



**TELECONFERENCE/VIRTUAL
DENTISTRY EXAMINING BOARD**
Room N206, 4822 Madison Yards Way, 2nd Floor, Madison
Contact: Christian Albouras, (608) 266-2112
May 11, 2020

The following agenda describes the issues that the Dentistry Examining Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Dentistry Examining Board.

AGENDA

12:00 P.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Pledge of Allegiance**
- B. Adoption of Agenda (1-3)**
- C. Introductions, Announcements and Recognition**
- D. Conflicts of Interest**
- E. Administrative Matters**
 - 1) Department, Staff and Board Updates
 - 2) Board Members – Term Expiration Dates
- F. Legislative and Policy Matters – Discussion and Consideration**
- G. COVID-19 – Discussion and Consideration**
 - 1) Licensure Requirements **(4-6)**
 - 2) Supplies and Armamentarium
 - 3) DEB Statements Regarding Practice Restrictions During the Emergency
 - 4) DHS Guidelines
- H. Administrative Rule Matters – Discussion and Consideration**
 - 1) Scope Amending DE 2, Relating to Reciprocal Credentials for Service Members, Former Service Members and Their Spouses **(7-9)**
 - 2) Pending or Possible Rulemaking Projects
- I. Board Position Statements-Discussion and Consideration**
- J. Report of Recommendations from the Dentistry Examining Board Licensure Forms Committee – Discussion and Consideration**

K. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Appointment of Liaisons and Alternates
- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislative and Policy Matters
- 10) Administrative Rule Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Stipulations, Final Decisions and Orders
- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

L. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

M. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings

- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

N. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

O. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

P. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT DATE: SEPTEMBER 2, 2020

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired or other accommodations provided upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.



School of Dentistry

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P.O. Box 1881
Milwaukee, Wisconsin 53201-1881

Be The Difference.

April 15, 2020

Dr. Matthew Bistan
Chair, Dentistry Examining Board
Department of Safety and Professional Services
Madison, Wisconsin

Dear Dr., Bistan

Given the unprecedented circumstances and the unanticipated challenges created with the Coronavirus pandemic, I would like to encourage you and you colleagues on the Dentistry Examining Board to seriously consider multiple alternatives to initial licensure.

As the Joint Commission on National Dental Boards has recently announced the release of the Dental Licensure Objective Structured Clinical Examination (DLOSCE). I would urge the Dentistry Examining Board to be among the first to adopt this examination as a pathway to initial licensure. As you have heard this style of examination has been validated and successfully utilized for initial licensure in Canada for many years now. Now more than ever we need to look at serious alternatives to patient-based licensure examinations.

I would also ask the Dentistry Examining Board to consider additional alternatives as a direct result of the wide-ranging impact of the Coronavirus pandemic on the current patient-based licensure examination and our dental graduate's ability to obtain licensure in the aftermath of this crisis.

I would propose that you consider granting a license to 2020 graduates from accredited dental schools on the recommendation of the Dean who would attest to the graduate's competency and readiness for practice. There should be little doubt that accredited dental schools spend a great deal of time and energy focusing on assessing competency of our students during the four years of the educational program. This action would allow the graduate in the unfortunate situation of graduating with their degree but unable to enter practice because of the lack of availability of patient-based licensure examinations an opportunity to begin practice regardless of the extent and length of the effects of the pandemic.

I am available to discuss these matters directly if you would like. I think the sooner that the Dentistry Examining Board can deliberate and act on the newly created issues related to graduates entering practice in 2020 in the wake of this Covid-19 crisis the better it will be. As you can appreciate the graduating dental students from the Class of 2020 are very nervous and concerned for their futures. This consideration would help allay their fears and move Wisconsin forward in seeking more practical and appropriate ways of credentialing and licensing new dentists.

Sincerely,

William K. Lobb DDS, MS, MPH
Dean and Professor

4/9/2020

Dear Board Members,

My name is Calla Lembach and I am a Dental Hygiene student at Madison College. I am writing to you on behalf of the Madison College Dental Hygiene Class of 2020 with concerns of COVID-19 and the restrictions it has placed on our lives. These restrictions include and are not limited to; graduating on time, postponement of written and clinical board exams and the ability to receive licensure during the COVID-19 pandemic.

