

## **Part I – Agency Profile**

### **Agency Overview:**

The Board of Dentistry is mandated and authorized by the Idaho Dental Practice Act (and the administrative rules promulgated thereunder) to assure the health, safety and welfare of the citizens of Idaho through the licensure and regulation of qualified dentists and dental hygienists. The standards applicable to the licensure and regulation of dentists and dental hygienists are set forth in the Idaho Dental Practice Act (Chapter 9, Title 54, Idaho Code) and the Administrative Rules of the Idaho State Board of Dentistry (IDAPA 19, Title 01, Chapter 01). The Board of Dentistry is also authorized to certify dental assistants who are competent in specified expanded function duties. The Board of Dentistry was established in the Department of Self-Governing Agencies and the Board consists of eight (8) members - five (5) dentist members, two (2) dental hygienist members and a consumer member, all of whom are appointed by the Governor. Each Board of Dentistry member serves a term of five (5) years. One (1) of the dentist members serves as the chairman of the Board of Dentistry. The Board of Dentistry meets on a quarterly basis, but on occasion has conducted additional in-person or telephone conference meetings as needed. Meetings of the Board of Dentistry are conducted in accordance with the Idaho Open Meeting Act. The Board of Dentistry is a dedicated fund agency whose funding is primarily derived from the collection of application and licensing fees. The Board of Dentistry receives no general fund monies. The Board of Dentistry's spending authority is controlled by legislative appropriation. The Board of Dentistry's office is located in Boise, Idaho, and its staff (3.6 FTE's) consists of an executive director, an administrative assistant and two office specialists.

### **Core Functions/Idaho Code:**

The principal functions of the Board of Dentistry include the following: conducting an application process for licensure of qualified dentists and dental hygienists, whether by examination or credentials [Idaho Code §§ 54-912(1), (2) and (3), 54-915, 54-916, 54-916A, 54-916B, 54-917 and 54-918]; conducting a license renewal process for dentists and dental hygienists that includes the mandatory reporting of continuing education [Idaho Code § 54-920]; regulating the standards and scope of practice for dentists, dental hygienists and dental assistants by statutory enactment in the Idaho Dental Practice Act and through the administrative rules promulgated thereunder [Idaho Code §§ 54-901, 54-902, 54-904, 54-912(4)]; conducting an anesthesia permit process for dentists seeking to administer conscious sedation and general anesthesia to patients [Idaho Code § 54-912(4)]; enforcing the professional standards applicable to dentists and dental hygienists by means of conducting investigations and due process hearings to impose discipline against licensees if deemed warranted [Idaho Code §§ 54-912(6) and (7), 54-923, 54-924 and 54-925]; and conducting inspections of dental offices in Idaho to assure compliance with infection control and emergency preparedness standards [Idaho Code § 54-912(5)].

### **Principal Activities of the Board of Dentistry**

#### **Examination Function:**

All applicants for licensure in Idaho must be graduates of dental or dental hygiene programs accredited by the American Dental Association's Commission on Dental Accreditation. The Idaho Dental Practice Act requires, among other matters, that applicants for licensure as a dentist or dental hygienist successfully pass the National Board written examination administered by the American Dental Association, a clinical examination administered by the Western Regional Examining Board, the Central Regional Dental Testing Service, and dental clinical examinations administered by testing entities using the ADEX examination, the jurisprudence examination administered by the Board of Dentistry and any additional examinations required for specialty licensure or otherwise necessary to assess a person's skill level. All members of the Board of Dentistry, with the exception of the consumer member, participate as examiners in the clinical examinations conducted by the Western Regional Examining Board. States currently participating as members in the Western Regional Examining Board are Alaska, Arizona, California, Idaho, Illinois, Kansas, Kentucky, Missouri, Montana, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, Texas, Utah, Washington and Wyoming. The Western Regional Examining Board conducts approximately thirty-three (33) dental examinations and thirty-four (34) dental hygiene examinations each year at selected dental and dental hygiene schools.

