

CHAPTER 11
LICENSURE AND REGISTRATION
[Prior to 5/18/88, Dental Examiners, Board of[320]]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

650—11.1(147,153) Applicant responsibilities. An applicant for dental or dental hygiene licensure or dental assistant registration 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, registration or permit application;
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; and
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.

This rule is intended to implement Iowa Code sections 147.2 and 153.39.

[ARC 9218B, IAB 11/3/10, effective 12/8/10; ARC 0265C, IAB 8/8/12, effective 9/12/12; ARC 6673C, IAB 11/16/22, effective 12/21/22]

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, including 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 650—11.3(153).

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. Documentation of passage of national dental examination. Evidence of successful passage of the examination administered by the Joint Commission on National Dental Examinations.

d. Documentation of passage of a clinical examination. Successful passage of a board-approved clinical examination within the previous five-year period.

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

(2) The following manikin-based regional clinical examinations are approved by the board for purposes of licensure by examination: the Central Regional Dental Testing Service, Inc. examination as administered by the Central Regional Dental Testing Service, Inc. (CRDTS), and the American Board of

Dental Examiners, Inc. examination as administered by the Commission on Dental Competency Assessments (CDCA).

(3) Beginning January 1, 2018, the 2014 California portfolio examination is approved by the board for the purposes of licensure by examination. To be eligible for licensure on the basis of portfolio examination, an applicant must be a student at the University of Iowa College of Dentistry or have graduated from the University of Iowa College of Dentistry within one year of the date of application.

e. Explanation of any legal or administrative actions. A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges.

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 a board-approved jurisprudence examination with a grade of at least 75 percent.

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. 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; ARC 2870C, IAB 12/21/16, effective 1/25/17; ARC 3488C, IAB 12/6/17, effective 1/10/18; ARC 5366C, IAB 12/30/20, effective 2/3/21]

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 passage of 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) Has less than three consecutive years of practice immediately prior to the filing of the application and evidence of successful passage of a board-approved clinical examination pursuant to subrule 11.2(2) within the previous five-year period; 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 Practitioner Data Bank (NPDB).

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 a board-approved jurisprudence examination with a grade of at least 75 percent.

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.

11.3(6) A dentist who is licensed in another jurisdiction but who is unable to satisfy the requirements for licensure by credentials may apply for licensure by verification, if eligible, in accordance with rule 650—11.12(272C).

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; ARC 2870C, IAB 12/21/16, effective 1/25/17; ARC 3488C, IAB 12/6/17, effective 1/10/18; ARC 5366C, IAB 12/30/20, effective 2/3/21; ARC 5747C, IAB 7/14/21, effective 8/18/21]

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 dental education program at an accredited dental college. The program must consist of either:

a. An undergraduate supplemental dental education program of at least two academic years. The undergraduate supplemental dental education program must provide didactic and clinical education to the level of a DDS or DMD graduate of the accredited dental college; or

b. A postgraduate general practice residency program of at least one academic year.

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. Satisfactory evidence of completion of board-approved dental education at an accredited dental college;

b. 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

c. 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 evidence of achieving a score sufficient to be rated in the highest level of ability on each section of the Test of English as a Foreign Language (TOEFL) as administered by the Educational Testing Service (ETS).

11.4(5) A dentist who is licensed in another jurisdiction but who is unable to satisfy the requirements for licensure in this rule may apply for licensure by verification, if eligible, in accordance with rule 650—11.12(272C).

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

[ARC 3961C, IAB 8/15/18, effective 9/19/18; ARC 5747C, IAB 7/14/21, effective 8/18/21]

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 dental hygiene license issued in another state for one year or longer must apply for licensure by credentials pursuant to rule 650—11.6(153).

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. *Documentation of passage of national dental hygiene examination.* Evidence of successful passage of the examination administered by the Joint Commission on National Dental Examinations.

d. *Documentation of passage of a regional clinical examination.* Successful passage of a board-approved clinical examination within the previous five-year period.

