

CHAPTER 570
DENTAL BOARD ADMINISTRATION

Chapter rescission date pursuant to Iowa Code section 17A.7: 4/9/30

481—570.1(153) Definitions. As used in these rules:

“*ACC*” means the anesthesia credentials committee of the board.

“*Accredited school*” means a dental, dental hygiene, or dental assisting education program accredited by the American Dental Association Commission on Dental Accreditation.

“*Active patient*” means a person whom the licensee has examined, treated, cared for, or otherwise consulted with during the previous two years.

“*ASA*” refers to the American Society of Anesthesiologists Patient Physical Status Classification System. Category I means normal healthy patients, and category II means patients with mild systemic disease. Category III means patients with severe systemic disease, and category IV means patients with severe systemic disease that is a constant threat to life.

“*Authorized delegate*” means a licensed or registered health care professional who has obtained prescription monitoring program (PMP) log-in credentials. A dental assistant trainee cannot serve as an authorized delegate.

“*Board*” means the dental board.

“*Capnography*” means the monitoring of the concentration of exhaled carbon dioxide in order to assess physiologic status or determine the adequacy of ventilation during anesthesia.

“*Chapter*” means Iowa Code chapter 153.

“*Clinical training*” means training that includes patient experiences.

“*Contested case*” means a proceeding defined by Iowa Code section 17A.2(5) and includes any matter defined as a no factual dispute contested case under Iowa Code section 17A.10A.

“*Continuing dental education*” consists of education activities designed to review and update concepts, techniques, and knowledge on advances in dental and medical sciences. The objective of continuing dental education is to improve the knowledge, skills, and ability of the individual to deliver the highest quality of service to the public and professions. Continuing dental education programs should make it possible for practitioners to adapt dental practice to new knowledge as it becomes available. All continuing dental education should strengthen judgment and professional technique.

“*Controlled substance*” means a drug, substance, or immediate precursor in schedules I through V listed in subchapter II of Iowa Code chapter 124.

“*Coronal polish*” means an adjunctive procedure that must also include removal of any calculus, if present, by a dentist or dental hygienist. Coronal polishing of teeth using only a rotary instrument and a rubber cup or brush for such purpose, when performed at the direction of and under the supervision of a licensed dentist, is deemed not to be the giving of prophylactic treatment.

“*DAANCE*” means the dental anesthesia assistant national certification examination as offered by the American Association of Oral and Maxillofacial Surgeons (AAOMS).

“*Deep sedation*” means drug-induced depression of consciousness during which patients cannot be easily aroused but respond purposefully following repeated painful stimulation. The ability to independently maintain ventilatory function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate. Cardiovascular function is usually maintained.

“*Dental assistant*” means any person who, under the supervision of a dentist, performs any extraoral services including infection control or the use of hazardous materials or performs any intraoral services on patients. The term “dental assistant” does not include persons otherwise actively licensed in Iowa to practice dental hygiene or nursing who are engaged in the practice of said profession.

“*Dental assistant trainee*” means any person who is engaging in on-the-job training to meet the requirements for registration in accordance with Iowa Code section 153.39 and who is practicing in accordance with 481—Chapter 575.

“*Dental hygiene committee*” means the same as described in Iowa Code section 153.33A.

“*Dental laboratory technician*” as used in these rules includes a person other than a licensed dentist, dental hygienist or registered dental assistant who fabricates, constructs, makes, or repairs oral prosthetic appliances solely and exclusively for a licensed dentist and under a dentist’s supervision or direction. A dental laboratory technician who performs any of the duties of a dental assistant, as defined in this chapter, must be registered with the board as a dental assistant.

“*Dental public health*” is the science and system of preventing and controlling dental diseases and promoting dental health through organized community efforts. It is that form of dental practice in which the community serves as the patient rather than the individual. It is concerned with the dental health education of the public, applied dental research, the administration of group dental care programs, and the prevention and control of dental diseases.

“*Dental radiography*” means the application of X-radiation to human teeth and supporting structures for diagnostic purposes only.

“*Department*” means the department of inspections, appeals, and licensing.

