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**TELECONFERENCE/VIRTUAL  
DENTISTRY EXAMINING BOARD**  
**Virtual, 4822 Madison Yards Way, 2nd Floor, Madison**  
**Contact: Will Johnson, (608) 266-2112**  
**September 3, 2025**

*The following agenda describes the issues that the 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 Board. Be advised that board members may attend meetings designated as "Hybrid" in-person or virtually.*

**AGENDA**

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

**A. Pledge of Allegiance**

**B. Adoption of Agenda (1-4)**

**C. Approval of Minutes of June 25, 2025 (5-8)**

**D. Reminders: Conflicts of Interest, Scheduling Concerns**

**E. Administrative Matters**

- 1) Department, Staff and Board Updates
- 2) Board Members – Term Expiration Dates
  - a. Alton, Troy – 7/1/2025
  - b. Bahr, Lisa – 7/1/2026
  - c. Bistan, Matthew – 7/1/2025
  - d. Fox, Joan – 7/1/2025
  - e. Govani, Shaheda – 7/1/2026
  - f. Gundersen, David – 7/1/2026
  - g. Jorgenson, Linda – 7/1/2028
  - h. Kolste, Debra – 7/1/2028
  - i. Schrubbe, Katherine – 7/1/2026
  - j. Sheild, Peter – 7/1/2026

**F. 9:00AM Public Hearing on Final Rule Draft for DE 5, 8, and 14 relating to Informed Consent (9-10)**

**G. Administrative Rule Matters – Discussion and Consideration (11-33)**

- 1) Discussion of Final Rule Draft for DE 5, 8, and 14 on Informed Consent (12-18)
- 2) Rule Drafting for DE 1, 5, and 6 on Unprofessional Advertising (19-25)
- 3) Rule Drafting for DE 1 and 2 on Licensure Requirements (26-32)

- 5) Pending or possible rulemaking projects **(33)**

## **H. Dentist and Dental Hygienist Compact – Discussion (34)**

### **I. Legislative and Policy Matters – Discussion and Consideration**

### **J. 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) Public Health Emergencies
- 11) Administrative Rule Matters
- 12) Liaison Reports
- 13) Board Liaison Training and Appointment of Mentors
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

### **K. 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.).**

### **L. Division of Legal Services and Compliance (DLSC) Matters**

- 1) **Proposed Stipulations, Final Decisions and Orders**
  - a. 23 DEN 085, and 24 DEN 0144 – Howard L. Crystal **(35-43)**
  - b. 23 DEN 173 – Mark J. Holzer **(44-50)**
  - c. 24 DEN 0102 – Manasa Rao **(51-57)**
  - d. 24 DEN 0167 – Selena Gray **(58-64)**
- 2) **Administrative Warnings**

- a. 23 DEN 067 – N.W. **(65-66)**
- b. 24 DEN 0156 – Q.L. **(67-68)**
- 3) Case Closings**
  - a. 23 DEN 173 – C.J.N. **(69-75)**
  - b. 23 DEN 192 – J.B. **(76-79)**
  - c. 23 DEN 195 – J.A.T. **(80-84)**
  - d. 23 DEN 199 – A.J.S. **(85-95)**
  - e. 23 DEN 200 – A.C.T. and H.T. **(96-101)**
  - f. 24 DEN 0028 – S.D.M., J.K.K., B.J.W. and A.A.R. **(102-108)**
  - g. 24 DEN 0051 – A.D. **(109-111)**
  - h. 24 DEN 0088 – A.A.P. **(112-117)**
  - i. 24 DEN 0112 – P.T.B. **(118-121)**
  - j. 24 DEN 0179 – M.P.M. **(122-127)**
  - k. 25 DEN 0026 – R.J.A. **(128-131)**
  - l. 25 DEN 0034 – C.C.O. **(132-139)**

**M. Monitoring Matters**

- 1) Aaron Cwik – Requesting Order Modification **(140-180)**

**N. 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

**O. Consulting with Legal Counsel**

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**P. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate**

**Q. Open Session Items Noticed Above Not Completed in the Initial Open Session**

**ADJOURNMENT**

**NEXT MEETING: NOVEMBER 5, 2025**

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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 virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

**HYBRID (IN-PERSON/VIRTUAL)  
DENTISTRY EXAMINING BOARD  
MEETING MINUTES  
JUNE 25, 2025**

**PRESENT:** Troy Alton, DDS; Lisa Bahr, RDH; Matthew Bistan, DDS; Joan Fox, DDS; Shaheda Govani, DDS; David Gundersen, DDS (*Virtual*); Linda Jorgenson, RDH; Debra Kolste (*Virtual*); Katherine Schrubbe, RDH; Peter Sheild, DDS

**STAFF:** Will Johnson, Executive Director; Jameson Whitney, Legal Counsel; Jacob Pelegrin, Administrative Rules Coordinator; Ashley Sarnosky, Board Administration Specialist; and other Department staff

**CALL TO ORDER**

Shaheda Govani, Chairperson, called the meeting to order at 9:02 a.m. A quorum was confirmed with ten (10) members present.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

- *Remove item L.1.b.*

**MOTION:** Troy Alton moved, seconded by Peter Sheild, to adopt the Agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF MAY 7, 2025**

**MOTION:** Katherine Schrubbe moved, seconded by Linda Jorgenson, to approve the Minutes of May 7, 2025, as published. Motion carried unanimously.