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

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

e. *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.

f. *Documentation of passage of jurisprudence examination.* Evidence of successful completion of a board-approved jurisprudence examination with a grade of at least 75 percent.

g. *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.

h. Explanation of any legal or administrative actions. A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges.

i. 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; **ARC 2870C**, IAB 12/21/16, effective 1/25/17; **ARC 5366C**, IAB 12/30/20, effective 2/3/21; **ARC 5539C**, IAB 4/7/21, effective 5/12/21]

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 passage of the examination of 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) Has less than three consecutive years of practice immediately prior to the filing of the application and evidence of successful passage of a regional clinical examination pursuant to subrule 11.5(2) within the previous five-year period; 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 Practitioner Data Bank (NPDB).

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. Successful completion of a board-approved jurisprudence examination with a grade of at least 75 percent.

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.

11.6(7) A dental hygienist who is licensed in another jurisdiction but who is unable to satisfy the requirements for licensure by credentials may apply for licensure by verification, if eligible, in accordance with rule 650—11.12(272C).

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; ARC 2870C, IAB 12/21/16, effective 1/25/17; ARC 5366C, IAB 12/30/20, effective 2/3/21; ARC 5539C, IAB 4/7/21, effective 5/12/21; ARC 5747C, IAB 7/14/21, effective 8/18/21]

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.
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; ARC 5366C, IAB 12/30/20, effective 2/3/21]

650—11.8(153) Dental assistant registration.

11.8(1) General. An applicant must satisfy all of the following requirements:

- a. Successful completion of board-approved training or education in dental assisting in accordance with subrule 11.8(2);
- b. Evidence of current certification in cardiopulmonary resuscitation that included a hands-on component; and
- c. Successful completion of board-approved examination in the areas of infection control/hazardous materials and jurisprudence in accordance with subrule 11.8(3). Successful completion of board-approved examination in the area of dental radiography is also required if an applicant is applying for a radiography qualification in accordance with rule 650—22.5(136C,153).

11.8(2) Education and training. An applicant must meet one of the following:

- a. Work in a dental office as a dental assistant trainee until competency is achieved as determined by the supervising dentist;
- b. Work as a dental assistant in another state, district or territory within five years prior to the date of application; or
- c. Be a graduate of an accredited dental assisting program.

11.8(3) Examination. An applicant for registration must successfully complete examinations as required pursuant to subrule 11.8(2). Applicants may complete a single comprehensive examination or complete separate board-approved examinations in the required areas.

a. The following examinations are approved for the purposes of this subrule:

- (1) Board-approved examinations;
- (2) The Dental Assisting National Board's (DANB's) Infection Control Examination (ICE);
- (3) The DANB's Radiation Health and Safety (RHS) Examination;
- (4) Examinations administered by accredited dental assisting programs; or
- (5) Board-approved continuing education courses, which include posttest examination.

b. A score of 75 percent or better on the board-approved examinations shall be considered successful completion of the examination. The board also accepts the passing standard established by DANB for applicants who take the ICE or RHS examination.

c. An examinee must meet such other requirements as may be imposed by the board's approved dental assistant testing centers.

11.8(4) Applications. Applications for registration as a registered dental assistant must be filed on official board forms and include the following:

- a. The fee as specified in 650—Chapter 15.
- b. Evidence of meeting the education and training requirements specified in subrule 11.8(2).
- c. Evidence of successful completion of a board-approved examination in the areas of infection control, hazardous materials and jurisprudence as specified in subrule 11.8(3), and dental radiography, if the applicant is also applying for a qualification in dental radiography in accordance with rule 650—22.5(136,153).
- d. Evidence of meeting the qualifications of 650—Chapter 22 if the applicant is engaging in dental radiography.
- e. Evidence of current certification in cardiopulmonary resuscitation that included a hands-on component.
- f. Any additional information required by the board relating to the character, education and experience of the applicant as may be necessary to evaluate the applicant's qualifications.

11.8(5) Attestation. All applications must be signed and verified by the applicant as to the truth of the documents and statements contained therein.

11.8(6) Alternate pathway for registration. A dental assistant who is licensed or registered in another jurisdiction but who is unable to satisfy the requirements for registration in this rule may apply for registration by verification, if eligible, in accordance with rule 650—11.9(272C).