“*Deposition*” means the testimony of a person pursuant to subpoena or at the request of the state of Iowa taken in a setting other than a hearing.

“*Didactic training*” means educational instruction.

“*Direct supervision*” means that the dentist is present in the treatment facility, but it is not required that the dentist be physically present in the treatment room, or the dentist is not present in the treatment facility but is able to appear using live video upon request with a response time similar to what would be expected if the dentist were present in the treatment facility.

“*Expenses*” means costs incurred by persons appearing pursuant to subpoena or at the request of the state of Iowa for purposes of providing testimony on the part of the state of Iowa in a hearing or other official proceeding. Mileage shall be reimbursed in accordance with Iowa Code section 70A.9 or, if commercial air or ground transportation is used, the actual cost of transportation to and from the proceeding. Also included are actual costs incurred for meals and necessary lodging.

“*Fabrication*” means the construction or creation of an impression, occlusal registration, provisional restoration or denture, as defined in this chapter.

“*Facility*” means any dental office or clinic where sedation is used in the practice of dentistry. The term “facility” does not include a hospital.

“*Fee*” means the amount charged for the services described in this chapter.

“*General anesthesia*” means a drug-induced loss of consciousness during which patients are not arousable, even by painful stimulation. The ability to independently maintain ventilatory function is often impaired. Patients often require assistance in maintaining a patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function. Cardiovascular function may be impaired.

“*General supervision*” means that a dentist has examined the patient, prior-prescribed in the patient record, and delegated the services to be provided because the dentist will be neither present in the facility nor available by live video. Patients or their legal guardians must be informed prior to the appointment that no dentist will be present and therefore no examination will be conducted at that appointment. The dental assistant or dental hygienist must consent to the arrangement and be capable of implementing basic emergency procedures, which have been established.

“*Hour of continuing education*” means one unit of credit granted for each hour of instruction.

“*Issuance*” means, for the purposes of contested cases, the date of mailing of a decision or order or date of delivery if service is by other means unless another date is specified in the order.

“*Knowledge*” means any information or evidence acquired from personal observation, from a reliable or authoritative source, or under circumstances that cause the licensee or registrant to believe that there exists a substantial likelihood that an act or omission may have occurred.

“*Laboratory training*” means training that is hands-on, that may include simulation, and that prepares a dental hygienist or dental assistant for patient experiences. Laboratory training can be done with an approved training provider or with a supervising dentist as part of an approved course.

“*Lapsed license,*” “*lapsed permit,*” or “*lapsed registration*” means a license, permit, or registration that a person has failed to renew as required or the license, permit, or registration of a person who failed to

meet stated obligations for renewal within a stated time. A person whose license, permit, or registration has lapsed continues to hold the privilege of licensure or registration in Iowa but may not practice dentistry, dental hygiene, or dental assisting until the license, permit, or registration is reinstated.

"License" means a certificate issued to a person to practice as a dentist or dental hygienist under the laws of this state.

"Licensed sedation provider" means a physician anesthesiologist currently licensed by the board of medicine or a certified registered nurse anesthetist (CRNA) currently licensed by the board of nursing.

"Licensee" means a person who has been issued a certificate to practice as a dentist or dental hygienist under the laws of this state.

"Medical examination fees" means actual costs incurred by the board in a physical, mental, chemical abuse, or other impairment-related examination or evaluation of a licensee when the examination or evaluation is conducted pursuant to an order of the board.

"Minimal sedation" means a minimally depressed level of consciousness produced by a pharmacological method that retains the patient's ability to independently and continuously maintain an airway and respond normally to tactile stimulation and verbal command. Although cognitive function and coordination may be modestly impaired, ventilatory and cardiovascular functions are unaffected. A patient whose only response reflex is withdrawal from repeated painful stimuli is not considered to be in a state of minimal sedation.

"Moderate sedation" means a drug-induced depression of consciousness, either by enteral or parenteral means, during which patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is usually maintained. A patient whose only response reflex is withdrawal from a painful stimulus is not considered to be in a state of moderate sedation.

"Monitoring nitrous oxide inhalation analgesia" means continually observing the patient receiving nitrous oxide and recognizing and notifying the dentist of any adverse reactions or complications.