**ADMINISTRATIVE RULE MATTERS**

**Presentation of Scope Statement on DE 1, 5, 8, 10, and 18 for Dental Practice Record Management and Dental Franchising**

**MOTION:** Matthew Bistan moved, seconded by Shaheda Govani, to approve the scope statement revising rules DE 1, 5, 8, 10, and 18 relating to Dental Practice Record Management and Dental Franchising for submittal to the Governor's Office and for publication in the Register. Additionally, the board authorizes the Chair to approve the scope statement for implementation no less than 10 days after publication. If the board is directed to hold a preliminary public hearing on the scope statement, the Chair is authorized to approve the required notice of hearing. Motion carried unanimously.

*David Gundersen was excused at 9:27 a.m.*

## **Discussion of Rule Drafting for DE 5, 8, and 14 on Informed Consent**

**MOTION:** Matthew Bistan moved, seconded by Peter Sheild, to authorize the Chair to approve the preliminary rule draft of rule DE 5, 8, and 14 relating to Informed Consent for posting for Economic Impact Analysis comments and submittal to the Clearinghouse. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Lisa Bahr moved, seconded by Peter Sheild, to 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.). Shaheda Govani, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Troy Alton-yes; Lisa Bahr-yes; Matthew Bistan-yes; Joan Fox-yes; Shaheda Govani-yes; Linda Jorgenson-yes; Debra Kolste-yes; Katherine Schrubbe-yes; and Peter Sheild-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:12 a.m.

### **CREDENTIALING MATTERS**

#### **Application Review**

##### ***G.G. – Dentist (IA-607606)***

**MOTION:** Peter Sheild moved, seconded by Joan Fox, to authorize Board Counsel to request additional information regarding application IA-607606. Once the additional information is received the Chairperson may act on the application. Motion carried unanimously.

### **DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

#### **Proposed Stipulations, Final Decisions and Orders**

##### ***23 DEN 003 – Gary B. Olson***

**MOTION:** Lisa Bahr moved, seconded by Joan Fox, to refer the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Gary B. Olson, DLSC Case 23 DEN 003 back to DLSC for further investigation. Motion carried unanimously.

**MOTION:** Joan Fox moved, seconded by Peter Sheild, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of the following cases:

1. 23 DEN 060 – Leonard J. Johnson
2. 23 DEN 089 – Larry D. Wruck
3. 23 DEN 143 – Robert J. Blumenthal

4. 24 DEN 0148 – Talha I. Patel
  5. 25 DEN 0067 – Paul M. Scholl
- Motion carried unanimously.

### **Proposed Stipulations, Final Decisions and Orders**

#### ***23 DEN 011 – Adam J. Meinhardt***

**MOTION:** Matthew Bistan moved, seconded by Troy Alton, to rescind Order 0020551 approved on March 5, 2025, in the matter of proceedings against Adam J. Meinhardt, DLSC Case Number 23 DEN 011. Motion carried.

**MOTION:** Matthew Bistan moved, seconded by Katherine Schrubbe, to adopt the Revised Findings of Fact, Conclusions of Law and Order as presented in the June 25, 2025 agenda materials in the matter of proceedings against Adam J. Meinhardt, DLSC Case Number 23 DEN 011. Motion carried.

### **Administrative Warnings**

#### ***24 DEN 022 – K.H.***

**MOTION:** Matthew Bistan moved, seconded by Lisa Bahr, to issue an administrative warning in the matter of K.H., DLSC Case Number 24 DEN 022. Motion carried unanimously.

### **Case Closings**

**MOTION:** Troy Alton moved, seconded by Katherin Schrubbe, to close the following DLSC Cases for the reasons outlined below:

1. 23 DEN 209 – U. – Prosecutorial Discretion (P5)
2. 24 DEN 0031 – J.A.L. – No Violation
3. 24 DEN 0064 – K.D.W. – No Violation
4. 24 DEN 0124 – J.L.P. – No Violation
5. 25 DEN 0004 – J.C. – No Violation
6. 25 DEN 0033 – R.M. – No Violation

Motion carried unanimously.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Troy Alton moved, seconded by Matthew Bistan and Peter Sheild, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 12:22 p.m.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**MOTION:** Lisa Bahr moved, seconded by Katherine Schrubbe, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)*

## **ADJOURNMENT**

**MOTION:** Shaheda Govani, seconded by Troy Alton, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:22 p.m.

DRAFT



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

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> <b>Jake Pelegrin</b> <b>Administrative Rules Coordinator</b>		<b>2) Date when request submitted:</b> <b>8/21/25</b> <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>									
<b>3) Name of Board, Committee, Council, Sections:</b> Dentistry Examining Board											
<b>4) Meeting Date:</b> <b>9/3/25</b>	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> <b>9:00AM Public Hearing on Final Rule Draft for DE 5, 8, and 14 relating to Informed Consent</b>									
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>9) Name of Case Advisor(s), if required:</b> N/A								
<b>10) Describe the issue and action that should be addressed:</b>  Attachments: -Notice of public hearing											
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## **Notice of Public Hearing**

The Dentistry Examining Board announces that it will hold a virtual public hearing on the rule revising DE 5, 8, and 14, relating to Informed Consent, at the time and place shown below.

### **Hearing Information**

Date: September 3, 2025

Time: 9:00 A.M.

