



STATE OF IOWA

IOWA DENTAL BOARD

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

JILL STUECKER
EXECUTIVE DIRECTOR

IOWA DENTAL HYGIENE COMMITTEE

AGENDA

October 13, 2016

8:30 A.M.

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

Members: *Mary Kelly, R.D.H., Chair; Nancy Slach, R.D.H., William McBride, D.D.S.*

I. CALL MEETING TO ORDER – ROLL CALL

II. 1st OPPORTUNITY FOR PUBLIC COMMENT

III. APPROVAL OF OPEN SESSION MINUTES

- a. July 21, 2016 – Quarterly Meeting
- b. July 29, 2016 – Teleconference
- c. September 2, 2016 – Teleconference

IV. EXECUTIVE DIRECTOR'S REPORT

V. LEGAL REPORT

VI. ADMINISTRATIVE RULES/ADMINISTRATIVE RULE WAIVERS

- a. Review of 2017 Regulatory Plan
- b. Vote on Adopted and Filed: Iowa Administrative Code 650 - Chapter 11, *Licensure to Practice Dentistry or Dental Hygiene*
- c. Vote on Adopted and Filed: Iowa Administrative Code 650 - Chapter 12, *Dental and Dental Hygiene Examinations*
- d. Vote on Notice of Intended Action: Iowa Administrative Code 650 - Chapter 25, *Continuing Education*
- e. Vote on Notice of Intended Action: Iowa Administrative Code 650 - Chapter 14, *Renewal and Reinstatement*

VII. OTHER BUSINESS

- a. Legislative Updates
 - i. IDHA Legislative Priorities *Tom Cope*
- b. Discussion on Separate Fee and Application for Local Anesthesia Permit
- c. Discussion on Dental Hygiene Title/Abbreviation
- d. Discussion and Follow-Up on Silver Diamine Fluoride
- e. Level 2 Expanded Functions Training Update

VIII. APPLICATIONS FOR LICENSURE & OTHER REQUESTS

- a. Erika Whalen, R.D.H.

IX. 2nd OPPORTUNITY FOR PUBLIC COMMENT

X. CLOSED SESSION AGENDA

- a. **Closed Session Minutes** (Closed session pursuant to Iowa Code § 21.5(1)(a) “to review or discuss records which are required or authorized by state or federal law to be kept confidential...”, specifically to review or discuss information that is confidential under Iowa Code § 21.5(4)).
- b. **New Complaints** (Closed session pursuant to Iowa Code § 21.5(1)(d) to discuss whether to initiate licensee disciplinary investigations or proceedings and pursuant to Iowa Code § 21.5(1)(a) to review or discuss records which are required or authorized by state or federal law to be kept confidential, specifically information that is confidential under Iowa Code § 272C.6(4)).
- c. **Additional Information on Previous Complaints** (Closed session pursuant to Iowa Code § 21.5(1)(d) to discuss whether to initiate licensee disciplinary investigations or proceedings and pursuant to Iowa Code § 21.5(1)(a) to review or discuss records which are required or authorized by state or federal law to be kept confidential, specifically information that is confidential under Iowa Code § 272C.6(4)).

XI. ACTION, IF ANY, ON CLOSED SESSION ITEMS

- a. Closed Session Minutes
- b. New Complaints
- c. Additional Information on Previous Complaints

XII. ADJOURN

NEXT QUARTERLY MEETING: January 26, 2017

Please Note: At the discretion of the chairperson, agenda items may be taken out of order to accommodate scheduling requests of committee members, presenters or attendees; or to facilitate meeting efficiency.

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.



STATE OF IOWA

IOWA DENTAL BOARD

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

JILL STUECKER
EXECUTIVE DIRECTOR

DENTAL HYGIENE COMMITTEE

OPEN SESSION MINUTES

July 21, 2016
Conference Room
400 S.W. 8th St., Suite D
Des Moines, Iowa

Committee Members

Mary C. Kelly, R.D.H.
Nancy A. Slach, R.D.H.
William G. McBride, D.D.S.

July 21, 2016

Present
Present
Present

Staff Members

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

Attorney General's Office

Sara Scott, Assistant Attorney General

I. CALL TO ORDER FOR JULY 21, 2016

Ms. Kelly called the meeting of the Dental Hygiene Committee to order at 8:30 a.m. on Friday, July 21, 2016. A quorum was established with all members present.

Roll Call:

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

Ms. Kelly welcomed Dr. McBride to the Dental Hygiene Committee.

II. 1st OPPORTUNITY FOR PUBLIC COMMENT

Ms. Kelly asked attendees to introduce themselves; and allowed the opportunity for public comment.

No comments were received.

III. APPROVAL OF OPEN SESSION MINUTES

- *April 29, 2016 – Quarterly Meeting Minutes*

Ms. Scott noticed that one of the citations to go into closed session was missing from the draft of the minutes, and that it would need to be added to the motion to go into closed session. The same change would need to be applied to the closed session minutes.

- ❖ **MOVED** by SLACH, **SECONDED** by MCBRIDE, to **APPROVE** the minutes with the change as noted. Motion **APPROVED** unanimously.

IV. EXECUTIVE DIRECTOR'S REPORT

Ms. Stuecker reported that this has been a busy quarter with graduates applying for licensure. Ms. Stuecker provided some data about the licenses and permits that have been issued.

V. LEGAL REPORT

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

VI. ADMINISTRATIVE RULES/ADMINISTRATIVE RULE WAIVERS

- *Update on Noticed Rules*

Mr. McCollum reported that the supervision rules for dental assistant and dental hygiene programs would go into effect on July 27, 2016.

- *Review of 2017 Regulatory Plan*

Mr. McCollum reported that the committee has been provided an update on the regulatory plan that has been submitted for the coming year.

- *Discussion on Rulemaking Draft: Chapter 25, "Continuing Education"*
- *Discussion on Rulemaking Draft: Chapter 14, "Renewal and Reinstatement"*

Mr. McCollum provided an overview of these proposed changes for chapters 14, 20 and 25. The intent was to reorganize the information, and address requirements more succinctly.

The committee members inquired about some of the proposed changes to chapter 25, related to continuing education. Staff members explained the reasoning behind the changes. Staff stated that they would look into some of the proposed changes further prior to submitting a draft Notice of Intended Action.

- *Vote on Notice of Intended Action – Iowa Administrative Code 650 – Chapter 11, "Licensure to Practice Dentistry or Dental Hygiene"*

Mr. McCollum reported that these have been noticed as a vote for the proposed changes. Mr. McCollum provided an overview of the changes to chapters 11 and 12. Mr. McCollum noted that the proposed changes do not change the requirements for examination. The primary changes are related to cleanup and clarification of the rules, and to create an equitable for pathway for licensure. Due to the current requirements for licensure by credentials, the Board accepts all examinations for licensure; though, the basis of application and fees are different.

- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to recommend APPROVAL the Notice of Intended Action. Motion APPROVED unanimously.

Ms. Kelly stated that the CRDTS' Dental Hygiene Examination Review Committee recommended moving away from referencing the names of clinical examinations, and stipulating required competencies instead. Ms. Stuecker stated that there are some concerns about that since examination requirements can change, along with standards of practice.

Ms. Slach inquired about requirement to have practiced for three (3) years when applying based on credentials. Mr. McCollum and Ms. Braness explained that the three (3) year requirement only applies to those individuals who have not taken a regional clinical examination.

Ms. Slach inquired about foreign graduates. Ms. Braness noted that the requirements for foreign graduates are in addition to the requirements for application by examination or credentials.

- *Vote on Notice of Intended Action – Iowa Administrative Code 650 – Chapter 12, “Dental and Dental Hygiene Examinations”*

Mr. McCollum provided an overview of the updates to chapter 12.

- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to recommend APPROVAL of the Notice of Intended Action. Motion APPROVED unanimously.

VII. OTHER BUSINESS

- *Legislative Update*

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

- *Retired Volunteer License Update*

Ms. Stuecker reported that, to date, one dentist applied for a retired volunteer license. That license has been issued.

- *Indian Hills Community College Accreditation Update*

Ms. Kelly reported that this was a new dental hygiene program. The program has met the initial accreditation requirements. Those with dental assistant experience are allowed to start the second year of the program.

- *Discussion on Separate Fee and Application for Local Anesthesia Permit*

Ms. Kelly indicated that she would like to see this changed since the administration of local anesthesia has become a more standard practice for dental hygienists.

Ms. Stuecker stated that there would be fiscal and administrative issues to consider. Ms. Stuecker asked Mr. McCollum to comment on this as it would require changes to the current licensing database.

Ms. Slach asked if both renewals could be paid at one time. Mr. McCollum stated that this would be a possibility; though that would still require a separate permit.

The committee members discussed some suggestions for addressing this. As Ms. Stuecker noted, there are administrative concerns that will need to be addressed before moving forward. Ms. Stuecker stated that staff would look into this further, and come back to the committee at a later date with some proposals.

- *Discussion on Dental Hygiene Title/Abbreviation*

Ms. Kelly reported that the Board received an email inquiring about the suffixes used by dental hygienists: D.H. versus R.D.H. Ms. Kelly stated the Iowa does not register dental hygienists, they're licensed. Ms. Kelly reported that other states sometimes use L.D.H.

Committee members discussed this issue further. Ms. Scott asked if the credentials are verified when an application is submitted. Staff explained the documentation received at the time of application, and the options available within the database. Staff stated that they will look into this further.

