

FEB 9 2004  
Place On Calendar

HOUSE FILE 2187  
BY COMMITTEE ON  
HUMAN RESOURCES

(SUCCESSOR TO HSB 517)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing for the elimination of an examination  
2 requirement as a prerequisite for being designated a  
3 registered dental assistant.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2187

**HOUSE FILE 2187**

**H-8011**

1 Amend House File 2187 as follows:  
2 1. Page 1, line 16, by striking the word "may"  
3 and inserting the following: "shall".  
4 2. Page 1, line 22, by inserting after the word  
5 "registration." the following: "Certification by a  
6 dentist of job equivalency training shall be validated  
7 through continuing education courses approved by the  
8 board."

By JOCHUM of Dubuque

H-8011 FILED FEBRUARY 10, 2004

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**HOUSE FILE 2187**

**H-8016**

1 Amend House File 2187 as follows:  
2 1. Page 1, line 16, by striking the word "may"  
3 and inserting the following: "shall".

By ROBERTS of Carroll

H-8016 FILED FEBRUARY 11, 2004

1 Section 1. Section 153.39, subsection 2, Code 2003, is  
2 amended to read as follows:

3 2. A person shall be registered upon the successful  
4 completion of education ~~and-examination~~ requirements, and  
5 certification by the person's supervising dentist that the  
6 candidate is competent to act as a dental assistant.

7 Education requirements shall be determined by the board by  
8 rule, and may be satisfied either through a formal series of  
9 classes or through job equivalency training, according to  
10 standards to be determined by the board. The education  
11 requirements may include possession of a valid certificate in  
12 a nationally recognized course in cardiopulmonary  
13 resuscitation. ~~Successful-passage-of-an-examination~~  
14 ~~administered-by-the-board, which shall include sections~~  
15 Standards for certification that the candidate is competent  
16 shall be determined by the board by rule, and may include  
17 areas regarding infection control, hazardous materials, and  
18 ~~jurisprudence, shall also be required.~~ The board shall  
19 establish continuing education requirements as a condition of  
20 renewing registration as a registered dental assistant, as  
21 well as standards for the suspension or revocation of  
22 registration.

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EXPLANATION

24 This bill provides for the elimination of an examination  
25 requirement as a prerequisite for being designated a  
26 registered dental assistant. The bill provides that in lieu  
27 of the examination requirement, a candidate for registration  
28 shall obtain a certification of competency from the  
29 supervising dentist. The bill provides that standards for  
30 certification that the candidate is competent shall be  
31 determined by the board by rule, and may include areas  
32 regarding infection control, hazardous materials, and  
33 jurisprudence.

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HOUSE FILE 2187  
BY COMMITTEE ON  
HUMAN RESOURCES

(SUCCESSOR TO HSB 517)

(As Amended and Passed by the House February 12, 2004)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing for the elimination of an examination  
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4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments \_\_\_\_\_

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HF 2187

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HOUSE FILE 2187

S-5194

1 Amend House File 2187, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 1, line 22, by inserting after the word  
4 "registration." the following: "Certification by a  
5 dentist of job equivalency training shall be validated  
6 through continuing education courses approved by the  
7 board."

By MIKE CONNOLLY

S-5194 FILED MARCH 30, 2004  
LOST

HOUSE FILE 2187

S-5207

1 Amend House File 2187, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. By striking everything after the enacting  
4 clause and inserting the following:  
5 "Section 1. DENTAL ASSISTANT EXAMINATIONS --  
6 INTERIM STUDY.  
7 1. The legislative council is requested to  
8 establish an interim study committee regarding  
9 examination requirements relating to dental  
10 assistants. One member from the majority party and  
11 one member of the minority party from each chamber of  
12 the general assembly shall serve on the study  
13 committee, together with members representing the  
14 board of dental examiners, the Iowa dental  
15 association, the Iowa department of public health, the  
16 Iowa dental assistants' association, and a community  
17 college offering a dental assisting education program.  
18 The committee shall evaluate the merits of requiring  
19 an examination as a prerequisite for being registered  
20 as a dental assistant.  
21 2. The committee shall report its findings to the  
22 general assembly by November 1, 2004."  
23 2. Title page, by striking lines 1 through 3 and  
24 inserting the following: "An Act relating to the  
25 establishment of a legislative interim study committee  
26 to conduct an evaluation of examination requirements  
27 for registered dental assistants."

By MIKE CONNOLLY

S-5207 FILED MARCH 30, 2004

*Roberts  
Hyaton  
Smith*

Succeeded R.  
SE 2187

HSB 517

HUMAN RESOURCES

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON BODDICKER)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

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

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VETO

May 14, 2004

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Speaker:

I hereby transmit **House File 2187, An Act providing for the elimination of an examination requirement as a prerequisite for being designated a registered dental assistant.**

I am unable to approve House File 2187 for the following reasons. At the request of the legislature, the Dental Assistant Scope of Practice Review Committee was convened in October of 1998. The purpose of a scope of practice review committee is to conduct an impartial, analytical assessment of proposed changes in health regulation using established objective criteria in order to develop recommendations which help to ensure and protect the public's health, safety and welfare. The Committee heard testimony and carefully reviewed arguments both for and against registration of dental assistants. The Committee found that there was potential harm or danger to the public from untrained assistants in areas of infection control and hazardous materials. Four out of five voting committee members agreed that the potential harm was sufficient to warrant further regulatory oversight. The committee identified the least restrictive method of regulation that would achieve the desired public protection. Registration of dental assistants, with some minimal course or exam in infection control, hazardous materials, and jurisprudence, was identified as this method.