Location: Information concerning the location of the hearing will be available at:

<https://dsps.wi.gov/Pages/BoardsCouncils/Dentistry/Meetings.aspx>

### **Appearances at the Hearing and Submittal of Written Comments**

The rule may be reviewed and comments submitted at:

<http://docs.legis.wisconsin.gov/code/chr/hearings>.

Comments may also be submitted to Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, WI 53708-8366, or by email to [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov).

Comments must be received at or before the public hearing to be included in the record of rulemaking proceedings.

### **Initial Regulatory Flexibility Analysis**

The proposed rule will not have an effect on small businesses, as defined under s. 227.114 (1).

### **Agency Small Business Regulatory Coordinator**

The Department's Regulatory Review Coordinator may be contacted at

[Jennifer.Garrett@wisconsin.gov](mailto:Jennifer.Garrett@wisconsin.gov) or by calling (608) 266-2112.

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

**AGENDA REQUEST FORM**

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<b>10) Describe the issue and action that should be addressed:</b>  Attachments: -Clearinghouse Report and final rule draft for DE 5, 8, and 14 on Informed Consent -Preliminary rule draft for DE 1, 5, and 6 on Unprofessional Advertising -Preliminary rule draft for DE 1 and 2 for Licensure Requirements -Dentistry Rules Chart											
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# Wisconsin Legislative Council

## RULES CLEARINGHOUSE

**Scott Grosz**  
Clearinghouse Director

**Margit Kelley**  
Clearinghouse Assistant Director

**Anne Sappenfield**  
Legislative Council Director

### CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

#### CLEARINGHOUSE RULE **25-052**

AN ORDER to amend DE 14.01 (2), 14.02, and 14.03; and to create DE 5.02 (29) and 14.03 (1) to (3), relating to informed consent.

Submitted by **DENTISTRY EXAMINING BOARD**

07-17-2025 RECEIVED BY LEGISLATIVE COUNCIL.

08-04-2025 REPORT SENT TO AGENCY.

MSK:PW

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES ☐ NO ☒

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES ☒ NO ☐

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES ☐ NO ☒

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]

Comment Attached YES ☐ NO ☒

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES ☒ NO ☐

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL  
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES ☐ NO ☒

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES ☐ NO ☒



# Wisconsin Legislative Council

## RULES CLEARINGHOUSE

**Scott Grosz**  
Clearinghouse Director

**Anne Sappenfield**  
Legislative Council Director

**Margit Kelley**  
Clearinghouse Assistant Director

### CLEARINGHOUSE RULE 25-052

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]**

#### **2. Form, Style and Placement in Administrative Code**

In SECTION 4 of the proposed rule, the treatment of s. DE 14.03 should be revised from “amending” the provision to “renumber and amend” the provision as s. DE 14.03 (intro.). The treatment clause for SECTION 4 should be updated, and the rule caption’s listing of affected provisions should be revised to reflect this treatment. [ss. 1.04 (6) (b) and 1.11 (1), Manual.]

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

In s. DE 5.02 (29), should the word “and” be revised to “or”? If it is intended that a failure to either obtain informed consent, or document a patient’s informed consent, standing alone, may be considered as unprofessional conduct, the word “or” may be preferable.

STATE OF WISCONSIN  
DENTISTRY EXAMINING BOARD

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IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	DENTISTRY EXAMINING BOARD
DENTISTRY EXAMINING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 25-052)

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PROPOSED ORDER

A proposed order of the Dentistry Examining Board to **renumber and amend** DE 14.03; to **amend** DE 14.01 (2) and 14.02; and to **create** DE 5.02 (29) and 14.03 (1) to (3) relating to informed consent.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** Section 447.40, Stats.

**Statutory authority:** Sections 15.08 (5) (b), 227.11 (2) (a), 447.02 (2), and 447.02 (2) (i), Stats.

**Explanation of agency authority:**

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall 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.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Sections 447.02 (2) and 447.02 (2) (i), Stats.: “The examining board shall promulgate rules specifying all of the following: (i) Provisions implementing s. 447.40.”

**Related statute or rule:** None.

**Plain language analysis:**

Informed consent regulations for dentists and dental therapists are in Wis. Admin. Code ch. DE 14. The proposed rule adds detail to the regulations for a dentist or dental therapist to obtain informed consent from a patient. It clarifies that the dentist or dental therapist must obtain the patient’s informed consent to all services, treatments, or procedures in the treatment plan. For

recordkeeping of the patient's informed consent, it requires that the dentist or dental therapist document:

- (1) The patient's informed consent to the treatment plan.
- (2) The patient's acknowledgment of reasonable alternate modes of treatment.
- (3) The patient's acknowledgment of the benefits and risks involved in the treatment plan and the benefits and risks involved with reasonable alternate modes of treatment.

The proposed rule adds a provision to ch. DE 5, Unprofessional Conduct, to state that it is unprofessional conduct for a dentist or dental therapist to fail to obtain informed consent or fail to document that informed consent was obtained. The board believes this rule is important for patient safety and protection, and that current informed consent rules are not adequate.

