

Ways Means 3/14 D. Pass 3/26 (887)

FILE MARCH 1988

SENATE FILE 293

BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 19)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the practice of dentistry, assessing a fee,
2 and providing a civil penalty.

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

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3/26/88

1 Section 1. Section 153.34, unnumbered paragraph 1, Code
2 1991, is amended by striking the paragraph and inserting in
3 lieu thereof the following:

4 The board may issue an order to discipline a licensed
5 dentist or dental hygienist for any of the grounds set forth
6 in this chapter or chapter 258A. Notwithstanding section
7 258A.3, licensee discipline may include a civil penalty not to
8 exceed ten thousand dollars. Pursuant to this section, the
9 board may discipline a licensee for any of the following
10 reasons:

11 Sec. 2. Section 153.37, Code 1991, is amended to read as
12 follows:

324713 153.37 DENTAL COLLEGE FACULTY PERMITS.

14 The state board of dental examiners may issue to members of
15 the faculty of the college of dentistry a faculty permit
16 entitling the holder to practice dentistry or dental hygiene
17 within the college of dentistry and its affiliated teaching
18 facilities as an adjunct to the faculty members' teaching
19 positions, associated responsibilities, and functions. The
20 dean of the college of dentistry shall certify to the state
21 board of dental examiners those bona fide members of the
22 college's faculty who are not licensed and registered to
23 practice dentistry or dental hygiene in Iowa. Any faculty
24 member so certified shall, prior to commencing the member's
25 duties in the college of dentistry, make written application
26 to the state board of dental examiners for a permit. The
27 permit shall expire on the first day of July next following
28 the date of issuance and may at the discretion of the state
29 board of dental examiners, be renewed on a yearly basis. A
30 ~~fee of fifteen dollars shall be paid by the applicant for~~
31 ~~issuance and renewal of the faculty permit. The fee for the~~
32 faculty permit and the renewal shall be set by the state board
33 of dental examiners based upon the administrative cost of
34 issuance of the permit. The fee shall be deposited in the
35 same manner as fees provided for in section 147.82. The

1 faculty permit shall be valid during the time the holder
2 remains a member of the faculty of the college of dentistry
3 and shall subject the holder to all provisions of this
4 chapter.

5 Sec. 3. NEW SECTION. 153.38 DENTAL PROSTHESIS
6 IDENTIFICATION.

7 1. Every complete upper and lower denture and removable
8 dental prosthesis fabricated by or pursuant to a work order of
9 a person licensed to practice dentistry or dental surgery in
10 this state shall be marked with the name or social security
11 number, or both, of the patient for whom the prosthesis is
12 intended. The markings shall be done during fabrication and
13 shall be permanent, legible, and cosmetically acceptable. The
14 exact location of the markings and the methods used to apply
15 or implant them shall be determined by the dentist or dental
16 laboratory fabricating the prosthesis. If full identification
17 is not possible, the name or social security number may be
18 omitted in compliance with the following:

19 a. The social security number of the patient may be
20 omitted if the name of the patient is shown.

21 b. The initials of the patient may be shown alone, if use
22 of the name of the patient is impracticable.

23 c. The identification marks may be omitted in their
24 entirety if the forms of identification specified in para-
25 graphs "a" and "b" are not clinically safe or practicable.

26 2. A removable dental prosthesis in existence prior to the
27 effective date of this Act, which was not marked as described
28 in subsection 1 at the time of its fabrication, shall be so
29 marked at the time of any subsequent rebasing.

30 3. A dentist who fails to comply with this section is
31 subject to disciplinary action by the board of dental
32 examiners.

33

EXPLANATION

34 The bill relates to the practice of dentistry by doing the
35 following:

1 Section 1 allows the board of dental examiners to impose a
2 civil penalty as a disciplinary measure not to exceed \$10,000,
3 notwithstanding the \$1,000 limitation on such penalties
4 provided in section 258A.3.

5 Section 2 authorizes the board of dental examiners to set
6 the fees by rule for the issuance and renewal of dental
7 college faculty permits.

8 Section 3 requires that every complete upper and lower
9 denture and removable dental prosthesis fabricated by or
10 pursuant to a work order of a person licensed to practice
11 dentistry or dental surgery in this state be marked with the
12 patient's name or social security number, or both, whenever
13 clinically safe or practicable. A dental prosthesis in
14 existence prior to this Act shall be marked at the time of any
15 subsequent rebasing. Failure to comply with the new section
16 subjects a dentist to disciplinary action by the board of
17 dental examiners.

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SENATE FILE 293

S-3116

1 Amend Senate File 293 as follows:

2 1. Page 2, line 13, by striking the words
3 "cosmetically acceptable" and inserting the following:
4 "inconspicuous".

5 2. Page 2, by striking lines 30 through 32 and
6 inserting the following:

7 "3. The board of dental examiners may adopt rules
8 and establish standards to fulfill the purposes of
9 this section."

By LARRY MURPHY

S-3116 FILED MARCH 13, 1991

SENATE FILE 293

S-3247

1 Amend Senate File 293 as follows:

2 1. Page 1, line 13, by inserting after the word
3 "COLLEGE" the following: "AND DENTAL HYGIENE
4 PROGRAM".

5 2. Page 1, line 17, by inserting after the word
6 "dentistry" the following: "or a dental hygiene
7 program".

8 3. Page 1, line 20, by inserting after the word
9 "dentistry" the following: "or chairperson of a
10 dental hygiene program".

11 4. Page 1, line 22, by inserting after the word
12 "college's" the following: "or dental hygiene
13 program's".

14 5. Page 1, line 25, by inserting after the word
15 "dentistry" the following: "or in a dental hygiene
16 program".

By LARRY MURPHY

S-3247 FILED APRIL 1, 1991

MURPHY, CH.
STURGEON
KRAMER

SSB 19
HUMAN RESOURCES

SENATE/HOUSE FILE 293
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH/BOARD OF
DENTAL EXAMINERS BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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13 clinically safe or practicable. A dental prosthesis in
14 existence prior to this Act shall be marked at the time of any
15 subsequent rebasing. Failure to comply with the new section
16 subjects a dentist to disciplinary action by the board of
17 dental examiners.

18 BACKGROUND STATEMENT

19 SUBMITTED BY THE AGENCY

20 Section 1 of the bill allows the board of dental examiners
21 to impose civil penalties as disciplinary measures of not to
22 exceed \$10,000 notwithstanding the \$1,000 limitation on such
23 penalties in section 258A.3. The board of pharmacy examiners
24 currently has authority to impose \$25,000 civil penalties and
25 the board of medical examiners currently has the authority to
26 impose \$10,000 civil penalties as exceptions to section
27 258A.3.

28 Section 2 of the bill authorizes the board of dental
29 examiners to set by rule the fees for issuance and renewal of
30 dental college faculty permits as it currently does in the
31 case of all other fees for issuance and renewal of licenses to
32 practice dentistry and dental hygiene.

33 Section 3 of the bill relating to dental prosthesis
34 identification was introduced in the 1990 Session of the
35 General Assembly as S.F. 2308.