal application is submitted online or \$295 if submitted via a paper application.

~~15.2(3)~~ **15.4(3) General anesthesia permit renewal.** The fee for renewal of a general anesthesia permit is ~~\$125~~ \$250 if a renewal application is submitted online or \$350 if submitted via a paper application.

~~15.2(4)~~ **15.4(4) Conscious sedation permit renewal.** The fee for renewal of a conscious sedation permit is ~~\$125~~ \$250 if a renewal application is submitted online or \$350 if submitted via a paper application.

~~15.2(5)~~ **15.4(5) Local anesthesia permit renewal.** The fee for renewal of a permit to authorize a dental hygienist to administer local anesthesia is ~~\$25~~ \$30 if a renewal application is submitted online or \$45 if submitted via a paper application.

~~15.2(6)~~ 15.4(6) **Dental assistant registration renewal.** The fee for renewal of registration as a registered dental assistant is ~~\$75.~~ The renewal fee for registration as a registered dental assistant is \$100 if a renewal application is submitted online or \$150 if submitted via a paper application.

15.4(7) **Combined renewal application - dental assistant registration and qualification in radiography.** The fee for a combined application to renew both a registration as a registered dental assistant and a radiography qualification is \$160 if an application is submitted online or \$210 if submitted via a paper application.

~~15.2(7)~~ 15.4(8) **Dental assistant qualification in radiography renewal.** The fee for renewal of a certificate of qualification in dental radiography is ~~\$40~~ \$60 if a renewal application is submitted online or \$110 if submitted via a paper application.

~~15.2(8)~~ 15.4(9) **Faculty permit renewal.** The fee for renewal of a faculty permit is ~~\$315~~ \$540 if a renewal application is submitted online or \$640 if submitted via a paper application.

~~15.2(9)~~ 15.4(10) **Resident license renewal.** The fee for renewal or extension of a resident license is ~~\$40~~ \$50 if a renewal application is submitted online or \$75 if submitted via a paper application.

~~650—15.3~~ **15.5(153) Late renewal fees.** All fees are nonrefundable. A licensee, registrant or permit holder who fails to renew a license, registration or permit to practice following expiration is subject to late renewal fees pursuant to ~~650—Chapter 14~~ as described in this rule. A registrant who fails to renew a registration to practice following expiration is subject to late renewal fees pursuant to ~~650—Chapter 20~~.

**15.5 (1) Failure to renew a license, registration or permit prior to September 1.** Failure to renew prior to September 1 following expiration shall result the following late fees:

a. **Dental license or permit.** A late fee of \$100 shall be assessed, in addition to the renewal fee.

b. **Dental hygiene license.** A late fee of \$100 shall be assessed, in addition to the renewal fee.

c. **Dental assistant registration.** A late fee of \$50 shall be assessed, in addition to the renewal fee.

**15.5(2) Failure to renew a license, registration or permit prior to October 1.** Failure to renew prior to October 1 following expiration shall result the following late fees:

a. **Dental license.** A late fee of \$150 shall be assessed, in addition to the renewal fee.

b. **Dental hygiene license.** A late fee of \$150 shall be assessed, in addition to the renewal fee.

c. **Dental assistant registration.** A late fee of \$75 shall be assessed, in addition to the renewal fee.

**15.5(3) Failure to renew a license, registration or permit prior to November 1.** Failure of a licensee, registrant or permit holder to renew a license, registration or permit prior to November 1 following expiration shall cause the license, registration or permit to lapse and become invalid. A licensee/registrant/permit holder whose license/registration/permit has lapsed and become invalid is prohibited from the practice of dentistry, dental hygiene, dental assisting until the license/registration/permit is reinstated.

**650—15.6 (147, 153) Reinstatement fees.** If a license, registration of permit lapses or is inactive a licensee, registrant or permit holder may submit an application for reinstatement. The fees reinstatement are:

15.6(1) Reinstatement of a dental license. In addition to the reinstatement application fee specified in 15.3(8), the applicant must pay all back renewal fees (not to exceed \$750) and the fee for evaluation of a fingerprint packet and criminal background check as specified in 15.7(4).

15.6(2) Reinstatement of a dental hygiene license. In addition to the reinstatement application fee specified in 15.3(8), the applicant must pay all back renewal fees (not to exceed \$750) and the fee for evaluation of a fingerprint packet and criminal background check as specified in 15.6(4).

15.6(3) Reinstatement of a dental assistant registration. In addition to the reinstatement application fee specified in 15.3(8), the applicant must pay all back renewal fees (not to exceed \$750).

15.6(4) Combined reinstatement application - dental assistant registration and qualification in radiography. The fee for a combined application to reinstate both a registration as a registered dental assistant and a radiography qualification is specified in 15.3(8).