**Summary of, and comparison with, existing or proposed federal regulation:** None.

**Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:** None.

**Comparison with rules in adjacent states:**

**Illinois:** In Illinois, medical patients have “The right of each patient to care consistent with sound nursing and medical practices, to be informed of the name of the physician responsible for coordinating his or her care, to receive information concerning his or her condition and proposed treatment, to refuse any treatment to the extent permitted by law, and to privacy and confidentiality of records except as otherwise provided by law” [410 Illinois Compiled Statutes 50/3(a)]. This applies to dental patients.

**Iowa:** Iowa law requires informed consent as follows: “*Informed consent.* Dental records shall include, at a minimum, documentation of informed consent that includes discussion of procedure(s), treatment options, potential complications and known risks, and patient's consent to proceed with treatment” [650 Iowa Administrative Code 27.11 (1) (e)]. It does not specify whether verbal or written informed consent is required, so it is presumed that verbal informed consent is allowed.

**Michigan:** In Michigan, at the inception of care for a patient, both of the following must occur: “Each dentist, dental therapist, dental assistant, registered dental assistant, and registered dental hygienist shall identify himself or herself to the patient as a dentist, dental therapist, dental assistant, registered dental assistant, or registered dental hygienist,” and “the patient shall be provided with a written consent for treatment” [Michigan Administrative Rules R 338.11103].

**Minnesota:** In Minnesota, the dental records for each patient must include a notation that: “the dentist, advanced dental therapist, dental therapist, dental hygienist, or licensed dental assistant discussed with the patient the treatment options and the prognosis, benefits, and risks of each treatment that is within the scope of practice of the respective licensee” and “the patient has consented to the treatment chosen” [Minnesota Administrative Rules 3100.9600]. It does not specify



whether verbal or written informed consent is required, so it is presumed that verbal informed consent is allowed.

**Summary of factual data and analytical methodologies:**

The Board reviewed Wisconsin Administrative Code chapters DE 5, 8, and 14 to determine where changes were needed to update regulations on informed consent.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

The proposed rules were posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis are attached.

**Effect on small business:**

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at [Jennifer.Garrett@wisconsin.gov](mailto:Jennifer.Garrett@wisconsin.gov), or by calling (608) 266-2112.

**Agency contact person:**

Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-267-0989; email at [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov).

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov). Comments must be received on or before the public hearing, scheduled for September 3, 2025 to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. DE 5.02 (29) is created to read:

**DE 5.02 (29)** A dentist or dental therapist failing to obtain informed consent from a patient or failing to document that informed consent was obtained, including all the information under s. DE 14.03.

SECTION 2. DE 14.01 (2) is amended to read:

**DE 14.01 (2) PURPOSE.** The purpose of the rules is to define the obligation of a dentist or dental therapist to communicate alternate modes of treatment to a patient and to obtain informed consent.

SECTION 3. DE 14.02 is amended to read:

**DE 14.02 Informed consent.** Any dentist or dental therapist who treats a patient shall inform the patient about the availability of reasonable alternate modes of treatment and about the benefits and risks of these treatments prior to treating the patient. The reasonable dentist standard is the standard for informing a patient under this section. The reasonable dentist standard requires disclosure only of information that a reasonable dentist would know and disclose under the circumstances. The dentist or dental therapist shall obtain the patient's informed consent to all services, treatments, or procedures in the treatment plan.

SECTION 4. DE 14.03 is renumbered to DE 14.03 (intro.) and amended to read:

**DE 14.03 Recordkeeping.** A dentist's or dental therapist's patient record shall include documentation that alternate modes of treatment have been communicated to the patient and informed consent has been obtained from the patient. This shall include documentation of all of the following:

SECTION 5. DE 14.03 (1), (2), and (3) are created to read:

**DE 14.03 (1)** The patient's informed consent to all services, treatments, or procedures in the treatment plan.

**(2)** The patient's acknowledgment of reasonable alternate modes of treatment.

**(3)** The patient's acknowledgment of the benefits and risks involved with all services, treatments, or procedures in the treatment plan and the benefits and risks involved with reasonable alternate modes of treatment.

SECTION 6. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

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(END OF TEXT OF RULE)  
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This Proposed Order of the Dentistry Examining Board is approved for submission to the Governor and Legislature.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chair  
Dentistry Examining Board

STATE OF WISCONSIN  
DENTISTRY EXAMINING BOARD

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IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	DENTISTRY EXAMINING BOARD
DENTISTRY EXAMINING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE )

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PROPOSED ORDER

A proposed order of the Dentistry Examining Board to **renumber and amend** DE 6.02 (4) (c); to **amend** DE 6.02 (1) and DE 6.02 (4) (intro.); and to **create** DE 6.02 (1) (a) to (f), (4) (c) (Note), 1., and 2. relating to unprofessional advertising.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** Sections 447.07 (3) (m) and (3) (o), Stats.

**Statutory authority:** Sections 15.08 (5) (b), 227.11 (2) (a), and 447.07 (3) (m) and (3) (o), Stats.

**Explanation of agency authority:**

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall 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.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 447.07 (3), Stats: “...the examining board may make investigations and conduct hearings in regard to any alleged action of any dentist, dental therapist, dental hygienist, or expanded function dental auxiliary, of a mobile dentistry program registrant, or of any other person it has reason to believe is engaged in or has engaged in the practice of dentistry, dental therapy, or dental hygiene, or the operation of a mobile dentistry program, in this state, and may, on its own motion, or upon complaint in writing, reprimand any dentist, dental therapist, dental hygienist, or expanded function dental auxiliary who is licensed or certified under this subchapter or who holds a compact privilege, or any mobile dentistry program registrant, or deny, limit, suspend, or revoke his or her license, certificate, or compact privilege, or the registration of the mobile dentistry program registrant, if it finds that the dentist, dental therapist, dental hygienist, expanded function dental auxiliary, or mobile dentistry program registrant has done any of the following:

(3) (m) Made a substantial misrepresentation in the course of practice that was relied upon by a client.