In response to the recommendation of the scope of practice review committee, legislation was proposed. This legislation arose from a compromise establishing an agreement between the Iowa Board of Dental Examiners, Iowa Department of Public Health, Iowa Dental Association, Iowa Dental Assistant Association and the Iowa Dental Hygiene Association. In February 2000, I signed the legislation into law. Since that time, the Community Colleges have expanded their dental assistant programs. To date, there are more applicants for the program than space allows. Since the bill establishing the registration by means of a competency exam was enacted, the number of dental assistants in Iowa has grown. Proponents of this bill argue that the competency exam is too hard and intimidates potential recruits. The dental assistant recruitment issues raised by those in favor of this measure have been linked, by those actually working as dental assistants, to low wages and lack of in office training by dentists. The competency exam provides uniformity in training across the state. This allows for consistency and confidence in the knowledge base of dental assistants statewide.

Dental assistant programs provide graduates the opportunity to enter a profession that affords them a respectable living. The typical student to enroll in a dental assistant training program is a single mother, age 25, with significant barriers to financial independence. We must not turn our back on the increasing number of women striving to improve their lives by pursuing

education and training that will afford them financial independence and professional status. The advancement of women in the workforce is vital to the public and the economic health of Iowa.

There is an additional benefit found in the establishment of dental assistant programs at Iowa's Community Colleges. The Community Colleges have invested a substantial amount of money in dental clinics associated with the colleges. While being trained, dental assistant students serve the public at these clinics. Many of who are indigent or elderly. This is a service to those communities.

Dental assistants are the first line of defense in protecting Iowans from the spread of blood borne pathogens and infectious diseases. The dental assistant must not only perform infection control duties but must have a clear understanding of the risk to the patient and themselves, if their infection control responsibilities are not properly performed. In addition, the dental assistant must understand the legal scope of their job responsibilities, accurate recordkeeping, federal OSHA regulations and other competencies related to their profession.

I appreciate the concern of the proponents of this bill as it impacts access to dental care in rural Iowa. However, I am not convinced that his bill is the solution to that problem. I encourage all stakeholders in this matter to convene over the interim and seriously review areas where compromise may be reached. Some options may include:

- 1) Allow for the examination or some measure of competency.
- 2) Develop an alternative course of study with an assessment at the conclusion of the instruction.
- 3) Allow for a waiver for those practice situations where the examination is deemed to be detrimental to the dentists practice.

The Iowa Department of Public Health, the Iowa Board of Dental Examiners, the Iowa Dental Assistant Association, the Iowa Dental Assistant Council, the Iowa Dental Hygiene Association and the Community Colleges oppose this legislation. They recognize that at a time when other states are raising their dental standards, Iowa should not be lowering its standards. I remain committed to the protection of the public health of Iowans by requiring consistent health and safety standards in Iowa's dental offices. Recruitment issues raised by the proponents of this measure should not outweigh the overriding protection of the public health of Iowans.

For the above reasons, I hereby respectfully disapprove **House File 2187**.

Sincerely,

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House

VETO

well as standards for the suspension or revocation of registration.

HOUSE FILE 2187

AN ACT

PROVIDING FOR THE ELIMINATION OF AN EXAMINATION REQUIREMENT AS A PREREQUISITE FOR BEING DESIGNATED A REGISTERED DENTAL ASSISTANT.

CHRISTOPHER C. RANTS  
Speaker of the House

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

JEFFREY M. LAMBERTI  
President of the Senate

Section 1. Section 153.39, subsection 2, Code 2003, is amended to read as follows:

I hereby certify that this bill originated in the House and is known as House File 2187, Eightieth General Assembly.

2. A person shall be registered upon the successful completion of education and examination requirements, and certification by the person's supervising dentist that the candidate is competent to act as a dental assistant.

Education requirements shall be determined by the board by rule, and may be satisfied either through a formal series of classes or through job equivalency training, according to standards to be determined by the board. The education requirements may include possession of a valid certificate in a nationally recognized course in cardiopulmonary resuscitation. ~~Successful passage of an examination administered by the board, which shall include sections~~ Standards for certification that the candidate is competent shall be determined by the board by rule, and shall include areas regarding infection control, hazardous materials, and jurisprudence, ~~shall also be required.~~ The board shall establish continuing education requirements as a condition of renewing registration as a registered dental assistant, as

MARGARET THOMSON  
Chief Clerk of the House

Approved \_\_\_\_\_, 2004

THOMAS J. VILSACK  
Governor