



STATE OF IOWA

IOWA DENTAL BOARD

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

MELANIE JOHNSON, J.D.
EXECUTIVE DIRECTOR

DENTAL HYGIENE COMMITTEE

OPEN SESSION MINUTES

July 12, 2012
Conference Room
400 S.W. 8th St., Suite D
Des Moines, Iowa

Committee Members

Mary C. Kelly, R.D.H.
Nancy A. Slach, R.D.H.
Steven P. Bradley, D.D.S.

July 12, 2012

Present
Present
Present

Staff Members

Melanie Johnson, Christel Braness, Brian Sedars, Phil McCollum, Janet Arjes

Attorney General's Office

Theresa Weeg, Assistant Attorney General

CALL TO ORDER FOR JULY 12 2012

Ms. Kelly called the meeting of the Dental Hygiene Committee to order at 10:16 a.m. on Thursday, July 12, 2012. A quorum was established with all members present.

Roll Call:

| <u>Member</u> | <u>Kelly</u> | <u>Slach</u> | <u>Bradley</u> |
|---------------|--------------|--------------|----------------|
| Present | x | x | x |
| Absent | | | |

APPROVAL OF MINUTES

- *April 24, 2012 Open Session Minutes*
- ❖ MOVED by BRADLEY, SECONDED by SLACH, to approve the April 24, 2012, minutes of the Dental Hygiene Committee meeting as submitted. Motion APPROVED unanimously.

▪ *May 18, 2012 Open Session Minutes*

- ❖ MOVED by BRADLEY, SECONDED by KELLY, to approve the May 18, 2012, minutes of the Dental Hygiene Committee teleconference meeting with the correction that Ms. Slach is vice-chairperson and Dr. Bradley is secretary. Motion APPROVED unanimously.

EXPANDED FUNCTIONS FOR DENTAL HYGIENISTS & DENTAL ASSISTANTS

Ms. Kelly stated that the topic of expanded functions would also be discussed at the meeting scheduled for the next day. Ms. Kelly wanted to ensure that all related items would be discussed, including those suggested by the Iowa Dental Hygiene Association (IDHA). Ms. Johnson reported that all comments received by the Board office were forwarded to the Board and interested parties.

Mr. Cope, IDHA, indicated that at the expanded functions meeting in January 2012 it was suggested that a number of other suggestions could be addressed. Mr. Cope feels that it would be consistent to include the discussion of atraumatic restorative treatment (ART) as this is function not currently allowed under the scope of practice of a dental hygienist in Iowa. Ms. Johnson reiterated that she did not want to limit the discussion on this matter; however, she wants to be sure that the discussion is limited to expanded functions, whatever those may include.

Ms. Johnson stated that the Board can determine what to include in the discussion the next day. The Board members have all of the information available to them as a reference.

DAY CARE SETTINGS – PUBLIC HEALTH SUPERVISION

Ms. Kelly reported that this discussion was a follow-up from the prior Board meeting. The Iowa Department of Public Health (IDPH) provided the 2010 data related to the public health supervision agreements on file. The data for 2011 had not yet been compiled at the time of this meeting. At the April 2012 Board meeting, the question was raised as to whether the current rules regulating public health supervision agreements allow services to be provided at day care settings under a public health supervision agreement.

Ms. Kelly stated that she would like to add day care settings to the provisions for public health supervision. Dr. Bradley indicated that some in-home day cares would be included in that language. Ms. Slach clarified that, while some in-home day cares are licensed, others are not.

Dr. Bradley expressed some disagreement to the proposal of adding day cares to the provisions of public health supervision; specifically, Dr. Bradley's concern relates to in-home day cares. Dr. Bradley, indicated, however, that he would need to review a more specific proposal prior to making a final decision.

Ms. Weeg suggested that the Board and/or the Dental Hygiene Committee look at the requirements for licensing of day cares before submitting a proposal for rule change.

Mr. Cope, IDHA, pointed out that all schools and nursing homes are covered under the current rule. Mr. Cope stated that this allows for services to be provided to a large number of minors that may require them.

Ms. Kelly reported that, based on her prior practice experience, a large number of children ages one through four, are not currently covered. Dr. Bradley stated that he sees some of these children prior to Kindergarten. Ms. Kelly stated that a number of these children may not be seen by dentists.

Mr. Cope agrees with Ms. Weeg that the licensure standards for day cares would be a good starting point in reviewing this matter and trying to propose suggestions for change.

Ms. Johnson indicated that any changes made to the public health supervision regulations would require a rule amendment. Ms. Johnson stated that the committee can propose language to the Board for consideration as they see fit.

Ms. Kelly proposed adding day cares, with the exclusion of in-home day care, to the allowed sites for public health supervision agreements.

Ms. Slach inquired as to the reasons why the Board might exclude groups such as in-home day cares. Ms. Slach stated that she was aware of at least one individual with an in-home day care who would possibly embrace these services. Ms. Slach could not find a logical reason to deny services to these in-home day care providers if the same services were to be provided to other day care settings.