This rule is intended to implement Iowa Code section 153.39.

[ARC 6673C, IAB 11/16/22, effective 12/21/22]

650—11.9(272C) Registration by verification. Registration by verification is available in accordance with the following:

11.9(1) Eligibility. A dental assistant may seek registration by verification if the person is currently licensed or registered as a dental assistant in at least one other jurisdiction that has a scope of practice substantially similar to that of Iowa.

11.9(2) Board application. The applicant must submit the following:

a. A completed application for registration.
b. Payment of the application fee.
c. A verification form, completed by the licensing authority in the jurisdiction that issued the applicant's license or registration, verifying that the applicant's license or registration in that jurisdiction complies with the requirements of Iowa Code section 272C.12. The completed verification form must be sent directly from the licensing authority to the board.

d. Evidence of successful completion of a board-approved jurisprudence examination with a grade of at least 75 percent.

e. Copies of complete criminal record, if the applicant has a criminal history.

f. A copy of the relevant disciplinary documents, if another jurisdiction has taken disciplinary action against the applicant.

g. A written statement from the applicant detailing the scope of practice in the other state.

h. Copies of relevant laws setting forth the scope of practice in the other state.

11.9(3) Applicants with prior discipline. If another jurisdiction has taken disciplinary action against an applicant, the board will determine whether the cause for the disciplinary action has been corrected and the matter has been resolved. If the board determines the disciplinary matter has not been resolved, the board will neither issue a registration nor deny the application for registration until the matter is resolved. A person who has had a license or registration revoked, or who has voluntarily surrendered a license or registration, in another jurisdiction is ineligible for registration by verification.

11.9(4) Applicants with pending complaints or investigations. If an applicant is currently the subject of a complaint, allegation, or investigation relating to unprofessional conduct pending before any regulating entity in another jurisdiction, the board will neither issue a registration nor deny the application for registration until the complaint, allegation, or investigation is resolved.

11.9(5) Temporary registrations. Applicants who satisfy all requirements for a registration under this rule except for passing the jurisprudence examination may be issued a temporary registration in accordance with the following:

a. A temporary registration is valid for a period of three months.

b. A temporary registration may be renewed once for an additional period of three months if the applicant has not failed the jurisprudence examination.

c. A temporary registrant shall display the board-issued registration renewal card that indicates the registration is a temporary registration, which will satisfy the requirements in rule 650—10.2(147,153).

d. The temporary registrant must submit proof of passing the jurisprudence examination before the temporary registration expires. When the temporary registrant submits proof of passing the jurisprudence examination, the temporary registration will convert to a standard registration and be assigned an expiration date consistent with standard registrations.

e. If the temporary registrant does not submit proof of passing the jurisprudence examination prior to the expiration of the temporary registration, the temporary registrant must cease practice until a standard registration is issued.

This rule is intended to implement Iowa Code section 272C.12.

[ARC 6673C, IAB 11/16/22, effective 12/21/22; ARC 6940C, IAB 3/8/23, effective 4/12/23]

650—11.10(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 and registration 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.

11.10(1) Following review and consideration of an application referred by the executive director, the license and registration committee may at its discretion:

- a. Authorize the executive director to issue the license, permit, or registration.
- b. Send the license, permit, or registration application to the board for further review and consideration.

11.10(2) Following review and consideration of a license, permit, or registration application referred by the license and registration 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.

11.10(3) The license and registration 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.

11.10(4) The license and registration 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.

11.10(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.

11.10(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 and registration 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.

This rule is intended to implement Iowa Code section 153.33B.

[ARC 4187C, IAB 12/19/18, effective 1/23/19; ARC 6673C, IAB 11/16/22, effective 12/21/22]

650—11.11(147,153) Grounds for denial of application. The board may deny an application for license, registration or permit for any of the following reasons:

1. Failure to meet the requirements for license, registration 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 or registration may be revoked or suspended.
4. Pursuant to 650—Chapter 50, for having a disqualifying offense.

This rule is intended to implement Iowa Code section 147.4.