- *Discussion and Vote on Testing Format for Jurisprudence Exam*

Ms. Stuecker reported that there have been some discussions about how to handle the jurisprudence examinations. Currently, all examinations are completed, and scored on paper. Staff has been looking at alternatives. There have been some questions about whether to allow open-book examinations, and whether to allow testing in un-proctored settings. Staff hopes that this would teach licensees and applicants how to search for things within the rules.

The committee members discussed this matter further.

- ❖ MOVED by KELLY, SECONDED by SLACH, to RECOMMEND open-book, proctored examinations, and to have staff further research online testing options. Motion APPROVED unanimously.
- *Discussion and Follow-Up on Teledentistry Discussion with Dr. Glassman*

Ms. Stuecker reported that Dr. Glassman met with the Board in May 2016 to discuss teledentistry. Dr. Glassman presented information about their teledentistry initiative in California. Ms. Stuecker believed that the legislature could require rulemaking on teledentistry in the future, and stated that the Board should continue learning more. Ms. Stuecker would like the stakeholder group discussing this issue to consider a pilot project for board consideration. There will be more to come on this topic.

Ms. Kelly stated that there would be a need for careful calibration between the dental hygienists and supervising dentists to ensure accurate collection of data. Each pair would need to have their own calibration.

- *Discussion and Follow-Up on Silver Diamine Fluoride*

Ms. Kelly reported that the committee discussed this at a previous meeting. The committee determined that dental hygienists could apply this under the supervision of a dentist. However, there was ongoing discussion about whether it could be used in public health settings. Currently, there are restrictions to this with the current levels of supervision.

Ms. Kelly encouraged the Board to continue looking into this for use in public health. Ms. Slach stated that she was starting to get exposure to this at the college of dentistry. Ms. Slach believed that there would be use for this with geriatric patients. Dr. Bradley agreed.

Mr. McCollum stated that diagnosis of caries would require a dentist; and therefore, supervision would be required. Ms. Scott believed that this needed to be looked at further.

- *Review of Hygiene Public Health Supervision Reports from Iowa Department of Public Health*

Ms. Stuecker reported that Iowa Department of Public Health has submitted the most recent public health supervision reports. Ms. Stuecker provided a broad overview.

- *Vote on Local Anesthesia Course - Southwestern College*

Ms. Braness provided an overview of the request.

- ❖ MOVED by KELLY, SECONDED by SLACH, to APPROVE the course as submitted. Motion APPROVED unanimously.

VIII. APPLICATIONS FOR LICENSURE & OTHER REQUESTS

- *Heidi L. Watson, R.D.H.*

Ms. Braness provided a brief overview of the application.

- ❖ MOVED by SLACH, SECONDED by MCBRIDE, to APPROVE issuance of the license. Motion APPROVED unanimously.

IX. 2nd OPPORTUNITY FOR PUBLIC COMMENT

Ms. Kelly allowed the opportunity for public comment.

No comments were received.

X. CLOSED SESSION

- ❖ MOVED by KELLY, SECONDED by SLACH, to go into CLOSED SESSION in compliance with the following requirements:
 - Closed Session Minutes** (Closed session pursuant to Iowa Code § 21.5(1)(a) “to review or discuss records which are required or authorized by state or federal law to be kept confidential...”, specifically to review or discuss information that is confidential under Iowa Code § 21.5(4)).
 - Compliance with Board Orders** (Closed session pursuant to Iowa Code § 21.5(1)(a) to review information required by state or federal law to be kept confidential, specifically Iowa Code § 272C.6(4) and Iowa Code § 21.5(1)(d) to discuss whether to initiate licensee disciplinary investigations or proceedings).
 - New Complaints** (Closed session pursuant to Iowa Code § 21.5(1)(d) to discuss whether to initiate licensee disciplinary investigations or proceedings and pursuant to Iowa Code § 21.5(1)(a) to review or discuss records which are required or authorized by state or federal law to be kept confidential, specifically information that is confidential under Iowa Code § 272C.6(4)).

Roll Call:

<u>Member</u>	<u>Kelly</u>	<u>Slach</u>	<u>McBride</u>
Yes	x	x	x
No			

Motion APPROVED by ROLL CALL.

- The Dental Hygiene Committee convened in closed session at 9:57 a.m.

RECONVENE IN OPEN SESSION

- ❖ MOVED by SLACH, SECONDED by MCBRIDE, to return to OPEN SESSION. Motion APPROVED unanimously.
- The Dental Hygiene Committee returned to open session at 10:13 a.m.

XI. ACTION ON CLOSED SESSION ITEMS

- ❖ MOVED by SLACH, SECONDED by MCBRIDE, to APPROVE the closed session minutes with the change as noted earlier. Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by SLACH, to CLOSE #16-0066 without action. Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to APPROVE the current probation status of Ms. Kehrl. Motion APPROVED unanimously.
- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to CLOSE #16-0048 without action. Motion APPROVED unanimously.

Ms. Kelly asked to schedule a tentative teleconference date. The meeting would possibly be in open and closed session. Ms. Stuecker stated that we may need to convene two teleconferences that are short. Staff and committee members would look at their schedules, and propose tentative meeting dates and times.

XII. ADJOURN

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

The meeting of the Dental Hygiene Committee adjourned at 10:19 a.m. on July 21, 2016.

NEXT MEETING OF THE COMMITTEE

The next meeting of the Dental Hygiene Committee is scheduled for October 13, 2016, in Des Moines, Iowa.

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



STATE OF IOWA

IOWA DENTAL BOARD

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

JILL STUECKER
EXECUTIVE DIRECTOR

DENTAL HYGIENE COMMITTEE

OPEN SESSION MINUTES - TELECONFERENCE

July 29, 2016
Conference Room
400 S.W. 8th St., Suite D
Des Moines, Iowa

Committee Members

Mary C. Kelly, R.D.H.
Nancy A. Slach, R.D.H.
William G. McBride, D.D.S.

July 29, 2016

Present
Present
Present

Staff Members

Jill Stuecker, Christel Braness

I. CALL TO ORDER FOR JULY 29, 2016

Ms. Kelly called the meeting of the Dental Hygiene Committee to order at 7:31 a.m. on Friday, July 29, 2016. The meeting was held by electronic means in compliance with Iowa Code section 21.8. The purpose of the meeting was to conduct critical committee business, and review a request for remediation. It was impractical to meet in person on such short notice, and with such a short agenda. A quorum was established with all members present.

Roll Call:

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

II. 1st OPPORTUNITY FOR PUBLIC COMMENT

Ms. Kelly allowed the opportunity for public comment.

No comments were received.

III. OTHER BUSINESS

- *Review and Vote on Hawkeye Community College Remediation Course*

Ms. Slach asked if a text book was utilized in conjunction with the instrumentation. Ms. Boge reported about which text books were used.

Ms. Slach asked if there would be a pre-test or other competency examination to figure out where the students were having difficulty. Ms. Boge stated that faculty would sit down with the students to assess their competency. Since the students had graduated, she was having difficulty ensuring all of the course requirements were met. Ms. Boge stated that in the fall, there would be a dentist on staff, and additional faculty to assist with the remediation.

The committee members discussed the proposed remediation plan with Ms. Boge further. There were questions as to whether the course, as submitted, met all of the requirements for remediation pursuant to the Board rules.

Ms. Stuecker read the requirements for dental hygiene examination retakes as stated in Iowa Administrative Code 650—Chapter 12. Ms. Stuecker confirmed that remediation is required prior to the third examination attempt.

- ❖ MOVED by KELLY, SECONDED by MCBRIDE, to APPROVE the course as submitted.

Ms. Slach stated that she had some suggestions that she would like to see incorporated. Ms. Slach wanted to see that the course be updated to include the text books on the syllabus, and to include a mock board during the course of the remediation. Ms. Slach also preferred to have the patients from the clinical examination return as part of the remediation if possible. Ms. Boge stated that there were some issues with CRDTS, as to whether or not they would be allowed to bring back the patients as part of the remediation.

There was further discussion about the number of hours included in the remediation, and whether or not it met the requirements. Ms. Braness stated that hours are not required to be 40 clinical hours. Ms. Kelly asked Ms. Boge how many hours there were there. Ms. Boge stated that it would be approximately 50 hours in total.

Ms. Stuecker asked about the status of the previous motion. Ms. Kelly stated that she would amend the motion with the recommendations as noted if Ms. Boge were amenable to those suggestions. Ms. Boge agreed to those suggestions.

- ❖ Vote taken. Motion APPROVED unanimously.

IV. ADJOURN

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

The meeting of the Dental Hygiene Committee adjourned at 7:52 a.m. on July 29, 2016.

NEXT MEETING OF THE COMMITTEE

The next meeting of the Dental Hygiene Committee is scheduled for October 13, 2016, in Des Moines, Iowa.

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

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STATE OF IOWA

IOWA DENTAL BOARD

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

JILL STUECKER
EXECUTIVE DIRECTOR

DENTAL HYGIENE COMMITTEE

OPEN SESSION MINUTES - TELECONFERENCE

September 2, 2016
Conference Room
400 S.W. 8th St., Suite D
Des Moines, Iowa

Committee Members

Mary C. Kelly, R.D.H.
Nancy A. Slach, R.D.H.
William G. McBride, D.D.S.

