



State of Idaho  
 Division of Occupational and Professional Licenses  
 Idaho Board of Dentistry

**BRAD LITTLE**  
 Governor  
**RUSSELL BARRON**  
 Administrator

11341 W Chinden Blvd.  
 P.O. Box 83720  
 Boise, ID 83720-0063  
 (208) 334-3233  
 dopl.idaho.gov

**Board Meeting Minutes of 3/31/2023**

<b>Board Members Present:</b>	Cheryl Miller – Chair Jacqueline Mabrey Carla R Wolfrum Joshua Westerberg	<b>Division Staff:</b>	Katie Stuart, Executive Officer Russell Spencer, Legal Counsel Jan Arrasmith, Practice and Education Pam Rebolo, Board Support Supervisor Madyson Crea, Board Support Specialist
-------------------------------	--	------------------------	--

The meeting was called to order at 9:00 AM by Cheryl Miller.

**Approval of Minutes**

A motion was made and seconded to approve the 11/29/2022 minutes with change of Board member present from Richard Howell to Josh Westerburg. The motion carried unanimously.

**DIVISION BUSINESS**

**Division Update – DOP Strategic Plan:** Ms. Stuart guided the Board through the Division of Occupational and Professional Licenses (DOPL) Strategic Plan 2022 – 2026; the plan is geared towards the Division rather than for individual Boards.

**Legislative Session Overview:** The 2023 Legislative session began on January 9, 2023. Ms. Stuart stated that none of the bills affected the Board of Dentistry.

**Confidentiality, Conflict of Interest, and Honoria Policies:** Mr. Spencer reviewed the Confidentiality, Conflict of Interest, and Honoria policies with the Board.

**Financial Update:** Ms. Stuart presented the financial report as of January 10, 2023.

**HPRP Update:** Ms. Stuart provided the Board with information on the Health Professional Recovery Program (HPRP).

**BOARD BUSINESS**

**Applications**

A motion was made and seconded to approve application 901-200-716. The motion carried unanimously.

**Zero-Based Regulation (ZBR):** Ms. Stuart restated the purpose of Zero-Based Regulation. The Board reviewed suggested updates designed to eliminate duplicative or outdated requirements, remove unnecessary barriers, and increase the ease of readability in its administrative rules. Ms. Stuart stated that the language presented has not been shared with stakeholders, who will be provided an opportunity to provide written or verbal comments at a later date. Ms. Stuart reminded the Board that the decisions made today are not final and that there will be additional

opportunities to further discuss these changes at future Board meetings. Unless otherwise stated, the Board agreed to all suggestions presented.

Ms. Stuart presented an outline of recommended changes in the following rules:

**Rule 010 Definitions:** The Board agreed to strike part of the definition of (01) Denturist Services which stated in part “for purposes of the unconditional ninety (90) day guarantee prescribed” - as it is duplicative of Idaho Code §54-3320(e).

**Rule 150 Examination:** The Board discussed switching to a standardized national exam. Mr. Westerberg requested statistics for pass/fail of the current exam as well as other exams, while Ms. Wolfrum wanted to ensure that whatever exam adopted by the Board be an accredited national examination. Ms. Stuart explained that part of the Division’s strategic plan was to ensure that all exams required by licensing boards be psychometrically sound and, ideally, nationally accredited. Ms. Stuart also stated that if an applicant fails the current exam there is no data on failed areas or study guides to prepare for retakes. Mr. Spencer reminded the Board that the current exam is not a national exam and warned the Board that, because the current exam can be shared with other applicants, it may provide an unfair advantage for those who have access to the exam. The Board has tabled this discussion so that Ms. Stuart can bring back additional information regarding the national exam and an interim solution.

Darcy Kerr offered public comment stating that currently there are no objectives in place for the current state practical exam and also suggested a study guide.

**Rule 200 Applications:** Ms. Stuart recommended striking this rule as it is commonly understood as a requirement. The Board agreed to strike Rule 200.

**Rule 300 Internships:** Ms. Stuart recommended changes for consistency and clarity as follows:

01(c): As this section is on the approved application form, it does not need to be listed in the Board’s rules. The Board agreed to eliminate Rule 300.00(c).

01(e): Ms. Stuart recommended removing this sentence stating that two (2) years cannot be less than 24 months. The Board agreed.

02(c): Ms. Stuart asked for clarification in the verbiage of the extra year for “another state and Canada” when Rule 02(a) does not specify “another state or Canada.” Board members asked for information regarding Oregon and Washington. Ms. Stuart offered to do more research and bring additional information to the Board at the next Board meeting.

Darcy Kerr offered public comment regarding Rule 300.02(c) stating that Canada now has a three (3) year internship program incorporated into the educational program.

**04(a) Training Requirements:** Ms. Stuart recommended combining i-ix and x (b-d) into one line. The Board agreed with this recommendation.

**05 Reporting Requirements:** Ms. Stuart recommended striking ratios in the requirements explaining that other healthcare Boards have eliminated the use of ratios in their rules and asked the Board how ratios are protecting the public. Mr. Westerberg advocated for maintaining the ratios in the rules asking who will approve ratios in supervision if it is not in the rule and expressed concern about removing ratios due to the concurrent practice of technical work and

clinical work. Mr. Westerberg and Ms. Wolfrum are in favor of keeping the rule of one intern per supervisor due to running a business. Ms. Miller reiterated that the business would dictate what you can and cannot do as it will be a business decision and not based on rules. Mr. Spencer reminded the Board that ZBR is required by the Governor's Executive Order, that among the purpose of ZBR is to ensure that Idaho's regulations are not more restrictive than our surrounding states and explained that no states have ratios. Mr. Spencer explained to the Board that only four (4) states in this region license denturists, and reviewing the rules of the surrounding states it appears that none have supervision ratios, making Idaho more restrictive. The Board recommended tabling this discussion until the next Board meeting to give staff an opportunity to do more research.

**Rule 315 Inactive Licensure Status:** The Board was in favor of striking Rule 315 in its entirety.

**Rule 350 Continuing Education:** Ms. Stuart explained to the Board that CEs are approved if they are germane to the practice of Dentistry therefore requests for approval and pre-approval of a course are not necessary to state in the rule. The Board agreed with the changes recommended.

Mr. Kerr gave public comment stating that he thinks it is prudent to move forward as presented.

**Rule 400 Inspections:** The Board agreed to strike Rule 400 in its entirety as it is duplicative of Idaho Code §24-3314 (5)(b).

**Rule 450 Standards of Conduct and Practice:** The Board discussed the recommended changes and agreed that it is redundant and agreed with Ms. Stuart's recommendation in moving Rule 450 (05) Patient Records to discipline.

**Rule 476 Guarantee of Denturist Services:** The Board agreed to strike Rule 476 in its entirety as it is duplicative of Idaho Code §54-3320.

**Rule 480 Discipline:** Ms. Stuart added .04 Advertisements from Standards of Conduct and Practice. The Board agreed with this change.

Mr. Darcy thanked Ms. Stuart and the Board for going forward with ZBR and cleaning up the Board's rules.

Public Comment: Allowed throughout the meeting. Mr. Darcey asked when the goal was for this process to be complete. Ms. Stuart informed him the goal is to be completed by July for the next legislative session.

### **Adjourn**

There being no further business, the meeting was adjourned at 10:43 AM. The next meeting is on 06/02/2023.