15.6(5) Reinstatement of qualification in radiography. In addition to the reinstatement application fee specified in 15.3(8), the applicant must pay all back renewal fees (not to exceed \$750).

**650—15.4-15.7(153) Miscellaneous fees.** Payments made to the Iowa Board of Dental ExaminersDental Board, which shall be considered a repayment receipt as defined in Iowa Code section 8.2, shall be received in the board office prior to release of the requested document.

~~15.4(1)-15.7(1)~~ **Duplicates.** The fee for issuance of a duplicate license, permit or registration certificate or current renewal is \$25.

~~15.4(2)~~ 15.7(2) Certification or verification. The fee for a certification or written verification of an Iowa license, permit or registration is \$25.

~~15.4(3)~~ 15.7(3) Trainee manual. The fee for the dental assistant trainee manual is \$70.

15.7(4) Fingerprint packet and criminal history background check. The fee for evaluation of a fingerprint packet and the criminal history background checks is \$60. The fee shall be considered a repayment receipt as defined in Iowa Code section 8.2.

15.7(5) IPRC monitoring. The fee for monitoring for compliance with an IPRC agreement is \$300 per quarter, unless otherwise stated in the Iowa practitioner program contract entered into pursuant to 650—Chapter 35.

15.7(6) Monitoring for compliance with settlement agreements. The fee for monitoring a licensee's, registrant's or permit holder's compliance with a settlement agreement entered into pursuant to subrule 51.19(9) is \$300 per quarter, unless otherwise stated in the settlement agreement.

**15.7(7) Disciplinary hearings—fees and costs.**

a. Definitions. As used in this subrule in relation to fees related to a formal disciplinary action filed by the board against a licensee, registrant or permit holder:

"Deposition" means the testimony of a person pursuant to subpoena or at the request of the state of Iowa taken in a setting other than a hearing.

"Expenses" means costs incurred by persons appearing pursuant to subpoena or at the request of the state of Iowa for purposes of providing testimony on the part of the state of Iowa in a hearing or other official proceeding and shall include mileage reimbursement at the rate specified in Iowa Code section 70A.9 or, if commercial air or ground transportation is used, the actual cost of transportation to and from the proceeding. Also included are actual costs incurred for meals and necessary lodging.

"Medical examination fees" means actual costs incurred by the board in a physical, mental, chemical abuse, or other impairment-related examination or evaluation of a licensee when the examination or evaluation is conducted pursuant to an order of the board.

"Transcript" means a printed verbatim reproduction of everything said on the record during a hearing or other official proceeding.

"Witness fees" means compensation paid by the board to persons appearing pursuant to subpoena or at the request of the state of Iowa for purposes of providing testimony on the part of the state of Iowa. For the purposes of this rule, compensation shall be the same as outlined in Iowa Code section 622.69 or 622.72 as the case may be.

b. The board may charge a fee not to exceed \$75 for conducting a disciplinary hearing which results in disciplinary action taken against the licensee by the board. In addition to the fee, the board may recover from the licensee costs for the following procedures and personnel:

1. Transcript.
2. Witness fees and expenses.
3. Depositions.
4. Medical examination fees incurred relating to a person licensed under Iowa Code chapter 147.

**650—15.8(153) Continuing education fees.**

15.8(1) Application for prior approval of activities. The fee for an application for prior approval of a continuing education activity is \$20.

15.8(2) Application for post approval of activities. The fee for an application for post approval of a continuing education activity is \$20.

15.8(3) Application for approved sponsor status. The fee for an application to become an approved continuing education sponsor for a continuing education activity is \$150. The biennial renewal fee is \$150.

**650—15.9(153) Facility inspection fee.** The actual costs for an on-site evaluation of a facility at which sedation/general anesthesia or moderate sedation is authorized pursuant to 650 –Chapter 29 shall not exceed \$500 per facility/inspection.

**650—15.5 15.10(22,147,153) Public records.** Public records are available according to 650—Chapter 6, "Public Records and Fair Information Practices." Payment made to the Iowa Dental Board of Dental Examiners, which shall be considered a repayment receipt as defined in Iowa Code section 8.2, shall be received in the board office prior to the release of the records.

15.5(4) 15.8(1) Copies of public records shall be calculated at \$.25 per page plus labor. A \$16 per hour fee shall be charged for labor in excess of one-half hour for searching and copying documents or retrieving and copying information stored electronically. No additional fee shall be

charged for delivery of the records by mail or fax. A fax is an option if the requested records are fewer than 30 pages. The board office shall not require payment when the fees for the request would be less than \$5 total.

~~15.5(2)~~ 15.8(2) Electronic copies of public records delivered by E-mail shall be calculated at \$.10 per page; the minimum charge shall be \$5. A \$16 per hour fee shall be charged for labor in excess of one-half hour for searching and copying documents or retrieving and copying information stored electronically. The board office shall not require payment when the fee for the request would be less than \$5 total.