September 2, 2016

Present
Present
Absent

Staff Members

Jill Stuecker, Christel Braness

I. CALL TO ORDER FOR SEPTEMBER 2, 2016

Ms. Kelly called the meeting of the Dental Hygiene Committee to order at 7:00 a.m. on Friday, September 2, 2016. The meeting was held by electronic means in compliance with Iowa Code section 21.8. The purpose of the meeting was to review a request for remedial education and a request for dental hygiene license. It was impractical to meet in person on such short notice, and with such a short agenda.

A quorum was established with two (2) members present.

Roll Call:

Member	Kelly	Slach	McBride
Present	x	x	
Absent			x

II. 1st OPPORTUNITY FOR PUBLIC COMMENT

Ms. Stuecker asked attendees to introduce themselves, and allowed the opportunity for public comment.

No comments were received.

III. OTHER BUSINESS

- *Review and Vote on Iowa Central Community College Remediation Course*

Ms. Stuecker and Ms. Braness provided an overview of the request. Ms. Braness reported that this request was based off of a remediation course previously approved in 2010 or 2011.

- ❖ MOVED by KELLY, to APPROVE the remediation course.

After the motion was made, Ms. Slach recommended inclusion of a mock board as part of the remediation, add the list of text books used on the syllabus, and, if possible, include the examination patient in the remediation.

Ms. Stuecker provided an overview of the recommendations made with the previous request for remediation. Ms. Stuecker clarified that these recommendations were non-binding recommendations.

- ❖ MOVED by KELLY, SECONDED by SLACH, to APPROVE the remediation course with the non-binding recommendations as requested. Motion APPROVED unanimously.

IV. APPLICATIONS FOR LICENSURE & OTHER REQUESTS

- *Karen Cowsert, R.D.H.*

Ms. Braness provided a brief overview of the application.

- ❖ MOVED by SLACH, SECONDED by KELLY, to APPROVE issuance of the license. Motion APPROVED unanimously.

V. ADJOURN

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

The meeting of the Dental Hygiene Committee adjourned at 7:06 a.m. on September 2, 2016.

NEXT MEETING OF THE COMMITTEE

The next meeting of the Dental Hygiene Committee is scheduled for October 13, 2016, in Des Moines, Iowa.

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

2016-17 IDB REGULATORY PLAN

Chapter # and Title	Description of Action, Reason, & Alternatives	Legal Basis for Action	Schedule for Action
IAC 650-Chapter 11 “Licensure to Practice Dentistry or Dental Hygiene” and Chapter 12 “Dental and Dental Hygiene Examinations”	Amending licensure by examination to include all regional testing agencies for licensure. This will ensure uniformity in the testing process.	Iowa Code Chapter 147.34	In progress: Scheduled for July 2016
IAC 650-Chapter 11 “Licensure to Practice Dentistry or Dental Hygiene” and Chapter 12 “Dental and Dental Hygiene Examinations”	Per legislative mandate the Board is required to offer an alternate examination for licensure of dentists.	Iowa Code Chapter 147.34	Discussion In progress: Date to be determined
IAC 650—Chapter 25 “Continuing Education”	These rules have not been reviewed for several years. We are currently vetting a draft with stakeholders.	Iowa Code Chapter 272C.2	In progress: Scheduled for October 2016
IAC 650—Chapter 27 “Discontinuation of Practice”	These rules need to be updated to reflect new practice structures.	Iowa Code Chapter 153.33(8), 153.34 and 147.76	In progress: Scheduled for October 2016
IAC 650—Chapter 20 “Dental Assistants”	These rules need to be made simpler; particularly reinstatement for dental assistants.	Iowa Code Chapter 153.39 and 147.11	In progress: Scheduled for October 2016
IAC 650—Chapter 15 “Fees”	Due to database updates some of our mailing lists and subscription services are now automated. The section on subscription services needs to be revised to reflect this.	Iowa Code Chapter 147.80	In progress: Scheduled for October 2016
IAC 650—Chapter 10 “General Requirements”	The address type a licensee must submit to the board needs to be specified.	Iowa Code Chapter 147.8 and 147.9	Scheduled for January 2017
IAC 650—Chapter 20 “Dental Assistants” and Chapter 10 “General Requirements”	Expanded function rules in these 2 chapters need to be revisited to provide clarity on some functions. Language may need to be added regarding minimum requirements for training and resubmission of courses.	Iowa Code Chapter 153.15 and 153.38	Scheduled for April 2017
IAC 650 – Chapter 10 “General Requirements”	Chapter 10 currently prohibits a hygienist from owning a dental practice. This is the only prohibition on ownership and needs to be revisited.	Iowa Code Chapter 153.15	Scheduled for July 2017
IAC 650-Chapter 28 “Designation of Specialties”	The Board needs to discuss new legal concerns with ADA approved specialties, and determine whether changes need to be made to this chapter.	Iowa Code Chapter 153.13	Scheduled for July 2017

DENTAL BOARD [650]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 147.34, and 153.21 the Dental Board amends Chapter 11, "Licensure to Practice Dentistry or Dental Hygiene," Iowa Administrative Code.

The amendment allows applicants applying for licensure by examination to take the same nationally recognized regional examinations currently accepted by applicants who apply for licensure by credentials; requires applicants who have held licenses in other states for one year or longer to apply for licensure by credentials; clarifies the practice requirements for applicants applying for licensure by credentials; removes special transitional period language that is no longer applicable; removes references to the Healthcare Integrity and Protection Data Bank; **clarifies both the name of the examination and the agency administering the examination**; allows jurisprudence examinations to be administered by other entities; **and requires applicants to attain a grade of 75% on the jurisprudence examination, the national dental examination, and the national hygiene examination.**

Notice of Intended Action was published in the Iowa Administrative Bulletin on August 31, 2016, as **ARC 2701C**. A public hearing was held on September 21, 2016, at 2pm at the office of the Iowa Dental Board. There were one attendee present, Emily Boge, Dental Administrative Chair from Hawkeye Community College. Ms. Boge stated that she was supportive of the amendment. Written comments were received from the University of Iowa College of Dentistry & Dental Clinics, the Iowa Dental Association, the Iowa Dental Hygiene Association and Dr. Howard Cohen. All entities expressed support for the amendment.

The Board reviewed and discussed the amendment during their October 13, 2016, open session board meeting and allowed additional comments from the public.

The proposed amendment is subject to waiver or variance pursuant to 650-chapter 7.

After analysis and review of this rule making, there is no impact on jobs.

CHAPTER 11
LICENSURE TO PRACTICE DENTISTRY OR DENTAL HYGIENE

[Prior to 5/18/88, Dental Examiners, Board of[320]]

650—11.1(147,153) Applicant responsibilities. 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.

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

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

11.2(1) Applications for licensure by examination to practice dentistry in this state shall be made on the form provided by the board and must be completely answered, and includeing required credentials and documents. An applicant who has held a dental license issued in another state for one year or longer, must apply for licensure by credentials pursuant to rule 11.3.

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. *Evidence of good standing in each state where licensed.* ~~If the applicant is a dentist licensed by another jurisdiction, the applicant shall furnish 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~~ attaining a grade of at least 75% on the examination administered 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.

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

(1) ~~Successful passage of CRDTS. Evidence of having successfully completed in the last five years the examination administered by the Central Regional Dental Testing Service, Inc. (CRDTS).~~ a regional clinical examination within the previous five year period with a grade of at least 75%.

(2) The following regional examinations are approved by the board for purposes of licensure by examination: the Central Regional Dental Testing Service, Inc. exam as administered by the Central Regional Dental Testing Service, Inc. (CRDTS), the Western Regional Examining Board, Inc. (WREB) exam, as administered by the Western Regional Examining Board, Inc. (WREB), the Southern Regional Testing Agency (SRTA) exam, as administered by the Southern Regional Testing Agency (SRTA), and the American Board of Dental Examiners (ADEX) as administered by The Commission on Dental Competency Assessments (CDCA) and the Council of Interstate Testing Agencies, Inc. (CITA).

Evidence of having successfully completed in the last five years the examination 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, 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 a board-approved jurisprudence examination with a grade of at least 75%, ~~administered by the Iowa dental board.~~

i. Current CPR certification. A statement:

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

(2) Providing the expiration date of the CPR certificate; and

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

j. 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 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.

[**ARC 9218B**, IAB 11/3/10, effective 12/8/10; **ARC 9510B**, IAB 5/18/11, effective 6/22/11; **ARC 0265C**, IAB 8/8/12, effective 9/12/12]

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 attaining a grade of at least 75% on the examination of the Joint Commission on National Dental Examinations or evidence of ~~having passed~~ attaining a grade of at least 75% on 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 indication of pass/fail for each examination taken. 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 under requirements equivalent or substantially equivalent to those of this state.

e. Evidence that the applicant has met at least one of the following:

(1) ~~Passed an examination approved by the board in accordance with Iowa Code section 147.34(1) and administered by a regional or national testing service. The clinical examinations approved by the board are specified in 650—subrule 12.1(5);~~ Has less than three consecutive years of practice immediately prior to the filing of the application and evidence of attaining a grade of at least 75% on a regional clinical examination

within the previous five year period. The following regional examinations are approved by the board for purposes of licensure by credentials: the Central Regional Dental Testing Service, Inc. exam as administered by the Central Regional Dental Testing Service, Inc. (CRDTS), the Western Regional Examining Board, Inc. (WREB) exam, as administered by the Western Regional Examining Board, Inc. (WREB), the Southern Regional Testing Agency (SRTA) exam, as administered by the Southern Regional Testing Agency (SRTA), and the American Board of Dental Examiners (ADEX) as administered by The Commission on Dental Competency Assessments (CDCA) and the Council of Interstate Testing Agencies, Inc. (CITA); or

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

f. Evidence from the state board of dentistry, or equivalent authority, from each state in which applicant has been licensed to practice 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 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. *Current CPR certification.* A statement:

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

(2) Providing the expiration date of the CPR certificate; and

(3) 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~~ a board-approved jurisprudence examination with a grade of at least 75%. ~~administered by the Iowa dental board.~~

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 verified attesting to the truth of the statements contained therein.