(3) (o) Advertised by using a statement that tends to deceive or mislead the public.”

**Related statute or rule:** None.

**Plain language analysis:**

The objective of the proposed rule is to clarify and add detail to the regulations on unprofessional advertising for dentists, which may include revisions to DE 1, 5, and 6. The Board has identified a need to clarify the rules on unprofessional advertising for dentists. Current rules are unclear if it is allowed for a general dentist to advertise as having a credential for a dental specialty, such as orthodontist or oral surgeon. The Board will consider updating the code to clarify whether this is allowed.

**Summary of, and comparison with, existing or proposed federal regulation:** None.

**Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:**

The Dentistry Examining Board held a preliminary public hearing on the statement of scope for this rule on March 5, 2025. The following written comment was received, from the American Association of Orthodontists and the Wisconsin Society of Orthodontists:

Names: Adam Braundmeier, Dr. Dave Kennedy

Organizations: American Association of Orthodontists and the Wisconsin Society of Orthodontists

Dear Members of the Wisconsin Dentistry Examining Board,

On behalf of the American Association of Orthodontists (AAO) and the Wisconsin Society of Orthodontists (WSO), we write to express our significant concerns relating to any changes to the current unprofessional advertising rules, which are the best safeguard for Wisconsinites' health and safety. The AAO is the world's oldest and largest dental specialty organization, created in 1900. It represents more than 19,000 orthodontists throughout the United States, Canada, and abroad, and over 230 orthodontists in Wisconsin, who are members of the of the Wisconsin Society of Orthodontists (WSO). As a professional organization, the AAO is dedicated to, among other goals: (a) ethically advancing the art and science of orthodontics and dentofacial orthopedics worldwide; (b) improving the health of the public by promoting quality orthodontic care, the importance of overall oral healthcare, and advocating for the public interest; and (c) educating the public about the benefits of orthodontic treatment and the educational qualifications of orthodontic specialists.

We support the current rules without modification or diminished professionalism, as they provide clarity and necessary consumer protections by ensuring that only those who have completed an accredited specialty program may advertise as specialists. We appreciate the opportunity to provide this feedback and make comments on this important matter. We understand that the proposed change to the current rule, Chapter DE 6, by the Wisconsin Dentistry Examining Board is to clarify for general dentists if they are allowed to advertise as having a credential for a dental specialty. The current rule is already clear on this – only those who have completed a post-doctoral program accredited by the Commission on Dental Accreditation (CODA) in a recognized specialty can advertise as having a credential for the dental specialty, or a “specialist.”

The AAO supports regulations like Chapter DE 6, that require those who are advertising as a “specialist” to have successfully completed a post-doctoral advanced dental educational program of at least two full-time years and which is CODA accredited. As you know, CODA is the only nationally recognized accrediting body for dentistry and the related dental fields, receiving its accreditation authority from the acceptance of all stakeholders within the dental community and recognition by the United States Department of Education.

CODA accreditation offers Wisconsin patients the reassurance of a rigorous set of qualifications enacted and assessed by an independent organization operating under the oversight of the U.S. Department of Education. An accreditation standard backed by the U.S. Department of Education best assures Wisconsin citizens that an individual who truthfully holds themselves out as a specialist has met high standards for education and training. CODA accreditation provides Wisconsin citizens with a standardized benchmark against which claims of specialization can be assessed, thus assuring that the goal of providing patients with information from which to make informed treatment decisions is met.

Allowing a dentist to advertise as a “specialist” without completing a multi-year accredited program back by the US department of Education allows providers, who have not had years of supervised and didactic training or who have not satisfied extensive criteria, to advertise on par with those providers who have long-term, comprehensive education and training through U.S. Department of Education accredited programs. This threatens the health and safety of patients by obscuring important distinctions between dental professionals as well as their respective educational and training backgrounds. We believe these concerns underscore why the Wisconsin Dentistry Examining Board originally established the current unprofessional advertising rules. The rules in their current form are in the interest of patient health and safety for Wisconsin and its citizens.

For all these reasons, the AAO and WSO support the current rule on unprofessional advertising, Chapter DE 6. If the Board has any further information or has questions for the AAO, please feel free to contact me at [abraundmeier@aaortho.org](mailto:abraundmeier@aaortho.org). Thank you for your time and attention to this matter.

Sincerely,

American Association of Orthodontists, Adam Braundmeier, AAO General Counsel

**Response:**

**Comparison with rules in adjacent states:**

**Illinois:** Illinois has regulations on advertising for dentists that are broadly similar to those of Wisconsin, but that go into much greater detail [Illinois Administrative Code Title 68, Chapter VII, Subchapter b, Section 1220.421]. “Persons licensed to practice dentistry in the State of Illinois may advertise in any medium or other form of public communication in a manner that is truthful, and that is not fraudulent, deceptive, inherently misleading or proven to be misleading in practice. The advertising shall contain all information necessary to make the communication not misleading and shall not contain any false or misleading statement or otherwise operate to deceive.”