[ARC 5747C, IAB 7/14/21, effective 8/18/21; ARC 6673C, IAB 11/16/22, effective 12/21/22]

650—11.12(147) Denial of licensure—appeal procedure.

11.12(1) *Preliminary notice of denial.* Prior to the denial of licensure or registration 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.

11.12(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.

11.12(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 rule 650—51.20(17A). License or registration 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 or registration denial, may grant the license or registration, grant the license or registration with restrictions, or deny the license or registration. 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 registration, or to issue a license or registration with restrictions, may be sought in accordance with the provisions of Iowa Code section 17A.19.

11.12(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.

11.12(5) *Failure to pursue appeal.* If an applicant appeals a preliminary notice of denial in accordance with subrule 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.

11.12(6) *Disqualifying offenses.* Any denial of licensure or registration based on a disqualifying offense is governed by 650—Chapter 50 and not this rule.

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

[ARC 7789B, IAB 5/20/09, effective 6/24/09; ARC 5747C, IAB 7/14/21, effective 8/18/21; ARC 6673C, IAB 11/16/22, effective 12/21/22]

650—11.13(252J) Receipt of certificate of noncompliance. The board shall consider the 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.

[ARC 4747C, IAB 11/6/19, effective 12/11/19; ARC 6673C, IAB 11/16/22, effective 12/21/22]

650—11.14(272C) Licensure by verification. Licensure by verification is available in accordance with the following:

11.14(1) *Eligibility.* A dentist or dental hygienist may seek licensure by verification if the person is currently licensed as a dentist or dental hygienist in at least one other jurisdiction that has a scope of practice substantially similar to that of Iowa.

11.14(2) *Board application.* The applicant must submit the following:

a. A completed application for licensure.

b. Payment of the application fee.

c. A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.

d. A verification form, completed by the licensing authority in the jurisdiction that issued the applicant's license, verifying that the applicant's license in that jurisdiction complies with the requirements of Iowa Code section 272C.12. The completed verification form must be sent directly from the licensing authority to the board.

- e. Evidence of successful completion of a board-approved jurisprudence examination with a grade of at least 75 percent.
- f. Copies of complete criminal record, if the applicant has a criminal history.
- g. A copy of the relevant disciplinary documents, if another jurisdiction has taken disciplinary action against the applicant.
- h. A written statement from the applicant detailing the scope of practice in the other state.
- i. Copies of relevant laws setting forth the scope of practice in the other state.

11.14(3) Applicants with prior discipline. If another jurisdiction has taken disciplinary action against an applicant, the board will determine whether the cause for the disciplinary action has been corrected and the matter has been resolved. If the board determines the disciplinary matter has not been resolved, the board will neither issue a license nor deny the application for licensure until the matter is resolved. A person who has had a license revoked, or who has voluntarily surrendered a license, in another jurisdiction is ineligible for licensure by verification.

11.14(4) Applicants with pending complaints or investigations. If an applicant is currently the subject of a complaint, allegation, or investigation relating to unprofessional conduct pending before any regulating entity in another jurisdiction, the board will neither issue a license nor deny the application for licensure until the complaint, allegation, or investigation is resolved.

11.14(5) Temporary licenses. Applicants who satisfy all requirements for a license under this rule except for passing the jurisprudence examination may be issued a temporary license in accordance with the following:

- a. A temporary license is valid for a period of three months.
- b. A temporary license may be renewed once for an additional period of three months if the applicant has not failed the jurisprudence examination.
- c. A temporary licensee shall display the board-issued license renewal card that indicates the license is a temporary license, which will satisfy the requirements in rule 650—10.2(147,153).
- d. The temporary licensee must submit proof of passing the jurisprudence examination before the temporary license expires. When the temporary licensee submits proof of passing the jurisprudence examination, the temporary license will convert to a standard license and be assigned an expiration date consistent with standard licenses.
- e. If the temporary licensee does not submit proof of passing the jurisprudence examination prior to the expiration of the temporary license, the temporary licensee must cease practice until a standard license is issued.

This rule is intended to implement Iowa Code section 272C.12.

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