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

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

650—11.4(153) Graduates of foreign dental schools. In addition to meeting the other requirements for licensure specified in rule 650—11.2(147,153) or 650—11.3(153), an applicant for dental licensure who did not graduate with a DDS or DMD from an accredited dental college approved by the board must provide satisfactory evidence of meeting the following requirements.

11.4(1) The applicant must complete a full-time, undergraduate supplemental dental education program of at least two academic years at an accredited dental college. The undergraduate supplemental dental education program must provide didactic and clinical education to the level of a DDS or DMD graduate of the dental college.

11.4(2) The applicant must receive a dental diploma, degree or certificate from the accredited dental college upon successful completion of the program.

11.4(3) The applicant must present to the board the following documents:

a. An official transcript issued by the accredited dental college that verifies completion of all coursework requirements of the undergraduate supplemental dental education program;

b. A dental diploma, degree or certificate issued by the accredited dental college or a certified copy thereof;

c. A letter addressed to the board from the dean of the accredited dental college verifying that the applicant has successfully completed the requirements set forth in 11.4(1);

d. A final, official transcript verifying graduation from the foreign dental school at which the applicant originally obtained a dental degree. If the transcript is written in a language other than English, an original, official translation shall also be submitted; and

e. Verification from the appropriate governmental authority that the applicant was licensed or otherwise authorized by law to practice dentistry in the country in which the applicant received foreign dental school training and that no adverse action was taken against the license.

11.4(4) The applicant must demonstrate to the satisfaction of the board an ability to read, write, speak, understand, and be understood in the English language. The applicant may demonstrate English proficiency by submitting to the board proof of a passing score on one of the following examinations:

a. Test of English as a Foreign Language (TOEFL) administered by the Educational Testing Service. A passing score on TOEFL is a minimum overall score of 550 on the paper-based TOEFL or a minimum overall score of 213 on the computer-administered TOEFL.

b. Test of Spoken English (TSE) administered by the Educational Testing Service. A passing score on TSE is a minimum of 50.

This rule is intended to implement Iowa Code chapter 153.

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. An applicant who has held a hygiene license issued in another state for one year or longer, must apply for licensure by credentials pursuant to rule 11.6.

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. *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 evidence from the appropriate examining board of that jurisdiction that the applicant is a licensed dental hygienist in good standing.

d. *Documentation of ~~completion~~ passage of national hygiene examination.* Evidence of ~~successful completion of~~ attaining a grade of at least 75% on the examination administered by the Joint Commission on National Dental Examinations.

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

(1) ~~Successful passage of CRDTS. Evidence of having successfully completed in the last five years the examination administered by the Central Regional Dental Testing Service, Inc. (CRDTS).~~ a regional clinical examination within the previous five year period with a grade of at least 75%.

(2) The following regional examinations are approved by the board for purposes of licensure by examination: the Central Regional Dental Testing Service, Inc. exam as administered by the Central Regional Dental Testing Service, Inc. (CRDTS), the Western Regional Examining Board, Inc. (WREB) exam, as administered by the Western Regional Examining Board, Inc. (WREB), the Southern Regional Testing Agency (SRTA) exam, as administered by the Southern Regional Testing Agency (SRTA), and the American Board of Dental Examiners (ADEX) as administered by The Commission on Dental Competency Assessments (CDCA) and the Council of Interstate Testing Agencies, Inc. (CITA).

~~(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 a board-approved jurisprudence examination with a grade of at least 75%, ~~administered by the dental hygiene committee.~~

h. Current CPR certification. A statement:

- (1) Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;
- (2) Providing the expiration date of the CPR certificate; and
- (3) 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. 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 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.

[**ARC 7790B**, IAB 5/20/09, effective 6/24/09; **ARC 9218B**, IAB 11/3/10, effective 12/8/10; **ARC 9510B**, IAB 5/18/11, effective 6/22/11; **ARC 0265C**, IAB 8/8/12, effective 9/12/12]

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 attaining a grade of at least 75% on of the examination of the Joint Commission on National Dental Examinations or evidence of attaining a grade of at least 75% on a written examination that is comparable to the examination given by the Joint Commission on National Dental Examinations. 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.

c. A statement of any dental hygiene examinations taken by the applicant, with indication of pass/fail for each examination taken. 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 under requirements equivalent or substantially equivalent to those of this state.

e. Evidence that the applicant has met at least one of the following:

- (1) ~~Passed an examination approved by the board in accordance with Iowa Code section 147.34(1) and administered by a regional or national testing service. The clinical examinations approved by the board are specified in 650—subrule 12.3(5).~~ Has less than three consecutive years of practice immediately prior to the filing of the application and evidence of attaining a grade of at least 75% on a regional clinical examination

within the previous five year period. The following regional examinations are approved by the board for purposes of licensure by credentials: the Central Regional Dental Testing Service, Inc. exam as administered by the Central Regional Dental Testing Service, Inc. (CRDTS), the Western Regional Examining Board, Inc. (WREB) exam, as administered by the Western Regional Examining Board, Inc. (WREB), the Southern Regional Testing Agency (SRTA) exam, as administered by the Southern Regional Testing Agency (SRTA), and the American Board of Dental Examiners (ADEX) as administered by The Commission on Dental Competency Assessments (CDCA) and the Council of Interstate Testing Agencies, Inc. (CITA).

or

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

f. Evidence from the state board of dentistry, or equivalent authority, in each state in which applicant has been licensed to practice 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, 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. A statement:

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

(2) Providing the expiration date of the CPR certificate; and

(3) 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 a board-approved jurisprudence examination with a grade of at least 75%. ~~administered by the dental hygiene committee.~~

k. 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 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.

[**ARC 9218B**, IAB 11/3/10, effective 12/8/10; **ARC 0265C**, IAB 8/8/12, effective 9/12/12; **ARC 0618C**, IAB 3/6/13, effective 4/10/13]

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. 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.

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

650—11.8(147,153) Review of applications. Upon receipt of a completed application, the executive director as authorized by the board has discretion to:

1. Authorize the issuance of the license, permit, or registration.

2. Refer the license, permit, or registration application to the license committee for review and consideration when the executive director determines that matters including, but not limited to, prior criminal history, chemical dependence, competency, physical or psychological illness, malpractice claims or settlements, or professional disciplinary history are relevant in determining the applicants' qualifications for license, permit, or registration.

11.8(1) Following review and consideration of a license, permit, or registration application referred by the executive director, the license committee may at its discretion:

- a. Recommend to the board issuance of the license, permit, or registration.
- b. Recommend to the board denial of the license, permit, or registration.
- c. Recommend to the board issuance of the license, permit, or registration under certain terms and conditions or with certain restrictions.
- d. Refer the license, permit, or registration application to the board for review and consideration without recommendation.

11.8(2) Following review and consideration of a license, permit, or registration application referred by the license committee the board shall:

- a. Authorize the issuance of the license, permit, or registration,
- b. Deny the issuance of the license, permit, or registration, or
- c. Authorize the issuance of the license, permit, or registration under certain terms and conditions or with certain restrictions.

11.8(3) The license committee or board may require an applicant to appear for an interview before the committee or the full board as part of the application process.

11.8(4) The license committee or board may defer final action on an application if there is an investigation or disciplinary action pending against an applicant, who may otherwise meet the requirements for license, permit, or registration, until such time as the committee or board is satisfied that licensure or registration of the applicant poses no risk to the health and safety of Iowans.

11.8(5) The dental hygiene committee shall be responsible for reviewing any applications submitted by a dental hygienist that require review in accordance with this rule. Following review by the dental hygiene committee, the committee shall make a recommendation to the board regarding issuance of the license or permit. The board's review of the dental hygiene committee's recommendation is subject to 650—Chapter 1.

11.8(6) An application for a license, permit, or reinstatement of a license will be considered complete prior to receipt of the criminal history background check on the applicant by the FBI for purposes of review and consideration by the executive director, the license committee, or the board. However, an applicant is required to submit an additional completed fingerprint packet and fee within 30 days of a request by the board if an

earlier fingerprint submission has been determined to be unacceptable by the DCI or FBI.

650—11.9(147,153) Grounds for denial of application. The board may deny an application for license or permit for any of the following reasons:

1. Failure to meet the requirements for license or permit as specified in these rules.
2. Failure to provide accurate and truthful information, or the omission of material information.
3. Pursuant to Iowa Code section 147.4, upon any of the grounds for which licensure may be revoked or suspended.

This rule is intended to implement Iowa Code section 147.4.

650—11.10(147) Denial of licensure—appeal procedure.

11.10(1) Preliminary notice of denial. Prior to the denial of licensure to an applicant, the board shall issue a preliminary notice of denial that shall be sent to the applicant by regular, first-class mail. The preliminary notice of denial is a public record and shall cite the factual and legal basis for denying the application, notify the applicant of the appeal process, and specify the date upon which the denial will become final if it is not appealed.