Specifically on advertising for dental specialties, Illinois administrative code goes into detail on regulations and which words are and are not allowed. “When words relating to specialty practice are used in an advertisement, the advertisement must not imply that the dentist offering those services is licensed as a specialist unless he holds a specialty license issued by the Division.”

**Iowa:** Iowa law sets regulations on dentistry advertising that are detailed and thorough for ensuring that advertising is honest and ethical [650 Iowa Administrative Code 26]. “Communications by inclusion or omission to the public must be accurate. They must not convey false, untrue, deceptive, or misleading information through statements, testimonials, photographs, graphics or other means. Communications must not appeal to an individual’s anxiety in an excessive or unfair way; and they must not create unjustified expectations of results. If communications refer to benefits or other attributes of dental procedures or products that involve significant risks, realistic assessments of the safety and efficacy of those procedures or products must also be included, as well as the availability of alternatives and, where necessary to avoid deception, descriptions or assessments of the benefits or other attributes of those alternatives. Communications must not misrepresent a dentist’s credentials, training, experience or ability, and must not contain material claims of superiority that cannot be substantiated.”

Specifically for dental specialties, like Illinois, Iowa regulations are quite detailed on what words are allowed to be used in advertisements: “The use of the terms “specialist,” “specializes,” “orthodontist,” “oral and maxillofacial surgeon,” “oral and maxillofacial radiologist,” “periodontist,” “pediatric dentist,” “prosthodontist,” “endodontist,” “oral pathologist,” “public health dentist,” “dental anesthesiologist,” or other similar terms which imply that the dentist is a specialist may only be used by a licensed dentist meeting the requirements of this rule. A dentist who advertises as a specialist must avoid any implication that other dentists associated with the same practice are specialists unless the dentists also meet all of the requirements of this rule.”

**Michigan:** Michigan law provides basic consumer protections on truth in advertising [Michigan Compiled Law 445.903]. Michigan Administrative Code further specifies regulations on advertising as a dental specialist [Michigan Administrative Rules R 338.11525]. “A dentist who is not licensed as a specialist by the board shall not announce or hold himself or herself out to the

public as limiting his or her practice to, as being specially qualified in, or as giving special attention to, a branch of dentistry that is listed as a specialty in R 338.11501.”

**Minnesota:** Minnesota administrative rules provide a general prohibition on false or misleading advertising by dentists: “A person shall not, on behalf of the person, a partner, an associate, or any other dentist with whom the person is affiliated through a firm or association, use or participate in the use of any form of public communication containing a false, fraudulent, misleading, or deceptive statement or claim.” [Minnesota Administrative Rules 3100.6500].

To advertise as being a dental specialist: “A licensed dentist may advertise as a specialist in an area if the dentist has evidence of graduating from a postdoctoral specialty program accredited by the Commission on Dental Accreditation in any of the designated specialty areas of subpart 1.” [Minnesota Administrative Rules 3100.7000].

**Summary of factual data and analytical methodologies:** The Board reviewed Wisconsin Administrative Code chapters DE 1, 5, and 6 to determine where changes were needed to update regulations on unprofessional advertising.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis will be attached upon completion.

**Effect on small business:**

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at [Jennifer.Garrett@wisconsin.gov](mailto:Jennifer.Garrett@wisconsin.gov), or by calling (608) 266-2112.

**Agency contact person:**

Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-267-0989; email at [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov).

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov). Comments must be received on or before the public hearing to be included in the record of rule-making proceedings.

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TEXT OF RULE

*Disclaimer: all of the below rule language is draft language.*

SECTION 1. DE 6.02 (1) is amended to read:

**(1)** Publishing or communicating information, statements, or claims in any media which are false, misleading, fraudulent or deceptive. This may include information or communications which do any of the following:

SECTION 2. DE 6.02 (1) (a) to (f) are created to read:

**(a)** Contain a misrepresentation of fact or omit a material fact required to prevent deception.

**(b)** Guarantee favorable results or create false or unjustified expectations of favorable results.

**(c)** Represent a dentist as having credentials, training, experience or ability in an American Dental Association specialty when the dentist does not meet the requirements for that specialty in sub. (4) (c).

**(d)** Contain exaggerations pertaining to the quality of dental care.

**(e)** Describe as available products or services that are not permitted by the laws or rules of this state or that are not permitted by federal laws or rules.

**(f)** Advertise professional services that the credential holder is not licensed to render.

SECTION 3. DE 6.02 (4) (intro.) is amended to read:

**DE 6.02 (4)** Including in an advertisement or any media:

SECTION 4. DE 6.02 (4) (c) is amended to read:

**DE 6.02 (4) (c)** Notice of a practice or implying practice as a specialist in a dental specialty unless the dentist has successfully completed a post-doctoral educational training program approved by the Commission on Dental Accreditation of the American Dental Association in a specialty recognized by the American Dental Association. A dentist who advertises as a specialist shall avoid implying that other dentists associated with the same practice are specialists unless the dentists also meet all of the requirements of this paragraph. Advertising or implying practice as a specialist in a non-American Dental Association-recognized specialty is prohibited.

SECTION 5. DE 6.02 (4) (c) (Note) is created to read:

**Note:** Recognized American Dental Association specialties are dental anesthesiology, dental public health, endodontics, oral and maxillofacial pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, oral medicine, orofacial pain, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, and prosthodontics.



