



STATE OF IOWA

IOWA DENTAL BOARD

KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

JILL STUECKER
EXECUTIVE DIRECTOR

IOWA DENTAL BOARD MEETING AGENDA January 25-26, 2018

The mission of the Iowa Dental Board is to ensure that all Iowans receive professional, competent, and safe dental care of the highest quality.

Location: *Please note the below venue change for Friday, January 26, 2018.*

The January 25, 2018 meeting of the Iowa Board will be held at the office of the Iowa Dental Board at 400 SW 8th Street, Suite D, Des Moines, Iowa

The January 26, 2018 meeting of the Iowa Dental Board will be held at the State Historical Building of Iowa at 600 E. Locust Street, Des Moines, Iowa. The meeting room is located on the 3rd floor at the top of the main staircase. Free parking is available one block away at the capitol complex parking structure at the northwest corner of Pennsylvania and Grand. Enter the Historical Building through the doors marked Museum and Café. There is an elevator along the back wall. Take it to the 3rd floor.

Board Members: *Steve Bradley, D.D.S.; Tom Jeneary, D.D.S.; Will McBride, D.D.S.; Monica Foley, D.D.S.; Michael Davidson, D.D.S.; Mary Kelly, R.D.H.; Nancy Slach, R.D.H.; Lori Elmitt, Public Member; Bruce Thorsen, Public Member*

THURSDAY JANUARY 25, 2018

8:30 a.m. **DENTAL HYGIENE COMMITTEE**
(See separate agenda)

9:30 a.m. **EXECUTIVE COMMITTEE**

10:15 a.m. **CLOSED SESSION:**

I. ITEMS FOR REVIEW AND DISCUSSION

- 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. **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).

- c. **Board Appearance** (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)).
- d. **Investigative Reports** (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)).
- e. **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)).
- f. **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)).
- g. **Hygiene Committee** (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)).
- h. **Malpractice Reports** (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)).
- i. **Notice of Hearing and Statement of Charges** (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)).
- j. **Combined Statement of Charges, Settlement Agreement and Final Order** (Closed session pursuant to Iowa Code § 21.5(1)(d) to discuss whether to initiate licensee disciplinary investigations or proceedings, and Iowa code § 21.5(1)(f) to discuss the decision to be rendered in a contested case).

Please Note: At the discretion of the Board Chair, agenda items may be taken out of order to accommodate scheduling requests of Board 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.

OPEN SESSION

II. ACTION, IF ANY, ON CLOSED SESSION AGENDA ITEMS

- a. Closed Session Minutes
- b. Compliance with Board Orders
- c. Board Appearance
- d. Investigative Reports
- e. New Complaints
- f. Additional Information on Previous Complaints
- g. Hygiene Committee
- h. Malpractice Reports
- i. Notice of Hearing and Statement of Charges
- j. Combined Statement of Charges, Settlement Agreement and Final Order

2:30 p.m.

- ### III. LICENSURE HEARING IN THE MATTER OF JACK ELDER, D.D.S.
- (Pursuant to Iowa Code § 272C.6(1), a licensee may request that their disciplinary hearing be held in closed session. Pursuant to Iowa Code § 21.5(1)(f) Board deliberation in a contested case will be held in closed session).

RECESS UNTIL FRIDAY JANUARY 26, 2018

Open session will convene at 8:30 a.m. at the Iowa Historical Building

FRIDAY JANUARY 26, 2018

The State Historical Building of Iowa is located at 600 E. Locust Street, Des Moines, Iowa. The meeting room is located on the 3rd floor at the top of the main staircase. Free parking is available one block away, at the capitol complex parking structure at the northwest corner of Pennsylvania and Grand. Enter the Historical Building through the door marked Museum and Café. There is an elevator along the back wall. Take it to the 3rd floor.

8:30 a.m. **OPEN SESSION:**

Due to speaker schedules, the agenda will break at 9:00 a.m. for agenda item IV. "A Discussion on Opioids", and again at 1:00 p.m. for agenda item X. "A Presentation on Specialty Recognition and Advertising". Agenda items will be taken out of order as needed to accommodate this schedule.