We want to express our genuine concern and to advocate for ourselves and other dental hygiene students in the great state of Wisconsin. We have worked relentlessly over the last two years to secure and obtain our Dental Hygiene license. The COVID-19 pandemic has unfortunately placed a roadblock to complete this process in a timely manner. We know that we are competent in our ability to perform duties safely and at a very high standard within our scope of practice. With that said, we are requesting the board to advocate on our behalf and waive the clinical board exam for the class of 2020. Other states licensing boards have been listening to their constituents' voices and are meeting to discuss the clinical exam. The Minnesota licensing board will be meeting on Tuesday 4/14/2020 to discuss the waiver of the clinical exam. We hope that Wisconsin will be meeting as well.

The clinical board exam poses many risks for both patient and clinician during the COVID-19 pandemic. As students, we are responsible for finding our own patient that meets criteria for the clinical board exam. Many students have not yet identified a patient for this exam and have no means to identify a patient due to the closure of Madison College. Unfortunately, there is no end in sight for the COVID-19 outbreak and only continues to grow more concerning every day. Asking students and patients to complete this exam during this outbreak is unethical and jeopardizes everyone's health. By postponing the clinical board exam only delays students in getting their license and ability to contribute to the healthcare field. As you know, Dental Hygiene jobs are very needed across this state. Many of us already have jobs secured to start after graduation. By having our license upon graduation would allow us to enter the work force in a timely manner and potentially offer our services as healthcare providers as the outbreak continues to grow.

We have spent hundreds of hours providing great dental hygiene services in our clinic at Madison College. We see a variety of patients from ages 2-99 years old and patients with varying health needs and conditions. These hours need to be considered and weighed heavier than a one-time clinical board exam when applying for licensure. These hours have also been supervised and instructed by some of the best Dental Hygienists in the state. Throughout our clinical experience, we are continuously assessed by instructors and are held to a very high standard. They test competencies, observe techniques and supervise local anesthetic injections. We believe we are very competent and well educated to provide the gold standard of care to our patients.

Thank you for taking the time to consider our request and hear our voices. We hope that The Dentistry Examining Board of Wisconsin strongly considers waiving the clinical board exam for the class of 2020. By asking students to complete this exam amidst a pandemic jeopardizes the health of all involved, and

by delaying the exam only postpones our ability to obtain our license and practice. We are eager to enter the healthcare field and want to do our part in helping the community. Again, thank you for taking the time to consider our request to waive the clinical board exam for the class of 2020 due to the COVID-19 pandemic. I can be contacted via email cgsharrison05@gmail.com for any follow up. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Callie L.", with a long horizontal flourish extending to the right.

Madison College Dental Hygiene Class of 2020

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: 23 April 2020 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Dentistry Examining Board			
4) Meeting Date: 6 May 2020	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters 1. Scope Amending DE 2 Relating to Reciprocal Credentials for Service Members, Former Service Members and Their Spouses (2019 Act 143) 2. Updates on Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i>Sharon Henes</i>		<i>4/23/2020</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

STATEMENT OF SCOPE

Dentistry Examining Board

Rule No.: DE 2

Relating to: Reciprocal credentials for service members, former service members and their spouses

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only): N/A

2. Detailed description of the objective of the proposed rule:

The objective of the rule is to implement 2019 Act 143.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

2019 Act 143 entitles service members, former service members who were discharged within the prior four years under conditions other than dishonorable, and spouses of service members or former service members to obtain a license in Wisconsin if the person resides in Wisconsin and holds a license in good standing granted by a different jurisdiction to practice dentistry or dental hygiene. The license can be renewed indefinitely.

This proposed rule will promulgate rules necessary to implement 2019 Act 143.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Each Examining Board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession. [s. 15.08(5)(b), Stats.]

The department or credentialing board, as appropriate, may promulgate rules necessary to implement this section. [s. 440.09 (5), Stats.]

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

60 hours

6. List with description of all entities that may be affected by the proposed rule:

Service members, former service members and spouses of service members or former service members applying for a dentist or dental hygienist license.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

There is no existing or proposed federal regulation that addresses dental licensure.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None to minimal economic impact. It is not likely to have a significant economic impact on small businesses.

Contact Person: Sharon Henes, Administrative Rules Coordinator, (608) 261-2377

Authorized Signature

Date Submitted