

DENTAL BOARD[650]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 147.76, the Dental Board hereby gives Notice of Intended Action to amend Chapter 20, “Dental Assistants,” Iowa Administrative Code.

These proposed amendments establish a process by which a dental assistant trainee who does not become a registered dental assistant within 12 months of the first date of employment as a dental assistant may reapply for dental assistant trainee status; clarify that an out-of-state dental assistant applying for an Iowa dental assistant registration must have at least six months of prior dental assisting experience under a licensed dentist within the past two years; and require that a dental assistant trainee must have a certification of dental assistant trainee status issued prior to beginning work as a dental assistant trainee.

Written comments about the proposed amendments will be accepted through July 12, 2012. Comments should be directed to Melanie Johnson, Executive Director, Iowa Dental Board, 400 SW 8th Street, Suite D, Des Moines, Iowa 50309-4687; or by e-mail to Melanie.Johnson@iowa.gov.

A public hearing will be held on July 12, 2012, at 11 a.m. at the office of the Iowa Dental Board located at 400 SW 8th Street, Suite D, Des Moines, Iowa. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any person who plans to attend the public hearing and who may have special requirements, such as those related to hearing or mobility impairments, should contact the Board office and advise of specific needs.

These proposed amendments were approved at the May 18, 2012, meeting of the Dental Board.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 153.33 and 153.39.

The following amendments are proposed.

ITEM 1. Adopt the following new definition of “Trainee status expiration date” in rule **650—20.2(153)**:

“*Trainee status expiration date*” means the date established by the board office which is 12 months from a person’s first date of employment as a dental assistant. The trainee status expiration date is the date by which a trainee must successfully complete requirements and become registered as a dental assistant, pursuant to Iowa Code section 153.39.

ITEM 2. Amend rule 650—20.4(153) as follows:

650—20.4(153) Categories of dental assistants: dental assistant trainee, registered dental assistant. There are two categories of dental assistants. Both the supervising dentist and dental assistant are responsible for maintaining documentation of training. Such documentation must be maintained in the office of practice and shall be provided to the board upon request.

20.4(1) Dental assistant trainee. Dental assistant trainees are all individuals who are engaging in on-the-job training to meet the requirements for registration and who are learning the necessary skills under the personal supervision of a licensed dentist. Trainees may also engage in on-the-job training in dental radiography pursuant to 650—22.3(136C,153).

a. General requirements. The dental assistant trainee shall meet the following requirements:

~~a. (1) Within 12 months of employment~~ Prior to the trainee status expiration date, the dental assistant trainee shall successfully complete a course of study and examination in the areas of infection

control, hazardous materials, and jurisprudence. The course of study shall be prior approved by the board and sponsored by a board-approved postsecondary school.

~~b. (2) Prior to satisfactorily completing 12 months of work as a dental assistant the trainee status expiration date, the trainee must apply to the board office to be reclassified as a registered dental assistant.~~

~~c. (3) Dental assistant trainee status is valid for practice for a maximum of 12 months. If trainee status has expired, the trainee must meet the requirements for registration and receive a certificate of registration in order to practice as a dental assistant. If a trainee fails to become registered by the trainee status expiration date, the trainee must stop work as a dental assistant.~~

~~b. New trainee application required if trainee not registered prior to trainee status expiration date. Pursuant to Iowa Code section 153.39, a person employed as a dental assistant has a 12-month period following the person's first date of employment to become registered. If not registered by the trainee status expiration date, the trainee must stop work as a dental assistant and reapply for trainee status.~~

~~(1) Reapplying for trainee status. A trainee may "start over" as a dental assistant trainee provided the trainee submits an application in compliance with subrule 20.6(1).~~

~~(2) Examination scores valid for three years. A "repeat" trainee is not required to retake an examination (jurisprudence, infection control/hazardous materials, radiography) if the trainee has successfully passed the examination within three years of the date of application. If a trainee has failed two or more examinations, the trainee must satisfy the remedial education requirements in subrule 20.10(1). The trainee status application will not be approved until the trainee successfully completes any required remedial education.~~