~~15.5(3)~~ 15.8(3) Electronic files of statements of charges, final orders and consent agreements from each board meeting delivered via E-mail may be available for an annual subscription fee of \$24.

~~15.5(4)~~ 15.8(4) Printed copies of statements of charges, final orders and consent agreements from each board meeting shall be available for an annual subscription fee of \$120.

**650—~~15.6~~ 15.11 (22,147,153) Purchase of a mailing list or data list.** Payment made to the Iowa ~~Dental Board of Dental Examiners~~, which shall be considered a repayment receipt as defined in Iowa Code section 8.2, shall be received in the board office prior to the release of a list.

~~15.6(1)~~ 15.9(1) *Mailing list.* The standard mailing list for all active dental and dental hygiene licensees and dental assistant registrants includes the full name, address, city, state, and ZIP code. The standard mailing list of dentists or dental hygienists does not include resident licensees or faculty permit holders.

- a. Printed mailing list, \$65 per profession requested.
- b. Mailing list on ~~diskette~~ disc or dvd, \$45 per profession requested.
- c. Mailing list in an electronic file, \$35 per profession requested.

~~15.6(2)~~ 15.9(2) *Data list for dentists, hygienists, or assistants.* The standard data list for active licensees or registrants includes full name, address, Iowa county (if applicable), issue date, expiration date, license or registration number, and license or registration status. Additional data elements, programming or sorting increases the following fees by \$25.

- a. Printed standard data list, \$75 per profession requested.
- b. Standard data list on ~~diskette~~ disc or dvd, \$55 per profession requested.
- c. Standard data list in an electronic file, \$45 per profession requested.

**650—~~15.7~~ 15.12 (147,153) Returned checks.** The board shall charge a fee of ~~\$25~~ \$39 for a check returned for any reason. If a license or registration had been issued by the board office based on a check that is later returned by the bank, the board shall request payment by certified check or money order. If the fees are not paid within two weeks of notification of the returned check by certified mail, the licensee or registrant shall be subject to disciplinary action for noncompliance with board rules.

**650—~~15.8~~ 15.13 (147,153,272C) Copies of the laws and rules.** Copies of laws and rules pertaining to the practice of dentistry, dental hygiene, or dental assisting are available from the board office for the following fees.

1. Iowa Code and Iowa Administrative Code access, no fee, available at [www.state.ia.us/dentalboard](http://www.state.ia.us/dentalboard).
2. Printed copies of the Iowa Code chapters that pertain to the practice of dentistry, \$10.

3. Printed copies of dental board rules in the Iowa Administrative Code, \$15.

**650—15.915.14(17A,147,153,272C) Waiver prohibited.** Rules in this chapter are not subject to waiver pursuant to 650—Chapter 7 or any other provision of law.

These rules are intended to implement Iowa Code sections 147.10, 147.80 and 153.22.

ITEM 9. Amend chapter 20 as follows:

CHAPTER 20  
DENTAL ASSISTANTS

**650—20.1(153) Registration required.** No changes.

**650—20.2(153) Definitions.** No changes.

**650—20.3(153) Scope of practice.** No changes.

**650—20.4(153) Categories of dental assistants.** No changes.

**650—20.5(153) Registration requirements prior to July 2, 2001.** No changes.

**650—20.6(153) Registration requirements after July 1, 2001.** Effective July 2, 2001, dental assistants must meet the following requirements for registration:

**20.6(1) Dental assistant trainee.**

*a.* A dentist supervising a person performing dental assistant duties must notify the board in writing of such employment within seven days of the time the dental assistant begins work.

*b.* Applications for registration as a dental assistant trainee must be filed on official board forms and include the following:

(1) The fee as specified in 650—Chapter 15.

(2) Evidence of high school graduation.

(3) Evidence the applicant is 17 years of age or older.

(4) Any additional information required by the board relating to the character and experience of the applicant as may be necessary to evaluate the applicant's qualifications.

(5) If the applicant does not meet the requirements of (2) and (3) above, evidence that the applicant is enrolled in a cooperative education or work-study program through an Iowa high school.

*c.* Within 12 months of employment, the dental assistant trainee is required to successfully complete a board-approved course of study and examination in the areas of infection control, hazardous materials, and jurisprudence. The course of study may be taken at a board-approved postsecondary school or on the job using curriculum approved by the board for such purpose. Evidence of meeting this requirement shall be submitted within 12 months by the employer dentist.

*d.* Upon expiration of the trainee status, the dental assistant trainee's supervising dentist must ensure that the trainee has received a certificate of registration before performing any further dental assisting duties.