**Licensure/Permit Function:**

The Board of Dentistry licenses dentists and dental hygienists upon the basis of examination [applicants who have successfully passed the required clinical examination within the five (5) year period immediately prior to the date of application] or credentials (dentists or dental hygienists practicing under an unrestricted active license in another state having equivalent licensing requirements). The applicable standards for licensure as a dentist or dental hygienist are set forth in the Idaho Dental Practice Act and the Idaho State Board of Dentistry's Administrative Rules. All licenses issued by the Board of Dentistry are renewed on a biennial basis with dental hygienist licenses being renewed on April 1<sup>st</sup> of each odd numbered year and dental licenses being renewed on October 1<sup>st</sup> of each even numbered year. Dentists and dental hygienists are required to report a specified amount of continuing education credits in order to renew their licenses.

The Board of Dentistry also currently issues dental and dental hygienist licenses with inactive, provisional, special and retirement status. A license with inactive or retirement status does not authorize or entitle the holder to practice dentistry or dental hygiene in Idaho. A license with provisional or special status allows the holder to practice dentistry or dental hygiene in Idaho subject to the conditions or restrictions attached to the license. The Board of Dentistry is also authorized to issue a volunteer's license to qualified retired dentists and dental hygienists who desire to practice dentistry in public or charitable settings on a volunteer basis. The Board of Dentistry is also authorized to issue an extended access dental hygiene license endorsement to qualified dental hygienists who desire to practice dental hygiene in public or charitable settings under the general supervision of a dentist.

Dentists and dental specialists seeking authorization to administer anesthesia to the level of moderate sedation or general anesthesia/deep sedation may apply to the Board of Dentistry for a sedation permit. The sedation permit process requires evaluation of the applicant's office equipment/medications and emergency preparedness. Sedation permits are valid for a period of five (5) years at which time further evaluation is required prior to renewal of the permit.

**Enforcement Function:**

The Board of Dentistry receives complaints against licensees primarily from patients and occasionally from other practitioners and governmental entities. In addition, the Board of Dentistry can process complaints against licensees on its own initiative. Complaints received are initially screened in order to determine whether a violation of the Dental Practice Act or the administrative rules has been alleged and whether there has been an attempt to resolve the complaint with the licensee. Following receipt by the Board of Dentistry of a written complaint, the licensee is contacted and requested to provide a written response and copies of the applicable patient dental records. Following receipt of the licensee's written response, the complaint may be assigned to a Board of Dentistry consultant/investigator for additional fact-finding and review. The Board of Dentistry members review complaints at their quarterly meetings. Upon review by the members of the Board of Dentistry, a determination is made as to whether a violation of the Idaho Dental Practice Act or the administrative rules occurred and, if so, what additional action, whether disciplinary or otherwise, is required in the case. Certain violations may be resolved in an informal manner without the initiation of disciplinary action against the licensee. If disciplinary action is required, the Board of Dentistry will cause an administrative complaint to be prepared and served upon the licensee. If the administrative complaint is not resolved by a consent agreement, the matter will be taken to administrative hearing for adjudication.

**Office Inspection Function:**

In accordance with statutory authority, the Board of Dentistry conducts a number of office inspections each year. The offices to be reviewed are selected on a random basis at geographic locations throughout the state. The random office inspections are conducted by Board of Dentistry consultants/investigators. The purposes of these reviews are three fold: 1) to assist in compliance with continuing education requirements; 2) to review infection/sterilization control practices; and 3) to facilitate communication between the practitioner and the Board of Dentistry. All dental offices reviewed are given prior notification of the time and date of the review and are advised as to the matters being reviewed. The Board of Dentistry typically conducts approximately fifty (50) random inspections during each fiscal year. During fiscal year 2011, the Board of Dentistry conducted an evaluation of the office inspection program in order to determine its effectiveness. No office inspections were conducted pending outcome of the review. The Board concluded to continue the inspections in FY 2012.