11.10(2) Appeal procedure. An applicant who has received a preliminary notice of denial may appeal the notice and request a hearing on the issues related to the preliminary notice of denial by serving a request for hearing upon the executive director not more than 30 calendar days following the date when the preliminary notice of denial was mailed. The request is deemed filed on the date it is received in the board office. The request shall provide the applicant's current address, specify the factual or legal errors in the preliminary notice of denial, indicate if the applicant wants an evidentiary hearing, and provide any additional written information or documents in support of licensure.

11.10(3) Hearing. If an applicant appeals the preliminary notice of denial and requests a hearing, the hearing shall be a contested case and subsequent proceedings shall be conducted in accordance with 650—51.20(17A). License denial hearings are open to the public. Either party may request issuance of a protective order in the event privileged or confidential information is submitted into evidence.

a. The applicant shall have the ultimate burden of persuasion as to the applicant's qualification for licensure.

b. The board, after a hearing on license denial, may grant the license, grant the license with restrictions, or deny the license. The board shall state the reasons for its final decision, which is a public record.

c. Judicial review of a final order of the board to deny a license, or to issue a license with restrictions, may be sought in accordance with the provisions of Iowa Code section 17A.19.

11.10(4) Finality. If an applicant does not appeal a preliminary notice of denial, the preliminary notice of denial automatically becomes final and a notice of denial will be issued. The final notice of denial is a public record.

11.10(5) Failure to pursue appeal. If an applicant appeals a preliminary notice of denial in accordance with 11.10(2), but the applicant fails to pursue that appeal to a final decision within six months from the date of the preliminary notice of denial, the board may dismiss the appeal. The appeal may be dismissed after the board sends a written notice by first-class mail to the applicant at the applicant's last-known address. The notice shall state that the appeal will be dismissed and the preliminary notice of denial will become final if the applicant does not contact the board to schedule the appeal hearing within 14 days after the written notice is sent. Upon dismissal of an appeal, the preliminary notice of denial becomes final.

This rule is intended to implement Iowa Code sections 147.3, 147.4 and 147.29.

[ARC 7789B, IAB 5/20/09, effective 6/24/09]

650—11.11(252J,261) Receipt of certificate of noncompliance. The board shall consider the receipt of a certificate of noncompliance from the college student aid commission pursuant to Iowa Code sections 261.121 to 261.127 and 650—Chapter 34 of these rules or receipt of a certificate of noncompliance of a support order from the child support recovery unit pursuant to Iowa Code chapter 252J and 650—Chapter 33 of these rules. License denial shall follow the procedures in the statutes and board rules as set forth in this rule.

This rule is intended to implement Iowa Code chapter 252J and sections 261.121 to 261.127.

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[Filed ARC 9218B (Notice ARC 8846B, IAB 6/16/10), IAB 11/3/10, effective 12/8/10]
[Filed ARC 9510B (Notice ARC 9243B, IAB 12/1/10), IAB 5/18/11, effective 6/22/11]
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[Filed ARC 0618C (Notice ARC 0473C, IAB 11/28/12), IAB 3/6/13, effective 4/10/13]

September 12, 2016

Iowa Dental Board
400 SW 8th St. – Suite D
Des Moines, IA 50309

Dear Iowa Dental Board:

The College of Dentistry faculty and administration are in favor of the rules that have been noticed by the Iowa Dental Board allowing applicants for dental or hygiene licensure by examination to take the same nationally recognized regional examinations currently accepted for licensure by credentials.

Our support for the proposed rules change (ARC 2701C and ARC 2700C) is based on the following:

1. Currently Iowa Dental School graduates can only become licensed by examination by passing CRDTS. All surrounding states, and most states nationwide, allow licensure by multiple different examinations. The proposed rules changes will bring us into alignment with regional and national trends.
2. Allowing licensure by examination through any of the proposed exams (CRDTS, WREB, SRTA and ADEX) will eliminate any possible concerns related to conflict of interest on the part of the Iowa Dental Board.
3. The proposed rules changes address the high level of concern expressed by the American Dental Association and the American Dental Education Association to the Iowa Dental Board in a letter dated February 26, 2016. They state that “the decision of your board...to accept the test results of only a select number of clinical test administration agencies appears highly arbitrary. Moreover, those decisions have an arguably anticompetitive effect in restricting the mobility of dentists wishing to move from one state to another.”
4. We don't believe that licensure by passing any of the proposed additional regional exams will have any negative effect on safety to the public.

At a faculty meeting held Thursday, September 8, the proposed rules changes were discussed. Following discussion, a voice vote was taken to see how many were in favor of the proposed rules changes. The voice vote was unanimously in favor of the proposed rules changes, with no one abstaining. Those in attendance and voting included 95 faculty members, 6 emeritus faculty, 1 external faculty, and 10 staff members. Thank you for proposing these rules changes. We look forward to their successful implementation.

Sincerely,



David C. Johnsen, DDS, MS
Dean



Michael Kanellis, DDS, MS
Associate Dean for Patient Care

Stuecker, Jill [IDB]

From: Emily Boge <emily.boge@hawkeyecollege.edu>
Sent: Monday, August 29, 2016 4:30 PM
To: Stuecker, Jill [IDB]
Subject: On Behalf of the Iowa Dental Hygienists' Association

Hello Jill,

At the Saturday, August 27, 2016 meeting of the Iowa Dental Hygienists' Association the board voted the following statement be released to the Iowa Dental Board: "The Iowa Dental Hygienists' Association is in favor of the Iowa Dental Board accepting additional regional dental testing board results (other than CRDTS) as proof of clinical competency for licensure in the State of Iowa. We feel this increases opportunities for licensure for those who have taken other board exams. Our hope is that we are moving towards one national clinical board exam."

Thank you,
Emily

Ms. Emily Boge, CDA, RDH, MPA

Dental Administrative Chair
School of Interprofessional Health and Safety Services
Hawkeye Community College
School of Health Sciences
1501 East Orange Road
P.O. Box 8015
Waterloo, IA 50704-8015

319-296-4302 (office)
319-296-1674 (fax)
emily.boge@hawkeyecollege.edu



www.hawkeyecollege.edu

Stuecker, Jill [IDB]

From: Larry Carl <larry.carl@iowadental.org>
Sent: Monday, September 12, 2016 12:05 PM
To: McCollum, Phil [IDB]
Cc: Stuecker, Jill [IDB]
Subject: ARC 2700C & ARC 2701C - Iowa Dental Association comments

September 12, 2016

Mr. Phil McCollum:

The Iowa Dental Association leadership appreciates the opportunity to comment on the proposed rule revisions covered by ARC 2700C and ARC 2701C.

The IDA leadership has instructed staff to communicate its support of the proposed changes.

Thank you!

Larry

Lawrence F. Carl, CAE
Iowa Dental Association
PO Box 31088
8797 NW 54th Avenue Suite 100
Johnston IA 50131-9428
1-515-331-2298 Ext.106
1-515-334-8007 fax
1-800-828-2181 Ext.106
larry.carl@iowadental.org





Mccollum, Phillip <phil.mccollum@iowa.gov>

Public Comment Received on ARC 2701C

1 message

no-reply@iowa.gov <no-reply@iowa.gov>

Thu, Sep 8, 2016 at 12:52 PM

To: phil.mccollum@iowa.gov

Cc: howard-cowen@uiowa.edu

A new public comment has been received on **ARC 2701C**. The comment and contact information are listed below.

The comment was made on paragraph **2**.

Document Content

DENTAL BOARD[650]

Comment

These changes make good sense and should enhance access to care in Iowa while maintaining quality care that is demanded by our profession.

Contact InformationName: **Howard Cowen**

Email: howard-cowen@uiowa.edu

Phone: **(319) 335-6961**

DENTAL BOARD [650]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 147.34, and 153.21, the Dental Board amends Chapter 12, "Dental and Dental Hygiene Examinations," Iowa Administrative Code.

The amendment allows applicants applying for licensure by examination to take the same nationally recognized regional examinations currently accepted by applicants who apply for licensure by credentials; requires applicants to take all parts of the examination offered by each respective testing agency; requires applicants to follow the policies and procedures of each respective testing agency; requires applicants to attain a grade of not less than 75 percent on each clinical and written portion of the examinations; and strikes language that is outdated.

Notice of Intended Action was published in the Iowa Administrative Bulletin on August 31, 2016, as **ARC 2700C**. A public hearing was held on September 21, 2016, at 2pm at the office of the Iowa Dental Board. There were one attendee present, Emily Boge, Dental Administrative Chair from Hawkeye Community College. Ms. Boge stated that she was supportive of the amendment. Written comments were received from the University of Iowa College of Dentistry & Dental Clinics, the Iowa Dental Association, the Iowa Dental Hygiene Association and Dr. Howard Cohen. All entities expressed support for the amendment.

The Board reviewed and discussed the amendment during their October 13, 2016, open session board meeting and allowed additional comments from the public.

The proposed amendments are subject to waiver or variance pursuant to 650-chapter 7.

After analysis and review of this rule making, there is no impact on jobs.