I. CALL MEETING TO ORDER – ROLL CALL

Steven Bradley

II. APPROVAL OF OPEN SESSION MINUTES

Steven Bradley

- a. October 13, 2017 – Quarterly Meeting
- b. November 9, 2017 – Teleconference

Please Note: At the discretion of the Board Chair, agenda items may be taken out of order to accommodate scheduling requests of Board 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.

III. REPORTS

A. BUDGET REPORT

Jill Stuecker

B. ANESTHESIA CREDENTIALS COMMITTEE REPORT

Christel Braness

- a. Actions Taken by the Committee on General Anesthesia & Moderate Sedation Permit Applications
- b. Other Committee Recommendations, if any

C. CONTINUING EDUCATION COMMITTEE REPORT

Lori Elmitt

- a. Vote on Recommendations: Continuing Education Course Applications
- b. Vote on Recommendations: Continuing Education Sponsor Applications
- c. Other Committee Recommendations, if any

D. LICENSURE/REGISTRATION COMMITTEE REPORT

Tom Jeneary

(Pursuant to Iowa Code § 21.5(1)(a) some licensure/registration information is required by state or federal law to be kept confidential).

- a. Recommendations by the Committee on Applications

E. EXAMINATION REPORTS

- a. CRDTS – Dental Steering Committee
- b. CRDTS – Dental Hygiene Examination Review Committee
- c. CRDTS – Dental Examination Review Committee

Steven Bradley

Nancy Slach

Will McBride

F. IOWA PRACTITIONER PROGRAM REPORT

Jill Stuecker

- a. Quarterly Update

G. NEW AD HOC COMMITTEES / TASKS FORCES PROPOSED

- a. Committee Appointments
 - i. Opioid Task Force
 - ii. Expanded Functions Task Force

H. EXECUTIVE DIRECTOR'S REPORT

Jill Stuecker

9:00 a.m.

IV. DISCUSSION ON OPIOIDS

- a. Attorney General Concerns and Priorities
Attorney General Tom Miller
- b. Overview of the Problem and Discussion on the Governor's Priorities
Dale Woolery, Director of the Governor's Office of Drug Control Policy
- c. Update on the Iowa Opioid Epidemic Evaluation Study Committee
Representative Dave Heaton
- d. Additional Legislative Perspective on Opioids

Please Note: At the discretion of the Board Chair, agenda items may be taken out of order to accommodate scheduling requests of Board 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.

Representative Rob Taylor

- e. Prescription Monitoring Program (PMP) Update and Board of Pharmacy Legislative Priorities

Andrew Funk, Executive Director, Iowa Board of Pharmacy

V. FIRST OPPORTUNITY FOR PUBLIC COMMENT

Steven Bradley

VI. LEGISLATIVE ISSUES 2018

Jill Stuecker

- a. Discussion and Vote (for/against/undecided) on Iowa Board of Pharmacy PMP Bill
- b. Discussion and Vote (for/against/undecided) on Iowa Board of Pharmacy Electronic Prescribing Bill
- c. Discussion and Vote (for/against/undecided) on Iowa Board of Pharmacy Controlled Substance Registration and Discipline Bill
- d. Discussion and Vote on SSB 3031 (for/against/undecided) Governor's Office of Drug Control Policy Prescriber Activity Bill
- e. Discussion and Vote on HSB 520 (for/against/undecided) on the Issuance of Prescriptions for an Opiate
- f. Discussion and Vote on HF 532 (for/against/undecided) on Mandatory Registration to the PMP
- g. Discussion and Vote on HF 2009 (for/against/undecided) on the Disclosure of Information Contained in the PMP
- h. Discussion on Additional Issues
 - Mandatory Continuing Education on Opioids
 - Mandatory Use of the PMP
 - Limitations on Opioid Prescribing
 - Integration of PMP Records with Electronic Health Records
 - Timely Reporting of Data From Pharmacies to the PMP