**Revenue and Expenditures:**

Revenues	FY 2011	FY 2012	FY 2013	FY 2014
State Regulatory Fund	794,541	90,400	806,300	105,381
<b>Total</b>	<b>\$794,541</b>	<b>\$90,400</b>	<b>\$806,300</b>	<b>\$105,381</b>
Expenditures	FY 2011	FY 2012	FY 2013	FY 2014
Personnel Costs	\$188,076	\$194,403	\$202,800	\$213,402
Operating Expenditures	\$151,220	\$158,785	\$214,400	\$246,794
Capital Outlay	\$3,475	\$6,840	\$6,000	\$6,327
<b>Total</b>	<b>\$342,770</b>	<b>\$360,028</b>	<b>\$423,200</b>	<b>\$466,523</b>

**Profile of Cases Managed and/or Key Services Provided**

Cases Managed and/or Key Services Provided	FY 2011	FY 2012	FY 2013	FY 2014
Initial Licenses Issued:				
Dentists	66	67	61	106
Dental Hygienists	100	120	121	142
Total	166	187	182	248
Professional Licenses Renewed:				
Dentists	1,539	Biennial Cycle	1,457	Biennial Cycle
Dental Hygienists	1,574		1,667	
Total	3,113		3,124	
Sedation Permits:				
New Permits	20	12	10	17
Permits Renewed	35	53	45	35
Evaluations Conducted	31	31	66	58
Dental Offices Inspected:	0	74	86	0
Patient Complaints Received (Written):	57	43	64	37
Complaints Investigated/Reviewed by Board of Dentistry (Action Taken):	45	40	61	35
Board Orders*			23	12
Administrative Hearings Conducted:	1	1	7	2

\*new/prior year data not compiled

**Performance Highlights:** The Board received an appropriation in FY2013 to purchase new licensing software which was developed and launched on July 1, 2013. The web-based software will allow for many self-service options for licensees. Future enhancements are planned including online license applications and license renewals.

In FY2013 the Board conducted a comprehensive review of the Idaho Dental Practice Act and the administrative rules in order to identify appropriate changes to licensing and regulatory standards for dental professionals consistent with the protection of the public health, safety and welfare. This was a collaborative effort which included input from the Idaho State Dental Association, the Idaho Dental Hygienists' Association, as well as other interested parties. Legislative updates were introduced during the 2014 session; the following sections of Idaho code were amended as a result: 54-903, 54-911, 54-912, 54-915, 54-916A, 54-916B, 54-918, 54-920, and 54-924. Rulemaking conducted in 2013 was reviewed and passed by the 2014 legislature resulting in amendment of the following rules: 004, 012, 014, 015, 016, 017, 020, f028, 029, 030, 031, 035, 040, 046, 050, 051, 054, 055, 057, and 060.

In FY2013 the Board began a comprehensive assessment of regional didactic and clinical examinations to assure that applicant's skills, fitness and ability to safely and competently practice dentistry or dental hygiene are adequately tested. The assessment process was concluded in early FY2014 and policy revisions were considered as a result of the assessment results.

The Board of Dentistry has continued to refine its policies regarding complaint processing in order to effectively manage resources needed for an increased number of complaints requiring enforcement action.

### Part II – Performance Measures

Performance Measure	2011	2012	2013	2014	Benchmark
1. Periodically assess the content of national, regional and state board examinations to determine appropriateness for Idaho licensure candidates.			X	X	Every five years
2. Biennial renewal of dental and dental hygiene licenses in a timely and efficient manner.	X		X		100%
3. Annually convene a meeting of the anesthesia committee.	X	X	X	X	Annual
4. Maintain evaluation protocols for anesthesia permit holders, conduct regional evaluator training sessions. [board sponsored trainings conducted 2012-2013.		X	X	X	Update protocols, provide training as needed.
5. Timely and properly investigate and review complaints and if warranted, undertake appropriate corrective or enforcement action.	X	X	X	X	Review and revise policies as needed, assure necessary resources are available.
6. Periodically inspect dental offices for appropriate emergency preparedness and infection and sterilization controls.	0*	74	86	0*	50-75 offices per year

\*FY11 was a program evaluation year

FY14 unable to randomly select dentists due to software conversion

#### For More Information Contact

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