**20.6(2) Registered dental assistant.**

*a.* To meet this qualification, a person must:

- (1) Work in a dental office for six months as a dental assistant trainee; or
- (2) Have had at least six months of prior dental assisting experience under a licensed dentist within the past two years; or
- (3) Be a graduate of an accredited dental assisting program approved by the board; and
- (4) Be a high school graduate or equivalent; and
- (5) Be 17 years of age or older.

b. Applications for registration as a registered dental assistant must be filed on official board forms and include the following:

- (1) The fee as specified in 650—Chapter 15.
- (2) Evidence of meeting the requirements specified in 20.6(2) “a.”
- (3) Evidence of successful completion of a course of study approved by the board and sponsored by a board-approved, accredited dental assisting program in the areas of infection control, hazardous materials, and jurisprudence. The course of study may be taken at a board-approved, accredited dental assisting program or on the job using curriculum approved by the board for such purpose.
- (4) Evidence of successful completion of a board-approved examination in the areas of infection control, hazardous materials, and jurisprudence.
- (5) Evidence of high school graduation or the equivalent.
- (6) Evidence the applicant is 17 years of age or older.
- (7) Evidence of meeting the qualifications of 650—Chapter 22 if engaging in dental radiography.

(8) ~~Evidence of current certification in cardiopulmonary resuscitation sponsored by a nationally recognized provider.~~ A statement confirming that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component, the expiration date of the CPR certificate, and a statement acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

(9) Any additional information required by the board relating to the character, education and experience of the applicant as may be necessary to evaluate the applicant’s qualifications.

**20.6(3)** Rescinded IAB 9/17/03, effective 10/22/03.

**20.6(4)** All applications must be signed and verified by the applicant as to the truth of the documents and statements contained therein.

**650—20.7(153) Registration denial.** No changes.

**650—20.8(147,153) Denial of registration—appeal procedure.** No changes.

**650—20.9(153) Examination requirements.** No changes.

**650—20.10(153) System of retaking dental assistant examinations.** No changes.

~~**650—20.11(153) Renewal of registration.** A certificate of registration as a registered dental assistant must be renewed biennially. Prior to June 30, 2007, registration expired on June 30 of every odd-numbered year. A registration due to expire on June 30, 2007, shall be automatically extended until August 30, 2007, and expire August 31, 2007. Beginning July 1, 2007, registration expires on August 31 of every odd-numbered year.~~

~~—**20.11(1)** The board will notify each registrant by mail of the expiration of the registration.~~

~~— 20.11(2) Application for renewal must be made in writing to the board at least 30 days before the current registration expires.~~

~~— 20.11(3) The appropriate fee as specified in 650 Chapter 15 shall accompany the application for renewal. A penalty shall be assessed by the board for late renewal.~~

~~— 20.11(4) Failure to renew the registration prior to September 1 shall result in assessment of a late fee of \$20 in addition to the renewal fee. Failure to renew prior to October 1 shall result in assessment of a late fee of \$40. 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 650—14.5(147,153,272C).~~

~~— 20.11(5) Completion of continuing education is required for renewal of an active registration. Failure to comply will automatically result in a lapsed registration.~~

~~— 20.11(6) In order to renew a registration, the registrant shall be required to furnish evidence of valid certification in a nationally recognized course in cardiopulmonary resuscitation.~~

~~— 20.11(7) The board may refuse to renew a registration in accordance with 650—14.3(153).~~

➤ Renumber rules 650—20.12(153) through 650—20.16(153) as 650—20.11(153) through 650—20.15(153).

ITEM 10. Amend chapter 22 as follows:

CHAPTER 22  
DENTAL ASSISTANT RADIOGRAPHY QUALIFICATION

**650—22.1(136C,153) Qualification required.** No changes.

**650—22.2(136C,153) Definitions.** No changes.

**650—22.3(136C,153) Exemptions.** No changes.

**650—22.4(136C,153) Application requirements for dental radiography qualification.** No changes.

**650—22.5(136C,153) Examination requirements.** No changes.

~~**650—22.6(136C,153) Renewal requirements.** The dental assistant radiography qualification shall be renewed biennially at the time of registration renewal. Prior to July 1, 2007, the radiography qualification expired on June 30 of every odd-numbered year. A radiography qualification due to expire on June 30, 2007, shall be automatically extended until August 30, 2007, and expire August 31, 2007. Beginning July 1, 2007, the radiography qualification shall expire August 31 of every odd-numbered year.~~

~~— 22.6(1) The board will notify each registrant by mail of the expiration of the radiography qualification.~~

~~— 22.6(2) Application for renewal must be made in writing to the board at least 30 days before the radiography qualification expires.~~

~~— 22.6(3) 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 upon request.