- ❖ MOVED by KELLY, SECONDED by BRADLEY, to direct staff to draft language to propose a rule amendment adding day care facilities to the rule. Motion APPROVED unanimously.

EXAMINATION REQUIREMENTS FOR PUBLIC HEALTH SUPERVISION

Mr. McCollum referred to the current language in Iowa Administrative Code 650 regarding treatment. Mr. McCollum reminded the committee members that the public health supervision agreements are to stipulate the period of time before an examination must be completed prior to further hygiene services being provided under the public health supervision agreement.

Ms. Weeg feels that the current language in rules is unclear in terms of establishing a baseline. The rule is unclear as to when an examination must occur prior to dental hygiene services being continued. However, Ms. Weeg's not certain that an examination must always occur in between each set of services provided by a public health hygienist. The public health supervision agreement should clearly define this as established by the supervising dentist.

Ms. Kelly thought that the rules allowed the supervising dentist to determine when an examination would be required prior to resuming services. Ms. Kelly believed that the rule had been changed to allow ongoing services to patients, who might not otherwise receive any dental treatment. Ms. Kelly stated that, as a public health hygienist, it is sometimes difficult to determine when an examination has occurred.

Mr. McCollum agreed that the rule is not clear but that his understanding of the rule is that an examination must be conducted at some point before services continue indefinitely.

Ms. Cacioppo stated that she was on the Board at the time the public health supervision rules were approved. Ms. Cacioppo's recollection is also that the determination should be made by the supervising dentist.

Mr. McCollum stated that he was aware of a rule change as it related to services provided under general supervision. However, Mr. McCollum does not recall if this change also applied to the public health supervision rules. Ms. Weeg stated that it would be a good idea to look at clarifying the rule so as to remove some of the confusion in this area.

Mr. Cope, IDHA, recalls that that the some of the former language was stricken from the rule regarding the 12-month examination requirement; however, the question is how to interpret the current language and how to move forward at this point in time. Mr. Cope feels that it may be better to come back to this issue at a later date. This would allow more time to review the change in language in the rule and to attempt to ascertain the intended impact of the rule.

Dr. Bradley stated that he was comfortable with leaving the determination as to the timeline regarding examination up to the supervising dentist. Ms. Slach inquired as to how to best address the examination when patients may not always see the same practitioner(s).

Ms. Rodgers, IDPH, stated that the sample agreement, provided by their office, was updated to reference time frames as established between the dentists and dental hygienists who enter into these agreements. Ms. Rodgers interpretation of the form is that the dentist is to set the timeline for requiring an examination before hygiene services could continue. However, Ms. Rodgers pointed out that the form provided by IDPH is only a sample document. Licensees do not have to use their form, and rather, could develop their own written supervision agreement. Ms. Johnson asked about the maintenance of those written agreements and whether access could be provided to them. Ms. Rodgers indicated that IDPH maintains the agreements and that they could certainly be made available for further review.

The decision was made to table further discussion on this matter.

FLUORIDE VARNISH UNDER GENERAL SUPERVISION

Ms. Kelly asked for clarification on the matter of fluoride varnish and the level of supervision required. Ms. Kelly recollected that public health supervision agreements would be inclusive of prior-existing services and programs. Ms. Kelly indicated that Mr. McCollum clarified,

previously, that general supervision provisions do not necessarily apply to public health supervision.

Ms. Weeg recommended that staff research this matter further to see how this matter may have treated historically. The former staff member who managed this information previously is no longer employed by this office. It might be best to revisit this later at a later date when further research can be completed. Ms. Johnson reminded the committee, that licensees are obligated to operate under the current rule. The committee, however, could propose a change to the rules if the members feel that it is appropriate.

Ms. Kelly would like to see what the language was regarding these services prior to the addition of public health supervision agreements in rule.

PUBLIC COMMENT

Ms. Kelly allowed the opportunity for public comment.

No comments were received.

CLOSED SESSION

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

Roll Call:

| <u>Member</u> | <u>Kelly</u> | <u>Slach</u> | <u>Bradley</u> |
|---------------|--------------|--------------|----------------|
| Present | x | x | x |
| Absent | | | |

Motion APPROVED by ROLL CALL.

- The Dental Hygiene Committee convened in closed session at 10:53 a.m.

OPEN SESSION

- ❖ MOVED by SLACH, SECONDED by BRADLEY, to return to open session. Motion APPROVED unanimously.

The Committee reconvened in open session at 10:56 am.

The meeting of the Dental Hygiene Committee was adjourned at approximately 10:56 a.m. on July 12, 2012.

NEXT MEETING OF THE COMMITTEE

The next meeting of the Dental Hygiene Committee is scheduled for October 25, 2012, in Des Moines, Iowa.

Respectfully submitted,

A handwritten signature in cursive script that reads "Melanie Johnson".

Melanie Johnson, J.D.
Executive Director

MJ/cb