

**House File 2267 - Enrolled**

House File 2267

AN ACT

RELATING TO THE REGULATION OF DENTAL HYGIENISTS AND DENTAL ASSISTANTS, AND THE PRACTICE OF DENTISTRY, AND PROVIDING ADMINISTRATIVE PENALTIES.

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

Section 1. Section 153.15, Code 2020, is amended to read as follows:

**153.15 Dental hygienists — scope of term.**

A licensed dental hygienist may perform those services which are educational, therapeutic, and preventive in nature which attain or maintain optimal oral health as determined by the board and may include but are not necessarily limited to complete oral prophylaxis, application of preventive agents to oral structures, exposure and processing of radiographs, administration of medicaments prescribed by a licensed dentist, obtaining and preparing nonsurgical, clinical and oral diagnostic tests for interpretation by the dentist, and preparation of preliminary written records of oral conditions for interpretation by the dentist. Such services, except educational services, shall be performed under supervision of a licensed dentist ~~and in a dental office, a public or private school, public health agencies, hospitals, and the armed forces,~~ but nothing herein shall be construed to authorize a dental hygienist to practice dentistry. Educational services shall be limited to assessing the need for, planning, implementing, and evaluating oral health education programs

for individual patients and community groups; and conducting workshops and in-service training sessions on dental health for nurses, school personnel, institutional staff, community groups, and other agencies providing consultation and technical assistance for promotional, preventive, and educational services.

Sec. 2. Section 153.33, Code 2020, is amended by adding the following new subsection:

NEW SUBSECTION. 5. *a.* The board may impose an administrative penalty of up to five hundred dollars on a licensee, registrant, or trainee of the board who does any of the following:

(1) Engages in a practice regulated by this chapter without a current license, registration, permit, or qualification.

(2) Employs a person without a current license, registration, permit, or qualification to engage in a practice regulated by this chapter.

(3) Fails to complete the continuing education required for renewal of a license or registration.

*b.* The assessment and payment of a penalty imposed pursuant to paragraph "a" shall not be considered a disciplinary action or reported as discipline and shall be confidential.

*c.* A licensee, registrant, or trainee may contest a penalty issued pursuant to paragraph "a" by initiating a contested case proceeding pursuant to chapter 17A.

*d.* This section shall not prohibit the board from imposing discipline on a licensee, registrant, or trainee for willful or repeated violations.

*e.* An administrative penalty collected pursuant to this subsection shall be deposited into the general fund of the state.

Sec. 3. Section 153.38, Code 2020, is amended to read as follows:

**153.38 Dental assistants — scope of practice.**

A registered dental assistant may perform those services of assistance to a licensed dentist as determined by the board by rule. ~~Such services~~ A registered dental assistant with additional education and training, as provided by the board by rule, may become certified to perform expanded functions

or become qualified to participate in dental radiography. A registered dental assistant who has successfully completed expanded function training through the university of Iowa college of dentistry or a program certified by the commission on dental accreditation may place dental sealants on teeth. Services performed by a registered dental assistant shall be performed under supervision of a licensed dentist in a dental office, a public or private school, public health agencies, hospitals, and the armed forces, but this section shall not be construed to authorize a dental assistant to practice dentistry or dental hygiene. The board shall not adopt rules that delegate to a dental assistant the administration of local anesthesia or the removal of plaque, stain, calculus, or hard natural material except by toothbrush, floss, or rubber cup coronal polish. Every licensed dentist who utilizes the services of a registered dental assistant for the purpose of assistance in the practice of dentistry shall be responsible for acts delegated to the registered dental assistant. A dentist shall delegate to a registered dental assistant only those acts which are authorized to be delegated to registered dental assistants by the board.

Sec. 4. REPEAL. 2000 Iowa Acts, chapter 1002, section 7, is repealed.

---

PAT GRASSLEY  
Speaker of the House

---

CHARLES SCHNEIDER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2267, Eighty-eighth General Assembly.

---

MEGHAN NELSON  
Chief Clerk of the House

Approved \_\_\_\_\_, 2020

---

KIM REYNOLDS  
Governor