



# STATE OF IOWA

## IOWA DENTAL BOARD

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

PHIL MCCOLLUM  
INTERIM DIRECTOR

### DENTAL HYGIENE COMMITTEE

#### OPEN SESSION MINUTES

**April 10, 2014**  
**Conference Room**  
**400 S.W. 8<sup>th</sup> St., Suite D**  
**Des Moines, Iowa**

<b>Committee Members</b>	<b>April 10, 2014</b>
Mary C. Kelly, R.D.H.	Present
Nancy A. Slach, R.D.H.	Present
Matthew J. McCullough, D.D.S.	Present

#### **Staff Members**

Phil McCollum, Christel Braness, Brian Sedars, Dee Ann Argo

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

Sara Scott, Assistant Attorney General

### **I. CALL TO ORDER FOR APRIL 10, 2014**

Ms. Kelly called the meeting of the Dental Hygiene Committee to order at 9:38 a.m. on Thursday, April 10, 2014. A quorum was established with all members present.

Roll Call:

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

### **II. 1<sup>st</sup> OPPORTUNITY FOR PUBLIC COMMENT**

Ms. Kelly allowed the opportunity for public comment.

Tom Cope, Iowa Dental Hygienists' Association (IDHA), commented on the proposed rule changes to IAC 650—Chapter 10. The IDHA has concerns about the removal of the word “synthetic.” Legislation enacted in 2000 prohibits the Board from adopting rules, which would allow the removal of synthetic materials by anyone other than a dental hygienist. Mr. Cope stated that the proposed change would put the Iowa Administrative Code 650 in conflict with the statute. Mr. Cope reported that he sent some emails to Mr. McCollum addressing his concerns. The IDHA

is open to discussion; however, the IDHA would ask that the Board keep that portion of the statute in mind when considering the issue. Mr. Cope is concerned about the precedent this proposed change in language would set. The IDHA stated that they are willing to work with the Board to find a resolution that is acceptable.

Ms. Scott asked for clarification about which portion of the proposed change raised concern. Ms. Scott asked if Mr. Cope is concerned about the language in Iowa Administrative Code 650—Chapter 10 or Iowa Administrative Code 650—Chapter 20. Mr. Cope stated that there is concern with regards to both chapters since the language in chapter 10 limits the removal of synthetic material to dental hygienists; and chapter 20 prohibits dental assistants from performing these services.

### **III. APPROVAL OF OPEN SESSION MINUTES**

- *January 30, 2014 – Quarterly Meeting Minutes*
- ❖ MOVED by KELLY, SECONDED by MCCULLOUGH, to APPROVE the minutes as submitted. Motion APPROVED unanimously.

### **IV. LEGAL REPORT**

Ms. Scott indicated that there was nothing to report.

### **V. OTHER BUSINESS**

#### REQUEST TO BE NOMINATED AS A CRDTS EXAMINER

Ms. Kelly reported that Ms. Tonya Enright submitted a request to be nominated as a dental hygiene examiner to the Central Regional Dental Testing Service (CRDTS).

Ms. Braness provided an overview of the request.

Ms. Kelly provided some information about the requirements to serve as an examiner for CRDTS. For example, a practitioner must hold an active license and cannot have any disciplinary action against his or her license. The Board is obligated to provide examiners to CRDTS since it is a member of CRDTS. Ms. Kelly contacted CRDTS to find out whether Iowa was eligible to appoint additional dental hygiene members. CRDTS indicated that Iowa could appoint additional dental hygiene examiners.

Dr. Bradley stated that CRDTS appears to be short on dental hygiene examiners.

Ms. Cacioppo stated that, in her experience, the Board has not always found it effective to inquire, generally, about interest to serve as an examiner. Ms. Cacioppo provided some additional information about Ms. Enright's credentials.

Ms. Slach and Dr. McCullough agreed that Ms. Enright's background would make her a good candidate to serve as an examiner.

- ❖ MOVED by SLACH, SECONDED by MCCULLOUGH, to nominate Ms. Enright as a dental hygiene examiner to CRDTS. Motion APPROVED unanimously.

#### EDUCATIONAL STANDARDS FOR EXPANDED FUNCTIONS TASK FORCE

Ms. Slach stated that this item will be discussed more thoroughly at the Board meeting. Ms. Slach reported that the task force has suggested that the current and proposed expanded functions be divided into two groups: level 1 and level 2. Prior to practitioners receiving training in level 2 expanded functions, they must complete training in all level 1 expanded functions.

Ms. Kelly stated that there will be further discussion about proposed rules at the full Board meeting.

#### PUBLIC HEALTH SUPERVISION – SEALANT PROGRAM

Ms. Kelly reported that Sue Hyland, R.D.H. submitted a request asking that the Board consider creating a pathway to allow dental assistants to work with public health hygienists in public health settings. Ms. Kelly indicated that she regularly receives comments regarding the need for additional assistance in public health settings.

Ms. Slach stated that this type of service by dental assistants makes sense, since the duties they would be asked to perform are basic. Dr. McCullough agreed.

Ms. Kelly clarified that this request involves the scope of practice for dental assistants; therefore the Dental Hygiene Committee does not have authority to make the decision on this matter. However, since this request affects the practice of dental hygiene, Ms. Kelly wanted to discuss this issue at the committee level. Ms. Kelly asked Ms. Scott what the committee can do in light of that. Ms. Scott stated that it is the Board's decision to make; however, the committee can reference this discussion at the Board meeting, and make a suggestion to the Board.