"MRD" means the manufacturer's maximum recommended dose of a drug as printed in FDA-approved labeling.

"Nitrous oxide inhalation analgesia" refers to the administration by inhalation of a combination of nitrous oxide and oxygen producing an altered level of consciousness that retains the patient's ability to independently and continuously maintain an airway and respond appropriately to physical stimulation or verbal command.

"Observational supervision" is intended for expanded function training purposes only and means that the dentist is physically present in the treatment room to oversee and direct all services being provided as part of clinical training.

"Opioid" means a drug that produces an agonist effect on opioid receptors and is indicated or used for the treatment of pain.

"Overpayment" means payment in excess of the required fee. Overpayment shall result in the return of the original request and payment, prior to processing, with a clarification of the total amount due.

"Party" means the state or the respondent for the purposes of contested cases.

"Patient experiences" are procedures that are performed on a patient during the course of clinical training. For the purposes of expanded function training, patient experiences will be completed under the observational supervision of a dentist.

"Patient monitor" means a dental assistant, dental hygienist, nurse or dentist whose primary responsibility is to continuously monitor a patient receiving moderate sedation, deep sedation or general anesthesia until the patient meets the criteria to be discharged to the recovery area.

"Pediatric" means patients aged 12 or under.

"Peer review" is defined in Iowa Code section 272C.1(7).

"Permit holder" means an Iowa licensed dentist who has been issued a moderate sedation or general anesthesia permit by the board.

"Personal supervision" means a licensee or registrant is physically present in the room to oversee and instruct all services of the dental assistant trainee as delegated by a licensed dentist.

“Practice of dentistry,” as defined in Iowa Code section 153.13, includes persons who publicly claim to be dentists, dental surgeons, or skilled in the science of dentistry and are deemed to be practicing dentistry. Performance of, or assistance with, any of the following also constitutes the practice of dentistry: examination, diagnosis, treatment, or attempted correction of any disease, condition, disorder, lesion, injury, deformity, or defect of the oral cavity and maxillofacial area, or any phase of any operation incident to tooth whitening, including the instruction or application of tooth whitening materials or procedures. *“Tooth whitening”* is any process to whiten or lighten the appearance of human teeth by the application of chemicals, whether or not in conjunction with a light source.

“Prescription drug” means a drug, as classified by the United States Food and Drug Administration, that is required to be prescribed or administered to a patient by a practitioner prior to dispensation.

“Prescription monitoring program” or *“PMP”* means the program administered by the board of pharmacy for the collection and provision of information related to drug prescribing and dispensing.

“Presiding officer” means the dental board or a panel of the board. In a contested case proceeding, the board may request that an administrative law judge make initial rulings on prehearing matters and assist and advise the board in presiding at the disciplinary contested case hearing. Pursuant to Iowa Code section 272C.6, the board may delegate the hearing of contested cases to an administrative law judge.

“Proposed decision” means recommended findings of fact, conclusions of law, decision, and order in a contested case issued by an administrative law judge or hearing panel and for which the full board did not preside.

“Prosthetic” means, for the purposes of expanded function training, any provisional or permanent restoration intended to replace a tooth or teeth.

“Provisional restoration” means, for the purposes of expanded function training, a restoration or appliance that is formed or preformed for temporary purposes, used over a limited period of time.

“Public health settings” means schools; Head Start programs; programs affiliated with the early childhood Iowa (ECI) initiative authorized by Iowa Code chapter 256I; child care centers (excluding home-based child care centers); federally qualified health centers; public health dental vans; free clinics; nonprofit community health centers; nursing facilities; the armed forces; and federal, state, or local public health programs.

“Public health supervision” means that a licensed dentist has entered into a written supervision agreement with a licensed dental hygienist or registered dental assistant and authorized and delegated the services to be provided in a public health setting. Services provided under public health supervision may be rendered without the patient’s first being examined by a licensed dentist. Additionally, the supervising dentist is not required to provide future dental treatment to patients served under public health supervision.

“Radiography qualification” means authorization to engage in dental radiography issued by the board.

“Registered dental assistant” means any person who has met the requirements for registration and has been issued a certificate of registration.