VII. DENTAL HYGIENE COMMITTEE REPORT

Mary Kelly

- a. Committee Meeting Overview
 - Draft Notice of Intended Action: Iowa Administrative Code 650 - Chapter 10, *General Requirements*
- a. Vote on Actions Taken at the Dental Hygiene Committee Meeting for Board Ratification
 - (None Taken)
- b. Other Committee Recommendations for Board Vote
 - Discussion and Vote: Next Steps on the Use of Silver Diamine Fluoride in a Public Health Setting

VIII. ADMINISTRATIVE RULE WAIVERS

Christel Braness

- a. Rule Waiver Request: Lisa Koppin on behalf of Lezah Hanson, R.D.H., Iowa Administrative Code 650 – Chapter 10.5(2), *Public health supervision allowed*
- b. Rule Waiver Request: Brian Bouck, D.D.S., Iowa Administrative Code 650 –

Please Note: At the discretion of the Board Chair, agenda items may be taken out of order to accommodate scheduling requests of Board 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.

- Chapter 29.5, *Permit Holders* and Iowa Administrative Code – Chapter 29.3, *Requirements for the issuance of deep sedation/general anesthesia permits*
- c. Rule Waiver Request: Randall Ruisch, D.D.S., and Aaron Jones, D.D.S., Iowa Administrative Code 650 – Chapter 29.5, *Permit Holders*

IX. PORTFOLIO EXAMINATION

- a. Update on Portfolio Exam *Mike Kanellis*
- b. Review and Approval of IDB Portfolio Application
- c. Discussion and Vote on Criteria for Approval of Faculty Examiners

11:30 a.m. - 1:00 p.m.

WORKING LUNCH FOR BOARD MEMBERS: A MANDATORY TRAINING ON STATE INFORMATION TECHNOLOGY SECURITY POLICIES *(The public is welcome to stay and observe this training, or to break for lunch. Please note that outside food and beverage cannot be brought into the Historical Building).*

1:00 p.m.

X. PRESENTATION ON SPECIALTY RECOGNITION AND ADVERTISING

- a. J. Craig Busey, JD, General Counsel, American Dental Association
- b. Frank R. Recker, DDS, JD, Frank R. Recker & Associates, CO., LPA and Counsel for the American Association of Dental Specialties

XI. SECOND OPPORTUNITY FOR PUBLIC COMMENT

Steven Bradley

XII. ADMINISTRATIVE RULES

Phil McCollum

- a. Vote on Notice of Intended Action: Iowa Administrative Code – 650 Chapter 26, *Advertising* and Iowa Administrative Code – 650, Chapter 28, *Designation of Specialty*
- b. Review of 2017 Regulatory Plan
- c. Vote on Adopted and Filed: Iowa Administrative Code 650 – Chapter 11, *Licensure to Practice Dentistry and Dental Hygiene*; and Iowa Administrative Code 650 – Chapter 20, *Dental Assistants*
- d. Vote on Notice of Intended Action: Iowa Administrative Code 650 – Chapter 1, *Definitions*
- e. Vote on Notice of Intended Action: Iowa Administrative Code – 650 Chapter 11, *Licensure to Practice Dentistry or Dental Hygiene*

XIII. OTHER BUSINESS

Jill Stuecker

- a. Discussion on Diabetes Screening
- b. Discussion on Blood Draws by a Dental Assistant for Grafting after Extractions

Please Note: At the discretion of the Board Chair, agenda items may be taken out of order to accommodate scheduling requests of Board 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.

XIV. APPLICATIONS FOR LICENSURE/REGISTRATION

Christel Braness

& OTHER REQUESTS (Pursuant to Iowa Code § 21.5(1)(a) some licensure/registration information is required by state or federal law to be kept confidential).

- a. Quarterly Ratification of Applications Issued

XV. ADJOURN

NEXT QUARTERLY MEETING: April 6, 2018

Please Note: At the discretion of the Board Chair, agenda items may be taken out of order to accommodate scheduling requests of Board 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.