Ms. Slach asked about Ms. Hyland's request. Ms. Slach asked for clarification about the intended supervision level for the dental assistants. Ms. Kelly stated that the intent would be for a dentist to provide the supervision. Ms. Kelly referenced general supervision for registered dental assistants. Presently, registered dental assistants are allowed to assist with suctioning, intraoral services, and take radiographs under general supervision. The request would ask that dental assistants be allowed to perform services similar to those allowed under general supervision in public health settings.

#### **VI. ADMINISTRATIVE RULES/ADMINISTRATIVE RULE WAIVERS**

- *Review for Discussion – Proposed Amendments to Ch. 10, “General Requirements”; Ch. 20, “Dental Assistants”; Ch. 23 (new chapter), “Expanded Functions for Dental Auxiliaries” (RE: Current and Newly-Proposed Expanded Functions)*

Ms. Kelly reported that there are a few concerns with the current drafts of the proposed changes. There are some additional questions that need to be answered, including the issue with regards to synthetic materials.

Mr. McCollum reported that that the Board has received some feedback on the proposed drafts. Due to recent input and other information discovered in the course of reviewing these matters, Mr. McCollum recommended that the Dental Hygiene Committee and the Board table any action on the proposed rule amendments until the next meeting. Mr. McCollum thinks additional time would be best to address some of the concerns.

Ms. Kelly asked Ms. Scott about how the committee should proceed. Ms. Scott stated that the Dental Hygiene Committee has some flexibility since this was not drafted as a Notice of Intended Action. Action by the committee is not required at this time.

Ms. Kelly reported that some of the issues raised concerned the differences between what the dental hygiene programs are teaching, what is currently allowed in rules, and what is being proposed. Further discussion and review will allow the Board to develop language that would better address all of the areas of concern.

Ms. Slach stated that the University of Iowa College of Dentistry will wait to develop the new curriculum until such time as the Board has given more direction.

Ms. Kelly asked Ms. Scott about the concern related to the proposed deletion of the word “synthetic” from the Iowa Administrative Code and how the statute affects this proposal. Ms. Scott stated that she has not had the chance to fully review this issue to date. Ms. Scott stated that she had looked briefly at the legislative history section of the act. Ms. Scott believes that there is another way in which to interpret the statute that differs from the IDHA's interpretation. Ms. Scott stated that her initial interpretation is that the third sentence in the code section refers back to the first two sentences, and that the section needs to be reviewed in its entirety. Ms. Scott believes that since only portions of the legislation were made a part of the Iowa Code, and other portions remained in the Iowa Acts, the third sentence applies to that specific time period, and may not be a permanent prohibition.

Ms. Scott sees this as an open issue, which can be discussed and reviewed further. Mr. Cope stated that the important thing would be to review all available options. Mr. Cope is reluctant to recommend use of the proposed language since it raises some concerns about the Iowa Code section. Mr. Cope preferred to explore other options, and find a better way to address this issue.

Ms. Slach stated that if the Board can make this language clearer, it would be subject to less interpretation and raise fewer questions.

## **VII. APPLICATIONS FOR LICENSURE & OTHER REQUESTS**

There were no applications or other requests for review.

## **X. 2<sup>nd</sup> OPPORTUNITY FOR PUBLIC COMMENT**

Ms. Kelly allowed the opportunity for public comment.

No comments were received.

### VIII. CLOSED SESSION

- ❖ MOVED by MCCULLOUGH, SECONDED by SLACH, to go into closed session pursuant to Iowa Code 21.5(1) (a), (d) and (f) to discuss and review complaints and other information required by state law to be kept confidential.

Roll Call:

<u>Member</u>	<u>Kelly</u>	<u>Slach</u>	<u>McCullough</u>
Yes	x	x	x
No			
Absent			

Motion APPROVED by ROLL CALL.

- The Dental Hygiene Committee convened in closed session at 10:01 a.m.

### IX. RECONVENE IN OPEN SESSION

- ❖ MOVED by SLACH, SECONDED by MCCULLOUGH, to return to open session. Motion APPROVED unanimously.
- The Dental Hygiene Committee reconvened in open session at 10:36 a.m.

### X. ACTION ON CLOSED SESSION ITEMS

- ❖ MOVED by SLACH, SECONDED by MCCULLOUGH to approve the closed minutes as submitted. Motion APPROVED unanimously.
- ❖ MOVED by SLACH, SECONDED by MCULLOUGH to close #12-095 Motion APPROVED unanimously.
- ❖ MOVED by SLACH, SECONDED by MCULLOUGH to keep #13-0001 open. Motion APPROVED unanimously.
- ❖ MOVED by SLACH, SECONDED by MCULLOUGH to keep #13-0085 open. Motion APPROVED unanimously.
- ❖ MOVED by SLACH, SECONDED by MCULLOUGH to keep #14-0040 open. Motion APPROVED unanimously.

❖ MOVED by SLACH, SECONDED by MCULLOUGH to keep #14-0041 open. Motion APPROVED unanimously.

❖ MOVED by SLACH, SECONDED by MCULLOUGH to keep #14-0049 open. Motion APPROVED unanimously.

## **XI. ADJOURN**

❖ MOVED by SLACH, SECONDED by MCCULLOUGH, to adjourn. Motion APPROVED unanimously.

The meeting of the Dental Hygiene Committee adjourned at approximately 10:38 a.m. on April 10, 2014.

## **NEXT MEETING OF THE COMMITTEE**

The next meeting of the Dental Hygiene Committee is scheduled for July 31, 2014, in Des Moines, Iowa.

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