“Registrant” means a person who has been issued a certificate to practice as a dental assistant under the laws of this state.

“Registration” means a certificate issued to a person to practice as a dental assistant under the laws of this state.

“Reportable act or omission” means any conduct that may constitute a basis for disciplinary action under the rules or statutory provisions governing the practice of dentistry, dental hygiene, or dental assisting in Iowa.

“Self-study activities” means, for the purposes of continuing education, the study of something by oneself, without direct supervision or attendance in a class. Self-study activities include Internet-based coursework, video programs, correspondence work, research, or programs that are interactive and require participation and decision making on the part of the viewer. Webinars that include instruction in real time and allow for real-time communication with the instructor are not construed to be self-study activities.

“Service charge” means the amount charged for making a service available online and is in addition to the actual fee for a service itself.

“*Sponsor*” means a person, educational institution, or organization sponsoring continuing education activities. All continuing education activities of such person or organization are deemed approved provided the content complies with the requirements of 481—Chapter 573.

“*Time-oriented anesthesia record*” means documentation at appropriate time intervals of drugs, doses and physiologic data obtained during patient monitoring.

“*Trainee status expiration date*” means 12 months from the date of employment as a dental assistant trainee.

“*Transcript*” means a printed verbatim reproduction of everything said on the record during a hearing or other official proceeding.

“*Witness fees*” means compensation paid by the board to persons appearing pursuant to subpoena or at the request of the state of Iowa for purposes of providing testimony on the part of the state of Iowa. For the purposes of this rule, compensation shall be the same as outlined in Iowa Code section 622.69 or 622.72, as the case may be.

This rule is intended to implement Iowa Code chapters 147, 153, and 272C.

[ARC 8984C, IAB 3/5/25, effective 4/9/25]

481—570.2(17A,147,153,272C) Purpose of the board. The purpose of the board is to protect public health, safety, and welfare by administering, interpreting, and enforcing the provisions of law that relate to the practice of dentistry, dental hygiene, and dental assisting. In pursuit of this mission, the board performs these primary functions:

- 570.2(1)** Administers examinations for the testing of dentists, dental hygienists, and dental assistants;
- 570.2(2)** Issues licenses, registrations, certificates, and permits to qualified practitioners;
- 570.2(3)** Sets standards for license, registration, and permit renewal and continuing education;
- 570.2(4)** Enforces Iowa laws regulating the practice of dentistry, dental hygiene, and dental assisting;
- 570.2(5)** Investigates complaints concerning violations of the dental practice Act and rules;
- 570.2(6)** Conducts disciplinary hearings and monitors the compliance of licensees or registrants with board orders; and

570.2(7) Adopts rules and establishes standards for practitioners pursuant to its authority under the Iowa Code and administrative rules.

[ARC 8984C, IAB 3/5/25, effective 4/9/25]

481—570.3(17A,147,153) Organization of the board.

570.3(1) The board shall be composed in accordance with Iowa Code sections 147.14(1)“c” and 147.19.

570.3(2) A simple majority of the members of the board shall constitute a quorum for the purpose of conducting business.

570.3(3) The board and dental hygiene committee shall elect chairpersons. The board shall also elect officers and should consist of a chairperson, vice chairperson, and other officers as deemed appropriate. Officers will assume their duties immediately following their election.

[ARC 8984C, IAB 3/5/25, effective 4/9/25]

481—570.4(153) Organization of the dental hygiene committee.

570.4(1) The dental hygiene committee is composed in accordance with Iowa Code sections 147.14(1)“c” and 153.33A. A simple majority of the members of the committee constitutes a quorum for the purpose of conducting business.

570.4(2) Pursuant to Iowa Code section 153.33A, the committee:

a. Has authority to and may adopt recommendations in regard to matters pertaining to the practice, discipline, education, examination, and licensure of dental hygienists and shall carry out other duties as assigned by the board. Recommendations by the committee will be reported to the board. The board shall review and ratify all committee recommendations unless the board makes a specific finding that the recommendation exceeds the jurisdiction of the committee, expands the scope of the committee beyond the authority granted in subrule 1.4(4), creates an undue financial impact, or is not supported by the record.