CHAPTER 12
DENTAL AND DENTAL HYGIENE EXAMINATIONS
[Prior to 5/18/88, Dental Examiners, Board of[320]]

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 1) Compliance with testing requirements and procedures.

a. ~~CRDTS~~ **Regional clinical exam.** Examinees shall meet the requirements for testing and follow the procedures established by ~~Central Regional Dental Testing Service, Inc.~~ **each respective testing agency. Examinees must take all parts offered by the respective testing agency.**

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 2) 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. **The examinee must attain a grade of not less than 75 percent on each clinical portion of the exam and 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 each respective testing agency.**

(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 3) 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.~~ **respective testing agency**, 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 Code Supplement section 153.21 to establish the regional or national testing service examinations that will be accepted for purposes of licensure by credentials. The following regional examinations are approved by the board for purposes of application for licensure by credentials submitted pursuant to 650—Chapter 11: Central Regional Dental Testing Service, Inc. (CRDTS), Western Regional Examining Board, Inc. (WREB), Southern Regional Testing Agency (SRTA), North East Regional Board of Dental Examiners (NERB) and the Council of Interstate Testing Agencies (CITA). [ARC 9510B, IAB 5/18/11, effective 6/22/11; ARC 0265C, IAB 8/8/12, effective 9/12/12]~~

650—12.2 (147,153) System of retaking dental examinations.

12.2(1) Method of counting failures.

~~a. **Integrated format.** For the purposes of counting examination failures, the board shall utilize the policies adopted by CRDTS **each respective testing agency**. A dental examinee who has not passed all five parts of the integrated examination format by June 30 following graduation from dental school shall have one examination failure recorded. The dental examinee must then retake all five parts of the examination in the traditional format.~~

~~b. **Traditional format.** For the purposes of counting examination failures, the board shall utilize the policies adopted by CRDTS. A dental examinee who fails one or more parts of the examination shall have one examination failure recorded. A dental examinee shall be required to retake only those parts of the examination that the examinee failed. A dental examinee who has not passed all five parts of the examination within the time frame specified by CRDTS shall be required to retake the entire examination.~~

~~c. A dental examinee who has two examination failures in the traditional format will be required to complete remedial education requirements set forth in subrule 12.2(2).~~

12.2(2) Remedial education required prior to third examination.

a. Prior to the third examination attempt, a dental examinee must submit proof of additional formal education or clinical experience approved in advance by the board.

b. A dental examinee shall be required to retake only those parts of the examination that the examinee failed. However, a dental examinee who has not passed all five parts of the examination within the time frame specified by CRDTS shall be required to retake the entire examination. The examinee shall refer to the policies of the respective testing agency, to determine applicable timeframes.

12.2(3) Remedial education required prior to fourth examination.

a. Prior to the fourth examination attempt, a dental examinee must submit proof of satisfactory completion of the equivalent of an additional senior year of an approved curriculum in dentistry at a university or school with an approved curriculum.

b. At the fourth examination, the dental examinee shall be required to retake only those parts of the examination that the examinee failed. However, a dental examinee who has not passed all five parts of the examination within the time frame specified by CRDTS shall be required to retake the entire examination. The examinee shall refer to the policies of the respective testing agency, to determine applicable timeframes.

12.2(4) Subsequent failures. For the purposes of additional study prior to retakes, the fifth examination will be considered the same as the third.

12.2(5) Failures of other examinations. If a dental examinee applies for ~~the Central Regional Dental Testing Service, Inc.,~~ an examination after having failed any other state or regional examinations, the failure shall be considered a CRDTS failure counted for the purposes of retakes.

[ARC 9510B, IAB 5/18/11, effective 6/22/11]

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 1) Compliance with testing requirements and procedures.

a. ~~CRDTS. Regional clinical exam.~~ Examinees shall meet the requirements for testing and follow the procedures established by the Central Regional Dental Testing Service, Inc. each respective testing agency. Examinees must take all parts offered by the respective testing agency.

~~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 2) 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.~~ each respective testing agency.

~~(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 3) Practical demonstrations. Each examinee shall be required to perform such practical demonstrations as may be required by the Central Regional Dental Testing Service, Inc., testing agency 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 Code Supplement section 153.21 to establish the regional or national testing service examinations that will be accepted for purposes of licensure by credentials. The following regional examinations are approved by the board for purposes of application for licensure by credentials submitted pursuant to 650—Chapter 11: Central Regional Dental Testing Service, Inc. (CRDTS), Western Regional Examining Board, Inc. (WREB), Southern Regional Testing Agency (SRTA), North East Regional Board of Dental Examiners (NERB), and Council of Interstate Testing Agencies (CITA).~~

[ARC 7790B, IAB 5/20/09, effective 6/24/09; ARC 9510B, IAB 5/18/11, effective 6/22/11; ARC 0265C, IAB 8/8/12, effective 9/12/12]

650—12.4 (147,153) System of retaking dental hygiene examinations.

12.4(1) Method of counting failures.

a. For the purposes of counting examination failures, the board shall utilize the policies adopted by CRDTS each respective testing agency.

~~b. A dental hygiene examinee who fails the examination shall be required to retake the examination.~~

c. A dental hygiene examinee who has two examination failures will be required to complete the remedial education requirements set forth in subrule 12.4(2).

12.4(2) Remedial education required prior to third examination. Prior to the third examination attempt, a dental hygiene examinee must submit proof of a minimum of 40 hours of additional formal education or a minimum of 40 hours of clinical experience that is approved in advance by the dental hygiene committee.

12.4(3) Remedial education required prior to fourth examination. Prior to the fourth examination attempt, a dental hygiene examinee must submit proof of satisfactory completion of the equivalent of an additional semester of dental hygiene at a university or school approved by the dental hygiene committee.

12.4(4) Subsequent failures. For purposes of additional study prior to retakes, the fifth examination will be considered the same as the third.

12.4(5) Failures of other examinations. If a dental hygiene examinee applies for ~~the Central Regional Dental Testing Service, Inc.~~ an examination after having failed any other state or regional examination, the failure shall be considered a CRDTS failure counted for the purposes of retakes.

[ARC 7790B, IAB 5/20/09, effective 6/24/09; ARC 9510B, IAB 5/18/11, effective 6/22/11]

650—12.5(153) Additional requirements. Rescinded IAB 2/6/02, effective 3/13/02.

This chapter is intended to implement Iowa Code section 147.36.

[Filed 8/23/78, Notice 6/28/78—published 9/20/78, effective 10/25/78]

[Filed 3/20/86, Notice 9/11/85—published 4/9/86, effective 5/14/86]

[Filed 4/28/88, Notice 3/23/88—published 5/18/88, effective 6/22/88]

[Filed 8/1/91, Notice 5/29/91—published 8/21/91, effective 9/25/91]

[Filed 4/21/95, Notice 3/1/95—published 5/10/95, effective 6/14/95]

[Filed 4/30/96, Notice 2/14/96—published 5/22/96, effective 6/26/96]

[Filed 5/1/97, Notice 2/26/97—published 5/21/97, effective 6/25/97]

[Filed 1/22/99, Notice 11/18/98—published 2/10/99, effective 3/17/99]

[Filed 7/27/01, Notice 4/18/01—published 8/22/01, effective 9/26/01]

[Filed 1/18/02, Notice 11/14/01—published 2/6/02, effective 3/13/02]

[Filed 7/1/04, Notice 5/12/04—published 7/21/04, effective 8/25/04]

[Filed 1/14/05, Notice 11/10/04—published 2/2/05, effective 3/9/05]

[Filed 4/6/06, Notice 2/15/06—published 4/26/06, effective 5/31/06]

[Filed 5/3/07, Notice 2/28/07—published 5/23/07, effective 6/27/07]

[Filed ARC 7790B (Notice ARC 7567B, IAB 2/11/09), IAB 5/20/09, effective 6/24/09]

[Filed ARC 9510B (Notice ARC 9243B, IAB 12/1/10), IAB 5/18/11, effective 6/22/11]

[Filed ARC 0265C (Notice ARC 0128C, IAB 5/16/12), IAB 8/8/12, effective 9/12/12]

DENTAL BOARD [650]

Notice of Intended Action

Pursuant to the authority of Iowa Code 153.33(8), 153.39 and 272C.2, the Dental Board hereby gives Notice of Intended Action to amend Chapter 25, "Continuing Education," Iowa Administrative Code.

The purpose of the proposed amendments is to clarify continuing education requirements for renewal of licenses and registrations and simplify requirements for continuing education course and sponsor review.

These amendments update some of the definitions in the chapter to clarify intent, and to allow the approval of programs and activities when content meets established requirements for approval.

These amendments would place all continuing education requirements for the purposes of renewal in a single chapter. Currently, continuing education requirements for dental assistants are found in Chapter 20.

The amendments would also clarify when proof of continuing education shall be submitted as part of an audit.

These amendments would also establish new requirements for continuing education in the areas of infection control and jurisprudence for all Iowa licensees and registrants.

These amendments would strike language pertaining to continuing education credit awarded during previous renewal cycles that is no longer applicable.

These amendments would add a provision to allow continuing education credit for those who complete the Dental Assisting National Board (DANB) examination during the current reporting period.

These amendments would put a limit on the length of time for which continuing education courses would be eligible for credit following approval by the Board. This would ensure that courses for which credit is awarded are current, and include relevant concepts and information.

These amendments would update and clarify the list of acceptable and unacceptable topics for continuing education credit.

These amendments would establish a new section, “Designation of continuing education hours” which sets forth the number of continuing education hours that will be awarded for specific activities.

These amendments would update the notification requirement following the board’s decision regarding continuing education requests. Current requirements require notification by ordinary mail. The proposal would require written notification, to include notification by email.