~~— 22.6(4) The dental assistant shall send the appropriate fee as specified in 650 Chapter 15 with the application for renewal of radiography qualification.~~

~~— 22.6(5) Failure to renew 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 650 22.7(136C,153).~~

~~— 22.6(6) The board may refuse to renew a radiography qualification in accordance with 650 14.3(153).~~

~~650 22.7(136C,153) Reinstatement of lapsed radiography qualification.~~ A dental assistant who allows a radiography qualification to lapse by failing to renew may be reinstated at the discretion of the board by submitting the following:

~~— 22.7(1) A completed application for reinstatement of dental assistant radiography qualification.~~

~~— 22.7(2) Payment of the radiography reinstatement fee of \$60 and the current renewal fee.~~

~~— 22.7(3) Proof of current registration as a dental assistant or dental assistant trainee or proof of an active Iowa nursing license.~~

~~— 22.7(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.~~

~~— 22.7(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.~~

~~650 22.8 22.6 (136C,153) Penalties.~~ No changes other than renumbering.

ITEM 11. Amend subrules 25.3(5) and 25.3(6) as follows:

*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. 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 of \$10 as specified in 650 Chapter 15, Fees, which shall be considered a repayment receipt as defined in Iowa Code section 8.2, 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. 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 of \$10, as specified in 650—Chapter 15, Fees, ~~which shall be considered a repayment receipt as defined in Iowa Code section 8.2~~, is required.

ITEM 12. Amend rule 650—25.4 as follows:

**650—25.4 (153) Approval of sponsors.**

**25.4(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.

**25.4(2)** Prospective sponsors must apply to the Iowa dental board of dental examiners using a “Sponsor Approval Form” in order to obtain approved sponsor status. An application fee of \$100 as specified in 650—Chapter 15, Fees, is required, ~~which shall be considered a repayment receipt as defined in Iowa Code section 8.2~~. Board-approved sponsors must pay the biennial renewal fee of \$100, ~~which shall be considered a repayment receipt as defined in Iowa Code section 8.2~~, as specified in 650—Chapter 15, Fees and file a sponsor recertification record report biennially.

**25.4(3)** The person or organization sponsoring continuing education activities shall make a written record of the Iowa licensees or registrants in attendance and send a signed copy of such attendance record to the board office upon completion of the activity, but in no case later than July 1 of even-numbered years. The report shall be sent to the Iowa Dental Board of Dental Examiners, 400 S.W. 8th Street, Suite D, Des Moines, Iowa 50309-4687. 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.

**25.4(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.

ITEM 13. Amend subrule 29.5(7) as follows

**29.5(7)** The actual costs associated with the on-site evaluation of the facility shall be the primary responsibility of the licensee. The cost to the licensee shall not exceed ~~\$500 per facility~~ the fee as specified in 650—Chapter 15, Fees.

ITEM 14. Amend rule 650—51.19 as follows:

**650—51.19 (17A) Settlements.**

**51.19(1)** A contested case may be resolved by informal settlement. Settlement negotiations may be initiated at any stage of a contested case by the executive director, prosecuting attorney, the respondent, the board or its designee. Neither the board nor the respondent is required to participate in the informal settlement process. The executive director and chairperson of the board, or the chairperson's designee(s), shall have authority to negotiate on behalf of the board.

**51.19(2)** The full board shall not be involved in negotiation until a written proposed settlement is submitted to the full board for approval, unless both parties waive this prohibition.

**51.19(3)** Consent to negotiation by the respondent during informal settlement negotiation constitutes a waiver of notice and opportunity to be heard pursuant to Iowa Code section 17A.17 ~~as amended by 1998 Iowa Acts, chapter 1202~~. Thereafter, the prosecuting attorney is authorized to discuss informal settlement with the board chairperson or designee(s).

**51.19(4)** Negotiations for a proposed settlement shall be completed at least ten days prior to the hearing date set by the order for hearing. However, after consultation with the board chairperson or designee, the executive director shall have the power to grant additional time for continued negotiations in instances where additional time will likely lead to a satisfactory settlement prior to the hearing date.

**51.19(5)** No proposed settlement shall be presented to the board for approval until it is in final, written form signed by the respondent.

**51.19(6)** All proposed settlements are subject to approval of a majority of the full board. If the board fails to approve a proposed settlement, it shall be of no force or effect to either party. The proposed settlement shall be binding if approved by the board and signed by both the chairperson or the chairperson's designee and the respondent.

**51.19(7)** A board member who participates in the negotiation of a proposed settlement is not disqualified from participating in the adjudication of the contested case.

**51.19(8)** Consent to settlement negotiations by the respondent constitutes a waiver of any objection to the participation in the adjudication of the contested case of any board member who participated in the review of a settlement agreement which was not approved by the board.