SECTION 6. DE 6.02 (4) (c) 1. and 2. are created to read:

**DE 6.02 (4) (c) 1.** Terms such as "specialist", "specialty", "practice limited to" or "limited to specialty of", with the name of the branch of dentistry practiced as a specialty, shall be prima facie evidence that such dentist is holding himself or herself out to the public as a specialist.

**2.** A general dentist who advertises, in any media, using words or phrases customarily used for a specific area of dental practice, except those prohibited in subd. 1., but who does not meet the requirements of par. (c), shall include in the advertisement a prominent disclaimer that he or she is licensed only as a general dentist.

**Note:** Examples of language requiring disclaimer include cosmetic dentistry, restorative dentistry, preventive dentistry, hospital dentistry, implant dentistry, TMJ, cranio-mandibular dentistry.

SECTION 7. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

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(END OF TEXT OF RULE)  
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This Proposed Order of the Dentistry Examining Board is approved for submission to the Governor and Legislature.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chair  
Dentistry Examining Board

STATE OF WISCONSIN  
DENTISTRY EXAMINING BOARD

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IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	DENTISTRY EXAMINING BOARD
DENTISTRY EXAMINING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE )

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PROPOSED ORDER

A proposed order of the Dentistry Examining Board to create DE relating to Licensure Requirements.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** Sections 447.04 (1) (a) and (b) and (2) (a) and (b), Stats.

**Statutory authority:** Sections 15.08 (5) (b), 227.11 (2) (a), 447.04 (1) (a) 6., (1) (b) 1., (2) (a) 6., and (2) (b) 1., Stats.

**Explanation of agency authority:**

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall 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.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 447.04 (1) (a), Stats.: “The examining board shall grant a license to practice dentistry to an individual who does all of the following: 6. Completes any other requirements established by the examining board by rule.”

Section 447.04 (1) (b), Stats.: “Except as provided in par. (c), the examining board may grant a license to practice dentistry to an individual who is licensed in good standing to practice dentistry in another state or territory of the United States or in another country if the applicant complies with all of the following requirements: 1. Meets the requirements for licensure established by the examining board by rule.”

Section 447.04 (2) (a), Stats.: “The examining board shall grant a license to practice dental hygiene to an individual who does all of the following: 6. Completes any other requirements established by the examining board by rule.”

Section 447.04 (2) (b), Stats.: “The examining board may grant a license to practice dental hygiene to an individual who is licensed in good standing to practice dental hygiene in another state or territory of the United States or in another country if the applicant complies with all of the following requirements: 1. Meets the requirements for licensure established by the examining board by rule.”

**Related statute or rule:** None.

**Plain language analysis:**

The objective of the proposed rule is to reexamine and to consider modifying, clarifying, or adding detail to the licensure requirements for dentists and dental hygienists, which may include revisions to DE 1 and 2. The Board has identified a need to reexamine and discuss the current licensure requirements for dentists and dental hygienists. Current rules for dentists require a DDS or DMD degree or equivalent from a CODA-accredited dental school and an examination. Current rules for dental hygienists require graduation from a CODA-accredited dental hygiene school and an examination. The Board will consider modifying, clarifying, or adding detail to this or other licensure requirements.

**Summary of, and comparison with, existing or proposed federal regulation:** None.

**Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:**

Name: Ankur D. Patel, DDS, FAGD

Organization: Dental Service of U.S. Department of Veterans Affairs (Speaking on his own behalf, not as a representative.)

***“I am submitting this attachment and narrative as a solely as private citizen who is a clinical dentist, and not as a representative of the Federal Government & Department of Veterans Affairs (where I conduct my work and practice).***

I want to propose common sense changes that improve the licensing process in Wisconsin, without compromising the public safety mission. If DSPS is serious in its commitment to review practices and credentialing requirements, I implore the Wisconsin Dental Examining Board to strongly consider the objectivity and common-sense solutions that I am sharing.

**Pathway 1: Recognize CODA Accredited Postdoctoral General Dentistry Residency Programs (Advanced Education in General Dentistry – AEGD & General Practice Residency - GPR) as “dental testing services.”**

Recommendations:

1. Recognize the goals, objectives, competencies, evaluation mechanisms, and practical components of application that CODA accredited post-doctoral general dentistry programs require to matriculate the residency programs.

2. Recommend review to the Board's legal counsel to confirm that the academic milestones are enough to qualify CODA accredited post-doctoral general dentistry programs as "testing-centers." - (Remember, the State has already accepted that Marquette's undergraduate dental curriculum is sufficient - why not their soon to be own GPR or other CODA accredited AEGDs/GPRs?)