The board may not amend a committee recommendation without the concurrence of the majority of the members of the committee; and

b. Does not have regulatory or disciplinary authority with regard to dentists, dental assistants, dental lab technicians, or other auxiliary dental personnel.

570.4(3) Pursuant to Iowa Code section 153.33A, this rule will not be construed as impacting or changing the scope of practice of the profession of dental hygiene or authorizing the independent practice of dental hygiene.

This rule is intended to implement Iowa Code sections 147.14, 153.33 and 153.33A.

[ARC 8984C, IAB 3/5/25, effective 4/9/25]

481—570.5(153) Committees of the board.

570.5(1) Pursuant to Iowa Code chapter 272C and section 153.33, the board may establish and utilize ad hoc advisory committees to conduct business. The board chairperson may appoint committee members and chairpersons.

a. The board should annually review its committees to determine ongoing needs and compliance with the following:

(1) The committees may not constitute a quorum of the board; and

(2) Appointments to a standing committee of the board specified in subrule 1.5(2) are subject to board approval.

b. Committee appointments will be for 12 months unless specified otherwise at the time of appointment. Pursuant to Iowa Code section 153.33(1)“f,” committee members may be reimbursed for actual expenses.

c. Committees may hold meetings as needed to conduct the duties authorized by the board.

570.5(2) The standing committees of the board may include the executive committee, anesthesia credentials committee, and licensure and registration committee.

a. The executive committee may include up to four members of the board. The committee should be composed of the chairperson, vice-chairperson and other members as elected by the board.

b. The anesthesia credentials committee should include but not be limited to a dentist member of the board, two members who hold a moderate sedation permit, and two members who hold a general anesthesia permit issued in accordance with 481—Chapter 579. The committee may perform the following duties:

(1) Review and take action on all applications for moderate sedation or general anesthesia permits;

(2) Review and take action on requests for approval of courses that provide training in the administration of moderate sedation, deep sedation, general anesthesia, or a combination thereof for the purposes of qualifying a licensee for a sedation permit in accordance with 481—Chapter 579;

(3) Perform peer reviews or evaluations as deemed necessary and report to the board; and

(4) Other duties authorized by the board.

c. The license registration committee should include three members of the board, two of which are dentists.

(1) The license registration committee may review applications for licensure, registration and permit and take action as authorized by the board; and

(2) Perform other duties authorized by the board.

[ARC 8984C, IAB 3/5/25, effective 4/9/25]

481—570.6(17A,21,147,153) Meetings.

570.6(1) The board and dental hygiene committee may hold meetings as needed or as requested by the chairperson, the vice chairperson, or a majority of the board or committee.

570.6(2) Written notices stating the time and place of the meetings shall be provided consistent with Iowa Code chapter 21. Except as otherwise provided by statute, all board meetings shall be open and the public shall be permitted to attend.

570.6(3) Dates and locations of board and committee meetings may be obtained from the department’s website.

[ARC 8984C, IAB 3/5/25, effective 4/9/25]

481—570.7(17A,272C) Adoption of uniform and model rules. The board hereby adopts by reference the following:

570.7(1) Uniform Rules on Agency Procedure, 481—Chapter 2, 481—Chapter 3, 481—Chapter 4, 481—Chapter 5, 481—Chapter 6.

570.7(2) Military Service, Veteran Reciprocity, and Spouses of Active-Duty Service Members, 481—Chapter 7.

570.7(3) Licensing and Child Support Noncompliance, Student Loan Repayment Noncompliance, and Nonpayment of State Debt, 481—Chapter 8.

570.7(4) Model Rules for Use of Criminal Convictions in Eligibility Determinations and Initial Licensing Decisions, 481—Chapter 502.

570.7(5) Model Rules for Contested Cases Before Licensing Boards, 481—Chapter 506.

570.7(6) Model Rules for Licensee Review Committee, 481—Chapter 505.

[ARC 8984C, IAB 3/5/25, effective 4/9/25]

These rules are intended to implement Iowa Code chapter 21 and sections 17A.3, 147.14(1)“c,” 147.22, and 153.33A(1).

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