**51.19(9)** A provision for payment of ~~the actual costs or a \$300 a quarterly fee to cover the board's expenses associated with monitoring a licensee's or registrant's compliance with the settlement agreement may be included in the settlement agreement. Actual costs include mileage, meals, travel expenses, hourly investigative time, and all incidental expenses associated with monitoring compliance. Monitoring costs shall be considered repayment receipts as defined in Iowa Code section 8.2 as stated in 650—Chapter 15, Fees, or such other fees as specified by the board may be included in the settlement agreement.~~

ITEM 15. Amend rule 650—51.35 as follows:

**650—51.35 (272C) Disciplinary hearings—fees and costs.**

~~**51.35(1) Definitions.** As used in this chapter in relation to a formal disciplinary action filed by the board against a licensee:~~

~~"*Deposition*" means the testimony of a person pursuant to subpoena or at the request of the state of Iowa taken in a setting other than a hearing.~~

~~"Expenses" means costs incurred by persons appearing pursuant to subpoena or at the request of the state of Iowa for purposes of providing testimony on the part of the state of Iowa in a hearing or other official proceeding and shall include mileage reimbursement at the rate specified in Iowa Code section 70A.9 or, if commercial air or ground transportation is used, the actual cost of transportation to and from the proceeding. Also included are actual costs incurred for meals and necessary lodging.~~

~~"Medical examination fees" means actual costs incurred by the board in a physical, mental, chemical abuse, or other impairment related examination or evaluation of a licensee when the examination or evaluation is conducted pursuant to an order of the board.~~

~~"Transcript" means a printed verbatim reproduction of everything said on the record during a hearing or other official proceeding.~~

~~"Witness fees" means compensation paid by the board to persons appearing pursuant to subpoena or at the request of the state of Iowa for purposes of providing testimony on the part of the state of Iowa. For the purposes of this rule, compensation shall be the same as outlined in Iowa Code section 622.69 or 622.72 as the case may be.~~

**51.35(1) Fees.** The fees related to a formal disciplinary action filed by the board are as specified in 650—Chapter 15, Fees.

~~**51.35(2)** The board may charge a fee not to exceed \$75 for conducting a disciplinary hearing which results in disciplinary action taken against the licensee by the board. In addition to the fee, the board may recover from the licensee costs for the following procedures and personnel:~~

~~a. Transcript.~~

~~b. Witness fees and expenses.~~

~~c. Depositions.~~

~~d. Medical examination fees incurred relating to a person licensed under Iowa Code chapter 147.~~

~~**51.35(3)** Fees and costs assessed by the board pursuant to subrule 22.35(2) shall be calculated by the board's executive director and shall be entered as part of the board's final disciplinary order. The board's final disciplinary order shall specify the time period in which the fees and costs shall be paid by the licensee.~~

~~**51.35(4)** Fees and costs collected by the board pursuant to subrule 22.35(2) shall be allocated to the expenditure category of the board in which the hearing costs were incurred. The fees and costs shall be considered repayment receipts as defined in Iowa Code section 8.2.~~

~~**51.35(5) 51.35(2)** Failure of a licensee, registrant or permit holder to pay the fees and costs assessed herein in the time specified in the board's final disciplinary order shall constitute a violation of a lawful order of the board.~~

~~These rules are intended to implement Iowa Code chapter 17A as amended by 1998 Iowa Acts, chapter 1202, and Iowa Code sections 272C.5 and 272C.6.~~

# Iowa Dental Board Fee History

(September 8, 2011)

Fee Type	1982	1983	1984	1988	1991	1992	1998	1999	2001	2002	2003	2004	2005	2006	2007	2008	2009	Current
<b>License Application Fees</b>																		
<b>Dentist</b>																		
Permanent License – By Examination	\$75	\$100											\$200					\$200
Permanent License – By Credentials	\$250	\$275											\$550					\$550
Resident License	\$30	\$40											\$120					\$120
Faculty License	\$45	\$50											\$200					\$200
General Anesthesia Permit			\$100										\$500					\$500
Conscious Sedation Permit			\$100										\$500					\$500
Temporary Permit - Urgent Need or Educational Services											\$100							\$100
Temporary Permit - Volunteer Services													\$25					\$25
<b>Dental Hygienist</b>																		
Permanent License – By Examination	\$35	\$50											\$100					\$100
Permanent License – By Credentials		\$100											\$200					\$200
Resident License	\$30	\$40											\$120					\$120
Faculty License	\$45	\$50											\$200					\$200
Permit for Authorization to Administer Local Anesthesia							\$35						\$70					\$70
Temporary Permit - Urgent Need or Educational Services											\$100							\$100
Temporary Permit to Provide Volunteer Services													\$25					\$25
<b>Registration Application Fees</b>																		
<b>Dental Assistant</b>																		
Dental Assistant Trainee Status									\$10	\$25								\$25
Permanent Registration									\$40									\$40
Certificate of Radiography Qualification										\$40								\$40
Expanded Functions Application (2001-03)									\$40		- 0-							N/A
<b>Renewal Fees</b>																		
<b>Dentist</b>																		
Renewal of Permanent License, Active or Inactive	\$45/yr	\$100/2 yrs		\$120	\$160			\$240						\$315				\$315
Renewal of General Anesthesia Permit			\$100											\$125				\$125
Renewal of Conscious Sedation Permit			\$100											\$125				\$125
Renewal of Faculty Permit										\$240				\$315				\$315
Renewal or Extension of Resident License													\$40					\$40
<b>Dental Hygienist</b>																		
Renewal of Permanent License, Active or Inactive	\$20/yr	\$50/2yrs		\$70	\$80			\$120								\$150		\$150