These amendments would strike the rule relating to reinstatement of an inactive practitioner. This rule is being moved to Chapter 14, “Renewal and Reinstatement”.

Any interested person may make written comments on the proposed amendments on or before _____, 2016. Such written materials should be directed to Phil McCollum, Associate Director, Iowa Dental Board, 400 S.W. Eighth Street, Suite D, Des Moines, Iowa 50309 or sent by email to phil.mccollum@iowa.gov.

There will be a public hearing on _____, 2016 at 2:00 pm in the Board office, 400 S.W. Eighth Street, Suite D, Des Moines, Iowa, 50309 at which time persons may present their views orally or in writing.

The proposed amendments are subject to waiver or variance pursuant to 650-chapter 7.

After analysis and review of this rule making, there is no impact on jobs.

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

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

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

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

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

“Board” means the dental ~~board of dental examiners.~~

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

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

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

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

“Licensee” means any person ~~licensed~~ who has been issued a certificate to practice dentistry or dental hygiene in the state of Iowa.

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

“Self-study activities” mean the study of something by oneself, without direct supervision or attendance in a class. This may include Internet-based coursework, television viewing, video programs, correspondence work or research, or computer CD-ROM programs that are interactive and require branching, navigation, participation and decision making on the part of the viewer. Internet-based webinars, which includes the involvement of an instructor and participants in real time

and which allow for communication with the instructor through messaging, telephone or other means shall not be construed to be self-study activities.

650—25.2(153) Continuing education requirements.

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

25.2(2) Each person registered to practice dental assisting in this state shall complete during the biennium renewal period a minimum of 20 hours of continuing education approved by the board.

25.2(23) The continuing education compliance period shall be the 24-month period commencing September 1 and ending on August 31 of the renewal cycle. ~~However, for the dental hygiene renewal period beginning July 1, 2006, and ending August 30, 2007, the continuing education compliance period for dental hygienists shall be the 14 month period commencing July 1, 2006, and ending August 30, 2007. For the dental assistant renewal period beginning July 1, 2005, and ending August 30, 2007, the continuing education compliance period for dental assistants shall be the previous 26 month period. For the dental license renewal period beginning July 1, 2006, and ending August 30, 2008, the continuing education compliance period for dentists shall be the previous 26 month period.~~

25.2(34) Hours of continuing education credit may be obtained by attending and participating in a continuing education activity, either ~~previously~~ approved by the board or which otherwise meets the requirement herein ~~and is approved by the board pursuant to subrule 25.3(5).~~

25.2(45) It is the responsibility of each licensee or registrant to finance the costs of continuing education.

25.2(56) Every licensee or registrant shall maintain a record of all courses attended by keeping the certificates of attendance for four years, ~~after the end of the year of attendance.~~ The board reserves the right to require any licensee or registrant to submit the certificates of attendance for the continuing education courses attended. If selected for continuing education audit, the licensee or registrant shall file a signed continuing education form and submit a certificate or other evidence of attendance.

25.2(67) Licensees and registrants are responsible for obtaining proof of attendance forms when attending courses. Clock hours must be verified by the sponsor with the issuance of proof of attendance forms to the licensee or registrant.

25.2(78) Each licensee or registrant shall ~~file a signed continuing education reporting form reflecting the required minimum~~ report the number of continuing education credit hours completed during the current renewal cycle in compliance with this chapter ~~and 650 Chapter 20.~~ Such report shall be filed with the board at the time of application for renewal of a dental or dental hygiene license or renewal of dental assistant registration.

25.2(89) No carryover of credits from one biennial period to the next will be allowed.

25.2(910) Mandatory training for child abuse and dependent adult abuse reporting.

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

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

c. Licensees or registrants who regularly examine, attend, counsel or treat both children and adults in Iowa shall indicate on the renewal application completion of ~~at least two hours~~ of training on the identification and reporting of abuse in children and dependent adults in the previous five years or conditions for exemptions as identified in paragraph "f" of this subrule pursuant to Iowa Code

~~chapters 232 and 235B.~~ Training may be completed through separate courses or in one combined course that includes curricula for identifying and reporting child abuse and dependent adult abuse. ~~Up to three hours of continuing education may be awarded for taking a combined course.~~

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

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

f. Exemptions. Licensees and registrants shall be exempt from the requirement for mandatory training for identifying and reporting child and dependent adult abuse if the board determines that it is in the public interest or that at the time of the renewal the licensee or registrant is issued an extension or exemption pursuant to 650—25.75(153).

~~25.2(1011)~~ Licensees, ~~faculty permit holders,~~ and registrants shall furnish evidence of valid certification for cardiopulmonary resuscitation (CPR), which shall be credited toward the continuing education requirement for renewal of the license, ~~faculty permit or registration.~~ Such evidence shall be filed at the time of renewal of the license, ~~faculty permit or registration.~~ ~~Credit hours awarded shall not exceed three continuing education credit hours per biennium.~~ Valid certification means certification by an organization on an annual basis or, if that certifying organization requires certification on a less frequent basis, evidence that the licensee or registrant has been properly certified for each year covered by the renewal period. In addition, the course must include a clinical component.

25.2(12) Beginning July 1, 2017, licensees and registrants shall complete continuing education in the areas of infection control and jurisprudence.

a. Licensees and registrants shall furnish evidence of continuing education within the previous biennium in the area of infection control standards, as required or recommended for dentistry by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services. This shall be credited toward the continuing education requirement in the renewal period during which it was completed.

b. Licensees and registrants shall furnish evidence of a minimum of one hour of continuing education within the previous biennium in the area of jurisprudence. This shall be credited toward the continuing education requirement in the renewal period during which it was completed.

650—25.3(153) Approval of programs and activities. A continuing education activity shall be qualified for approval if ~~the board determines that:~~ it meets the following criteria. Continuing education courses which clearly meet the terms and conditions specified do not require board approval.

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

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

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

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

a. Attendance at a ~~multiply~~ **multiday** convention-type meeting. A multiday, convention-type meeting is held at a national, state, or regional level and involves a variety of concurrent educational experiences directly related to the practice of dentistry. ~~Effective July 1, 2000, attendees shall receive~~

~~three hours of credit with the maximum allowed six hours of credit per biennium. Prior to July 1, 2000, attendees received five hours of credit with the maximum allowed ten hours of credit per biennium. Four hours of credit shall be allowed for presentation of an original table clinic at a convention-type meeting as verified by the sponsor when the subject matter conforms with 25.3(7). Attendees at the table clinic session of a dental, dental hygiene, or dental assisting convention shall receive two hours of credit as verified by the sponsor.~~

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

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

~~d. Self-study activities.~~

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

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

~~g. Credit may be given for other continuing education activities upon request and approval by the Iowa board of dental board examiners.~~

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

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

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

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

~~(1) The subject matter is of value to dentistry and directly applicable to oral health care.~~

~~(2) The information presented enables the dental professional to enhance the dental health of the public.~~

~~(3) The dental professional is able to apply the knowledge gained within the professional capacity of the individual.~~

~~(4) The dental science courses include, but are not limited to, those within the eight recognized dental specialty areas and topics such as the clinical practice of dentistry, dental hygiene and dental~~

assisting, and dental public health ~~geriatric dentistry, hospital dentistry, oral diagnosis, oral rehabilitation and preventative dentistry.~~

b. Acceptable subject matter includes, but is not limited to, courses in patient treatment record keeping, medical conditions which may have an effect in-on oral health, ergonomics, HIPAA, risk management, sexual boundaries, communication with patients, and—OSHA regulations, Iowa jurisprudence, discontinuation of practice and transition of an office, and courses related to clinical practice. Courses in the area of Iowa jurisprudence must be prior-approved by the Board. ~~A course on Iowa jurisprudence that has been prior approved by the board is also acceptable subject matter.~~

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

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

650—25.4(153) Designation of continuing education hours. Continuing education hours shall be determined by the length of a continuing education course in “clock hours”. For the purposes of calculating continuing education hours for renewal of a license or registration the following rules shall apply:

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

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

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

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

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

25.4(3) Presenters or attendees of table clinics at a multiday convention-type meeting.

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

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

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

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

25.4(6) Self-study activities shall result in a maximum of 12 hours of continuing education credit per biennium.

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

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

650—25.5(153) Extensions and exemptions.

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

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

- a. Periods that the person serves honorably on active duty in the military services;
- b. Periods that the person practices the person's profession in another state or district having a continuing education requirement and the licensee or registrant meets all requirements of that state or district for practice therein;
- c. Periods that the person is a government employee working in the person's licensed or registered specialty and assigned to duty outside the United States;
- d. Other periods of active practice and absence from the state approved by the board;
- e. The current biennium renewal period, or portion thereof, following original issuance of the license.
- f. For dental assistants registered pursuant to 650—20.7(153), the current biennium renewal period, or portion thereof, following original issuance of the registration.

650—25.6(153) Exemptions for inactive practitioners. No continuing education hours are required to renew a license or registration on inactive status until application for reactivation is made. A request to place a license or registration on inactive status shall also contain a statement that the applicant will not engage in the practice of the applicant's profession in Iowa without first complying with all rules governing reactivation of inactive practitioners.

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

650—25.47(153) Approval of sponsors.

25.47(1) An organization or person not previously approved by the board, which desires approval as a sponsor of courses, programs, or other continuing education activities, shall apply for approval to the board stating its education history ~~for the preceding two years~~, including approximate dates, subjects offered, total hours of instruction presented, and names and qualifications of instructors. All applications shall be reviewed by the advisory committee on continuing education prior to final approval or denial by the board.