~~(3) New trainee status expiration date issued. If the repeat trainee application is approved, the board office will establish a new trainee status expiration date by which registration must be completed.~~

~~(4) Maximum of two "start over" periods allowed. In addition to the initial 12-month trainee status period, a dental assistant is permitted up to two start over periods as a trainee. If a trainee seeks an additional start over period beyond two, the trainee shall submit a petition for rule waiver under 650—Chapter 7.~~

~~d. c. Trainees enrolled in cooperative education or work study programs. Notwithstanding paragraphs "b" and "c," the expiration date for dental assistant trainee status for The requirements stated in this subrule apply to all dental assistant trainees, including a person enrolled in a cooperative education or work-study program through an Iowa high school shall be extended until the trainee is 17 years of age and a high school graduate or equivalent. However, In addition, a trainee under 18 years of age shall not participate in dental radiography.~~

20.4(2) Registered dental assistant. A registered dental assistant may perform under general supervision dental radiography, intraoral suctioning, and all extraoral duties that are assigned by the dentist and are consistent with these rules. During intraoral procedures, the registered dental assistant may, under direct supervision, assist the dentist in performing duties assigned by the dentist that are consistent with these rules. The registered dental assistant may take radiographs if qualified pursuant to 650—Chapter 22.

~~**20.4(3) Expanded function dental assistant.** Rescinded IAB 9/17/03, effective 10/22/03.~~

ITEM 3. Amend subrule 20.6(1) as follows:

20.6(1) Dental assistant trainee.

a. A dentist supervising a person performing dental assistant duties must ~~notify the board in writing of such employment within seven days of the time the~~ ensure that the person has been issued a trainee status certificate from the board office prior to the person's first date of employment as a dental assistant ~~begins work.~~ A dentist who has been granted a temporary permit to provide volunteer services for a qualifying event of limited duration pursuant to 650—subrule 13.3(3), or an Iowa-licensed dentist who is volunteering at such qualifying event, is exempt from this requirement for a dental assistant who is working under the dentist's supervision at the qualifying event.

b. Applications for registration as a dental assistant trainee must be filed on official board forms and include the following:

- (1) The fee as specified in 650—Chapter 15.
- (2) Evidence of high school graduation.
- (3) Evidence the applicant is 17 years of age or older.
- (4) Any additional information required by the board relating to the character and experience of the applicant as may be necessary to evaluate the applicant's qualifications.

(5) If the applicant does not meet the requirements of (2) and (3) above, evidence that the applicant is enrolled in a cooperative education or work-study program through an Iowa high school.

c. ~~Within 12 months of employment~~ Prior to the trainee status expiration date, the dental assistant trainee is required to successfully complete a board-approved course of study and examination in the areas of infection control, hazardous materials, and jurisprudence. The course of study may be taken at a board-approved postsecondary school or on the job using curriculum approved by the board for such purpose. Evidence of meeting this requirement prior to the trainee status expiration date shall be submitted ~~within 12 months~~ by the employer dentist.

d. ~~Upon expiration of the trainee status~~ Prior to the trainee status expiration date, the dental assistant trainee's supervising dentist must ensure that the trainee has received a certificate of registration before performing any further dental assisting duties.

ITEM 4. Amend paragraph **20.6(2)“a”** as follows:

- a.* To meet this qualification, a person must:
- (1) Work in a dental office for six months as a dental assistant trainee; or
 - (2) ~~Have~~ If licensed out of state, have had at least six months of prior dental assisting experience under a licensed dentist within the past two years; or
 - (3) Be a graduate of an accredited dental assisting program approved by the board; and
 - (4) Be a high school graduate or equivalent; and
 - (5) Be 17 years of age or older.