

House File 340 - Introduced

HOUSE FILE 340
BY BRADLEY

A BILL FOR

- 1 An Act relating to the practice of dental assistants without
- 2 registration by the dental board.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 147.74, subsection 5, Code 2025, is
2 amended to read as follows:

3 5. A dentist may use the prefix "Dr." or "Doctor", but
4 shall add after the person's name the letters "D.D.S.", or
5 "D.M.D.", or the word "dentist" or "dental surgeon". A dental
6 hygienist may use the words "registered dental hygienist" or the
7 letters "R.D.H." after the person's name. A registered dental
8 assistant may use the words "registered dental assistant" or the
9 letters "R.D.A." after the person's name.

10 Sec. 2. Section 153.14, subsection 5, Code 2025, is amended
11 to read as follows:

12 5. Persons ~~registered to practice~~ practicing as a dental
13 assistant.

14 Sec. 3. Section 153.33, subsection 1, paragraphs a and b,
15 Code 2025, are amended to read as follows:

16 a. (1) To initiate investigations of and conduct hearings
17 on all matters or complaints relating to the practice of
18 dentistry, dental hygiene, or dental assisting or pertaining
19 to the enforcement of any provision of this chapter, to
20 provide for mediation of disputes between licensees and their
21 patients or registrants dental assistants and their patients
22 when specifically recommended by the board, to revoke or suspend
23 licenses or registrations, or the renewal thereof, issued under
24 this or any prior chapter, to provide for restitution to
25 patients, and to otherwise discipline licensees ~~and registrants~~.

26 (2) Subsequent to an investigation by the board, the board
27 may appoint a disinterested third party to mediate disputes
28 between licensees and their patients or registrants dental
29 assistants and patients. Referral of a matter to mediation shall
30 not preclude the board from taking disciplinary action against
31 the affected licensee or ~~registrant~~ dental assistant.

32 b. To appoint investigators, who shall not be members
33 of the board, to administer and aid in the enforcement of
34 the provisions of law relating to those persons licensed to
35 practice dentistry and dental hygiene, and persons ~~registered~~

1 practicing as dental assistants. The amount of compensation for
2 the investigators shall be determined pursuant to chapter 8A,
3 subchapter IV. Investigators authorized by the board have the
4 powers and status of peace officers when enforcing this chapter
5 and chapters 147 and 272C.

6 Sec. 4. Section 153.33, subsection 3, unnumbered paragraph 1,
7 Code 2025, is amended to read as follows:

8 In any investigation made or hearing conducted by the board
9 on its own motion, or upon written complaint filed with the
10 board by any person, pertaining to any alleged violation of this
11 chapter or the accusation against any licensee or ~~registrant~~
12 dental assistant, the following procedure and rules so far as
13 material to such investigation or hearing shall obtain:

14 Sec. 5. Section 153.33, subsection 3, paragraph a, Code 2025,
15 is amended to read as follows:

16 a. The accusation of such person against any licensee or
17 ~~registrant~~ dental assistant shall be reduced to writing, verified
18 by some person familiar with the facts therein stated, and three
19 copies thereof filed with the board.

20 Sec. 6. Section 153.33, subsection 5, paragraphs a, c, and d,
21 Code 2025, are amended to read as follows:

22 a. The board may impose an administrative penalty of up to
23 five hundred dollars on a licensee, ~~registrant~~ dental assistant,
24 or trainee of the board who does any of the following:

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

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

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

32 c. A licensee, ~~registrant~~ dental assistant, or trainee may
33 contest a penalty issued pursuant to paragraph "a" by initiating
34 a contested case proceeding pursuant to chapter 17A.

35 d. This subsection shall not prohibit the board from imposing

1 discipline on a licensee, ~~registrant~~ dental assistant, or trainee
2 for willful or repeated violations.

3 Sec. 7. Section 153.34, unnumbered paragraph 1, Code 2025, is
4 amended to read as follows:

5 The board may issue an order to discipline a licensed dentist
6 or dental hygienist, or ~~registered~~ a dental assistant, for any
7 of the grounds set forth in this chapter, chapter 272C, or Title
8 IV. Notwithstanding section 272C.3, licensee or ~~registrant~~ dental
9 assistant discipline may include a civil penalty not to exceed
10 ten thousand dollars. Pursuant to this section, the board may
11 discipline a licensee or ~~registrant~~ dental assistant for any of
12 the following reasons:

13 Sec. 8. Section 153.38, Code 2025, is amended to read as
14 follows:

15 **153.38 Dental assistants — scope of practice.**

16 A ~~registered~~ dental assistant may perform those services of
17 assistance to a licensed dentist as determined by the board by
18 rule. A ~~registered~~ dental assistant with additional education
19 and training, as provided by the board by rule, may ~~become~~
20 ~~certified to perform expanded functions or become qualified to~~
21 participate in dental radiography. A ~~registered~~ dental assistant
22 who has successfully completed expanded function training through
23 the university of Iowa college of dentistry or a program
24 certified by the commission on dental accreditation may place
25 dental sealants on teeth. Services performed by a ~~registered~~
26 dental assistant shall be performed under supervision of a
27 licensed dentist, but this section shall not be construed to
28 authorize a dental assistant to practice dentistry or dental
29 hygiene. The board shall not adopt rules that delegate to a
30 dental assistant the administration of local anesthesia or the
31 removal of plaque, stain, calculus, or hard natural material
32 except by toothbrush, floss, or rubber cup coronal polish.
33 Every licensed dentist who utilizes the services of a ~~registered~~
34 dental assistant for the purpose of assistance in the practice
35 of dentistry shall be responsible for acts delegated to the

1 registered dental assistant. A dentist shall delegate to a
2 registered dental assistant only those acts which are authorized
3 to be delegated to registered dental assistants by the board.

4 Sec. 9. Section 153.39, subsection 1, Code 2025, is amended
5 to read as follows:

6 1. A person shall not practice on or after July 1, 2001, as a
7 registered dental assistant unless the person has registered with
8 the board and received a certificate of registration pursuant to
9 this chapter.

10 Sec. 10. Section 153.39, subsection 5, Code 2025, is amended
11 by striking the subsection and inserting in lieu thereof the
12 following:

13 5. A person may practice as a dental assistant without
14 receiving a certificate of registration as described in this
15 section if the person successfully completes a term of practical
16 training under the supervision of a dentist. The board shall
17 adopt rules pursuant to chapter 17A for the implementation of
18 this subsection.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill allows a person to practice as a dental assistant
23 without being registered by the dental board if the person
24 completes a term of practical training under the supervision of
25 a dentist. The bill requires the dental board to adopt rules for
26 the implementation of the bill and makes conforming changes.