# Iowa Dental Board Fee History

(September 8, 2011)

Fee Type	1982	1983	1984	1988	1991	1992	1998	1999	2001	2002	2003	2004	2005	2006	2007	2008	2009	Current	
Renewal of Permit to Administer Local Anesthesia							\$20								\$25			\$25	
Renewal of Faculty Permit										\$240				\$315				\$315	
Renewal or Extension of Resident License													\$40					\$40	
<b>Dental Assistant</b>																			
Renewal of Registration, Active or Inactive									\$60						\$75			\$75	
Renewal of Certificate of Radiography Qualification									\$30						\$40			\$40	
<b>Additional Fees for late Renewal Fees</b>																			
<b>Dentist</b>																			
Renewal applications received on or after September 1		(Was \$50, date established unknown)								\$100									\$100
Renewal applications received on or after October 1		(Was \$100, date established unknown)								\$150									\$150
<b>Dental Hygienist</b>																			
Renewal applications received on or after September 1		(Was \$50, date established unknown)								\$100									\$100
Renewal applications received on or after October 1		(Was \$100, date established unknown)								\$150									\$150
<b>Dental Assistant</b>																			
Renewal applications received on or after September 1									\$20										\$20
Renewal applications received on or after October 1									\$40										\$40
<b>Reinstatement Fees</b>																			
<b>Dentist</b>																			
Reinstatement of Lapsed License or Permit		\$50			\$150														\$150
Reactivation of Inactive License					\$50														\$50
<b>Dental Hygienist</b>																			
Reinstatement of Lapsed License		\$50			\$150														\$150
Reactivation of Inactive License					\$50														\$50
Reinstatement of Permit for Authorization to Administer Local Anesthesia													\$70						\$70
<b>Dental Assistant</b>																			
Reinstatement of Lapsed Registration																			\$150
Reactivation of Inactive Registration																			\$50

# Iowa Dental Board Fee History

(September 8, 2011)

Fee Type	1982	1983	1984	1988	1991	1992	1998	1999	2001	2002	2003	2004	2005	2006	2007	2008	2009	Current
Reinstatement of Radiography Qual.										\$60								\$60
<b>Miscellaneous Fees</b>																		
Evaluation of fingerprint Packet and Criminal History Background Checks												\$46						\$46
Duplicate License, Permit or Registration Certificate	\$5	\$10										\$25						\$25
Certified or Written Verification of an Iowa License, Permit or Registration	\$5	\$10										\$25						\$25
Dental Assistant Trainee Manual										\$70								\$70
Copy of Dental Board's Administrative Rules										\$15								\$15
Copy of Iowa Code Chapters RE: Practice of Dental Professions										\$10								\$10
Returned Checks										\$25								\$25
<b>Continuing Education Fees</b>																		
Prior Approval of Programs and Activities										\$10								\$10
Post-approval of Programs and Activities										\$10								\$10
Application for Approval of Sponsors										\$100								\$100
Biennial Sponsor Renewal Fee										\$100								\$100
<b>Hearing &amp; Compliance Fees</b>																		
Disciplinary Hearing (if results in discipline)																		\$75 +costs
Monitoring for Compliance with Board Order												\$100/ qtr or actual costs					\$300/ qtr or actual costs	\$300/ qtr or actual costs
Monitoring – IPRC												\$100/ qtr or actual costs						\$100/ qtr or actual costs
<b>Public Record Fees</b>																		
Paper Copy of Public Records										.25/ pg								.25/pg
Labor in Excess of One-Half Hour										\$16/ hr								\$16/hr
Electronic Copy of Public Record Delivered by Email										.10/pg								.10/pg
Labor for Electronic Copies										\$16/ hr								\$16/hr

# Iowa Dental Board Fee History

(September 8, 2011)