25.47(2) Prospective sponsors must apply to the ~~Iowa dental~~ board using a ~~“Sponsor Approval Form”~~ board approved forms in order to obtain approved sponsor status. An application fee as specified in 650—Chapter 15 is required. Board-approved sponsors must pay the biennial renewal fee as specified in 650—Chapter 15 and file a sponsor recertification record report biennially.

25.47(3) The person or organization sponsoring continuing education activities shall make a written record of the Iowa licensees or registrants in attendance, maintain the written record for a minimum of five years, and submit the record upon the request of the board. The sponsor of the continuing education activity shall also provide proof of attendance and the number of credit hours awarded to the licensee or registrant who participates in the continuing education activity.

25.47(4) Sponsors must be formally organized and adhere to board rules for planning and providing continuing dental education activities. Programs sponsored by individuals or institutions for

commercial or proprietary purposes, especially programs in which the speaker advertises or urges the use of any particular dental product or appliance, may be recognized for credit on a prior approval basis only. When courses are promoted as approved continuing education courses which do not meet the requirements as defined by the board, the sponsor will be required to refund the registration fee to the participants. Approved sponsors may offer noncredit courses provided the participants have been informed that no credit will be given. Failure to meet this requirement may result in loss of approved sponsor status.

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

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

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

650—25.7(153) Extensions and exemptions.

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

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

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

650—25.8(153) Exemptions for inactive practitioners. A licensee or registrant who is not engaged

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

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

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

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

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

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

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

~~— *c.* Successful completion of CRDTS or other Iowa state license or registration examination conducted within one year immediately prior to the submission of such application for reinstatement; or~~

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

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

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

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

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

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

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

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

~~1. Dental hygiene continuing education requirements and requests for approval of programs, activities and sponsors.~~

~~2. Requests by dental hygienists for waivers, extensions and exemptions of the continuing~~

education requirements.

3. Requests for exemptions from inactive dental hygiene practitioners.
4. Requests for reinstatement from inactive dental hygiene practitioners.
5. Appeals of denial of dental hygiene continuing education and conduct hearings as necessary.

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

[Filed 8/23/78, Notice 6/28/78—published 9/20/78, effective 10/25/78]

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[Filed ARC 9218B (Notice ARC 8846B, IAB 6/16/10), IAB 11/3/10, effective 12/8/10]

[Filed ARC 0265C (Notice ARC 0128C, IAB 5/16/12), IAB 8/8/12, effective 9/12/12]

DENTAL BOARD [650]

Notice of Intended Action

Pursuant to the authority of Iowa Code sections of 147.10, 147.11 and 153.15A the Dental Board hereby gives Notice of Intended Action to amend Chapter 14, "Renewal and Reinstatement," Iowa Administrative Code.

The purpose of the proposed amendments is to clarify the provisions for placing a license or registration on inactive status, and to update provisions regarding the reactivation or reinstatement of an inactive or lapsed license or registration.

These amendments add a reference to the reinstatement of a lapsed license or registration stipulating that full or part time practice in another state, which includes a statement verifying that continuing education requirements in that state have been met, are sufficient for licensure.

These amendments lower the cap on the number of continuing education hours a dental assistant is required to submit for reinstatement or reactivation, from 50 hours to 30 hours.

These amendments add a provision which would require a practitioner who has not actively practiced clinically for a period of five years or longer, complete an examination or assessment to prove competency prior to reinstatement or reactivation of a license or registration.

These amendments move provisions for reactivation of a license from Chapter 25, "Continuing Education" to Chapter 14, "Renewal and Reinstatement" so that it is easier for the practitioner to find.

These amendments align the provisions and requirements for reinstatement and reactivation of a license.

Any interested person may make written comments on the proposed amendments on or before _____, 2016. Such written materials should be directed to Phil McCollum, Associate Director, Iowa Dental Board, 400 S.W. Eighth Street, Suite D, Des Moines, Iowa 50309 or sent by email to phil.mccollum@iowa.gov.

There will be a public hearing on _____, 2016 at 2:00 pm in the Board office, 400 S.W. Eighth Street, Suite D, Des Moines, Iowa, 50309 at which time persons may present their views orally or in writing.

The proposed amendments are subject to waiver or variance pursuant to 650-chapter 7.

After analysis and review of this rule making, there is a positive impact on jobs, as the reduction in the cap on the number of continuing education hours a dental assistant is required to provide for reinstatement or reactivation of a registration makes it easier for them to regain registration in the state of Iowa.

Pending Board
Approval

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

650—14.1(147,153,272C) Renewal of license to practice dentistry or dental hygiene. A license to practice dentistry or a license to practice dental hygiene must be renewed prior to the expiration date of the license. Dental hygiene licenses expire on August 31 of every odd-numbered year. Dental licenses expire August 31 of every even-numbered year. A licensee who is not engaged in practice in the state of Iowa may place the license on inactive status by submitting a renewal form and paying the required renewal fee. No continuing education hours are required to renew a license on inactive status until application for reactivation is made. A request to place a license on inactive status shall also contain a statement that the applicant will not engage in the practice of the applicant's profession in Iowa without first complying with all rules governing reactivation of inactive practitioners.

14.1(1) Application renewal procedures.

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

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

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

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

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

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

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

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

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

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

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

This rule is intended to implement Iowa Code section 147.10 and chapters 153 and 272C.

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

650—14.2(153) Renewal of registration as a dental assistant. A certificate of registration as a registered dental assistant must be renewed biennially. Registration certificates shall expire on August 31 of every odd-numbered year. A registrant who is not engaged in practice in the state of Iowa may place the registration on inactive status by submitting a renewal form and paying the required renewal

fee. No continuing education hours are required to renew a registration on inactive status until application for reactivation is made. A request to place a registration on inactive status shall also contain a statement that the applicant will not engage in the practice of the applicant's profession in Iowa without first complying with all rules governing reactivation of inactive practitioners.

14.2(1) Renewal procedures.

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

b. Registrant obligation. The registrant is responsible for renewing the registration prior to its expiration. Failure of the registrant to receive the notice does not relieve the registrant of the responsibility for renewing that registration in order to continue practicing in the state of Iowa.

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

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

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

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

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

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

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

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

This rule is intended to implement Iowa Code sections 147.10 and 153.39.
[ARC 0265C, IAB 8/8/12, effective 9/12/12]

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

14.3(1) Renewal procedures.

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

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

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

d. Complete and timely filed application. No renewal application shall be considered timely and sufficient until received by the board office and accompanied by all material required for renewal and

all applicable renewal and late fees. Incomplete applications will not be accepted. For purposes of establishing timely filing, the postmark on a paper submittal will be used, and for renewals submitted online, the electronic timestamp will be deemed the date of filing.

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

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

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

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

This rule is intended to implement Iowa Code chapters 136C and 153.

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

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

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

14.4(2) Failure to pay required fees.

14.4(3) Failure to obtain required continuing education.

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

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

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

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

650—14.5(147,153,272C) Late renewal.

14.5(1) *Failure to renew license or permit.*

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

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

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

14.5(2) *Failure to renew registration.*

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

renewal fee.

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

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

14.5(3) Failure to renew radiography qualification. Failure to renew a radiography qualification prior to November 1 following expiration shall cause the radiography qualification to lapse and become invalid. A dental assistant whose radiography qualification is lapsed is prohibited from engaging in dental radiography until the qualification is reinstated in accordance with rule 650—14.7(136C,153).

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

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

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

a. A completed application for reinstatement of a lapsed license or registration to practice dentistry, ~~or~~ dental hygiene or dental assisting, on forms provided to the board, in addition to the required fee.

b. Dates and places of practice.

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

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

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

f. The full-time or part-time practice of the profession in another state of the United States or the District of Columbia, for a minimum of two out of the previous five year period, and a statement verifying that continuing education requirements in that state of practice have been met; or

g. 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) Chapter 25, up to a maximum of 30 hours.

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

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

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

14.6(2) The board may require a licensee or registrant applying for reinstatement, who has not actively practiced clinically within the previous five years, 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. a regional clinical examination, or other board approved examination or assessment, for the purpose of ensuring that the applicant possesses sufficient knowledge and skill to practice safely.~~

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

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

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

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

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

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

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

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

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

This rule is intended to implement Iowa Code section 136C.3 and chapter 153.
[ARC 0265C, IAB 8/8/12, effective 9/12/12]

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

14.8(1) Submit application for reactivation to the board upon forms provided by the board, in addition to the required fee.

14.8(2) Provide evidence of one of the following:

a. The full-time or part-time practice of the profession in another state of the United States or the District of Columbia for a minimum of two out of the previous five year period; or

b. Completion of a total number of hours of approved continuing education computed by multiplying 15 by the number of years the license has been on inactive status for a dentist or dental hygienist, up to a maximum of 75 hours for a dentist or dental hygienist, or by multiplying 10 by the number of years the registration has been on inactive status for a dental assistant, up to a maximum of 30 hours for a dental assistant.

14.8(3) Submit evidence that the applicant possesses a current certificate in a nationally recognized course in cardiopulmonary resuscitation. The course must include a clinical component.

14.8(4) The board may require a licensee or registrant applying for reactivation, who has not actively

practiced clinically in the previous five years, to successfully complete a regional clinical examination, or other board approved examination or assessment, to ensure the licensee or registrant is able to practice with reasonable skill and safety.

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

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

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

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