Fee Type	1982	1983	1984	1988	1991	1992	1998	1999	2001	2002	2003	2004	2005	2006	2007	2008	2009	Current
Annual Subscription - Electronic Files (Copies of Statement of Charges, Final Orders, Consent Orders)										\$24								\$24
Annual Subscription – Paper Copies (Statement of Charges, Final Orders, Consent Orders)										\$120								\$120
<b>Mailing Lists</b>																		
Printed -Mailing Lists Available: Active Dentists, Dental Hygienists, Dental Assistants										\$65/ per prof.								\$65/per profession
Electronic Files - Mailing Lists Available: Active Dentists, Dental Hygienists, Dental Assistants										\$35/ per prof.								\$35/per profession
Disc -Mailing Lists Available: Active Dentists, Dental Hygienists, Dental Assistants										\$45/ per prof.								\$45/per profession
<b>Data Lists</b>																		
Printed - Standard Data List (Name, Address, Iowa County, Issue Date, Expiration Date, License/Registration Number, License/Registration Status)										* \$75/ per prof.								* \$75/per profession
Disc - Standard Data List (Name, Address, Iowa County, Issue Date, Expiration Date, License/Registration Number, License/Registration Status)										* \$55/ per prof.								* \$55/per profession
Electronic File - Standard Data List (Name, Address, Iowa County, Issue Date, Expiration Date, License/Registration Number, License/Registration Status)										* \$45/ per prof.								* \$45/per profession
* <i>Plus</i> \$25 for each additional data element, programming or sorting										\$25								



TERRY E. BRANSTAD  
GOVERNOR

**OFFICE OF THE GOVERNOR**

KIM REYNOLDS  
LT. GOVERNOR

April 20, 2011

The Honorable Matthew Schultz  
Secretary of State of Iowa  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 438, an Act relating to licensing by reciprocity for dentists.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry E. Branstad", written over a horizontal line.

Terry E. Branstad  
Governor

cc: Secretary of the Senate  
Clerk of the House



Senate File 438

AN ACT

RELATING TO LICENSING BY RECIPROCITY FOR DENTISTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 153.21, Code 2011, is amended by striking the section and inserting in lieu thereof the following:

**153.21 License by credentials.**

The board may issue a license under this chapter without examination to an applicant who furnishes satisfactory proof that the applicant meets all of the following requirements:

1. Holds a license from a similar dental board of another state, territory, or district of the United States under requirements equivalent or substantially equivalent to those of this state.

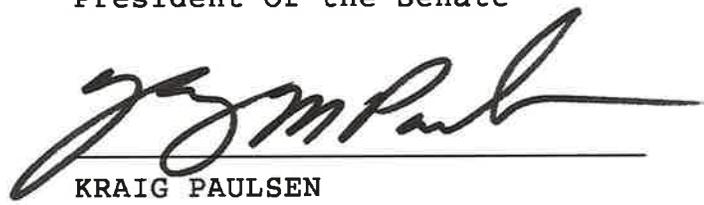
2. Has satisfied at least one of the following:

*a.* Passed an examination administered by a regional or national testing service, which examination has been approved by the dental board in accordance with section 147.34, subsection 1.

*b.* Has for three consecutive years immediately prior to the filing of the application in this state been in a legal practice of dentistry or dental hygiene in such other state, territory, or district of the United States.

3. Furnishes such other evidence as to the applicant's qualifications and lawful practice as the board may require.

  
\_\_\_\_\_  
JOHN P. KIBBIE  
President of the Senate

  
\_\_\_\_\_  
KRAIG PAULSEN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 438, Eighty-fourth General Assembly.

  
\_\_\_\_\_  
MICHAEL E. MARSHALL  
Secretary of the Senate

Approved April 20, 2011

  
\_\_\_\_\_  
TERRY E. BRANSTAD  
Governor

## **TENTATIVE RULEMAKING SCHEDULE**

If rulemaking initiated on December 16, 2011

- |               |   |
|---------------|---|
| Dec. 16, 2011 | Proposed rules approved by Board.   |
| Dec. 21, 2011 | Filing deadline; proposed rules filed .   |
| Jan. 11, 2012 | Proposed rules published in the Iowa Administrative Bulletin.   |
| Jan. 31, 2011 | Public hearing can be held on or after this date.<br>- Recommendation is to hold the public hearing in conjunction with the Board's next quarterly meeting scheduled for January 31- February 1, 2012 |
| Feb.15, 2012  | Earliest date the board could adopt final rules.  |
| Feb. 15, 2012 | Board adopts final rules (telephonic meeting).  |
| Feb. 17, 2012 | Filing deadline; final rules filed .  |
| Mar. 7, 2012  | Final rules published in the Iowa Administrative Bulletin.  |
| Apr. 1, 2012  | Effective date of final rules.  |