**3. In the pathway for licensure by endorsement, DE 2.04, recognize CODA accredited post-doctoral general dentistry residency programs substantially equivalent to an examination administered by a board-approved testing service.**

**4. AND/OR Approve CODA Accredited Postdoctoral General Dentistry Residency Programs (AEGD, GPR) as a dental testing services under Wis. Stat. s. 447.04(1)(a)4 as they satisfy the requirements set forth in Wis. Admin. Code s. DE 2.005(1) and (2)."**

## **Pathway 2: Licensure by Residency**

Recommendation:

**1. Create a Waiver of Clinical Examination//Licensure by Residency Clause with the following requirements – Mirror Minnesota Statute**

(a) Subd. 3. Waiver of examination. (a) All or any part of the examination for dentists, dental therapists, dental hygienists, or dental assistants, except that pertaining to the law of Minnesota relating to dentistry and the rules of the board, may, at the discretion of the board, be waived for an applicant who presents a certificate of having passed all components of the National Board Dental Examinations or evidence of having maintained an adequate scholastic standing as determined by the board. (b) The board shall waive the clinical examination required for licensure for any dentist applicant who is a graduate of a dental school accredited by the Commission on Dental Accreditation, who has passed all components of the National Board Dental Examinations, and who has satisfactorily completed a postdoctoral general dentistry residency program (GPR) or an advanced education in general dentistry (AEGD) program after January 1, 2004. The postdoctoral program must be accredited by the Commission on Dental Accreditation, be of at least one year's duration, and include an outcome assessment evaluation assessing the resident's competence to practice dentistry. The board may require the applicant to submit any information deemed necessary by the board to determine whether the waiver is applicable.

## **Pathway 3: Licensure by Credential**

Recommendation:

The current statute as written requires a clinical exam. It is essentially no different than an examination candidate. This is antiquated statute as many safe and quality dentists obtain licenses in a number of ways, which should not discount the safe provision of care over a period of time in another state as a licensed dentist. Consider a third pathway for licensure, alongside examination and endorsement candidates. Create a Licensure by Credential.

(a) Mirror Licensure by Credential, Minnesota – Subd 4.

(b) Mirror Licensure by Credential, Iowa - e. Evidence that the applicant has met at least one of the following: (1) Has less than three consecutive years of practice immediately prior to the filing of the application and evidence of successful passage of a board-approved clinical

examination pursuant to subrule 11.2 (2) within the previous five-year period; *or* (2) *Has for three consecutive years immediately prior to the filing of the application been in the lawful practice of dentistry in such other state, territory or district of the United States.*

(c) Mirror Licensure by Credential, Ohio - **Out-of-State** - (See **License Verification** above for instructions) Possess a license in good standing from another state and have actively engaged in the legal and reputable practice of dentistry in another state or in the armed forces of the United States, the United States public health service, or the United States department of veterans' affairs for five years immediately preceding application.

#### **Pathway 4: Licensure by Reciprocity/Modification to DE 2.035**

Recommendation:

- Modify “Service Member” nomenclature to include members of the Federal Dental Services of the US Public Health Service and the United States Department of Veterans’ Affairs in Statute 440.09 (b) - Reciprocal credentials for service members, former service members, and their spouses.
- Modify DE 2.035 to rightfully include the other Federal Dental Services for this pathway to licensure in the State of Wisconsin

#### **Comparison with rules in adjacent states:**

**Illinois:** For dentists, Illinois allows 2 different pathways to initial licensure. For graduates from a dental college or school in the United States or Canada, the applicant needs 60 semester hours or equivalent of college pre-dental education, and graduation from a dental program in the United States or Canada meeting certain requirements. CODA accreditation is not required for the program.

For graduates from a dental college or school outside of the United States or Canada, the applicant also needs one of the following options to verify clinical training: 1) Certification from an approved dental college or school in the United States or Canada that the applicant has completed a minimum of 2 years of general dental clinical training at the school in which the applicant met the same level of scientific knowledge and clinical competence as all graduates from that school or college; or 2) Completion of an accredited advanced dental education program approved by the Division of no less than 2 academic years. The accredited advanced dental education program must have sufficient clinical and didactic training. (The term “accredited” is not specific to CODA accreditation and is presumed to mean accredited by any accrediting body.) An advanced dental education clinical program in prosthodontics, pediatric dentistry, periodontics, endodontics, orthodontics, and oral and maxillofacial surgery is acceptable. [Illinois Administrative Code Title 68, Chapter VII, Subchapter b, Part 1220, Subpart A]

For initial licensure of dental hygienists, Illinois requires a dental hygiene program accredited by CODA of at least 2 academic years [Illinois Administrative Code Title 68, Chapter VII, Subchapter b, Part 1220, Subpart B].

**Iowa:** Iowa’s education requirements for initial licensure for dentists are basically the same as Wisconsin’s: graduation with a D.D.S. or D.M.D. or equivalent from a CODA-accredited dental

school or college. However, for foreign-trained applicants, they also allow the option of completion of a postgraduate general practice residency program of at least one academic year from a CODA-accredited dental school or college [650 Iowa Administrative Code 11.2 to 11.4].

For initial licensure of dental hygienists, Iowa requires a dental hygiene program accredited by CODA [650 Iowa Administrative Code 11.5 to 11.6].

**Michigan:** For initial licensure of dentists, Michigan requires a D.D.S. or D.M.D. degree from a CODA-accredited dental school or college or from a school that meets the CODA accreditation standards. For foreign trained applicants, they also allow the option of a minimum 2-year master's degree or certificate program in dentistry from a CODA-accredited school or from a school that meets the CODA accreditation standards in a specialty branch of dentistry [Michigan Administrative Rules R 338.11201 to 11202].

For initial licensure of dental hygienists, Michigan requires a dental hygiene program accredited by CODA or from a school that meets the CODA accreditation standards [Michigan Administrative Rules R 338.11221].

**Minnesota:** Minnesota issues licenses as either a general dentist or a specialty dentist. General dentists must graduate from a CODA-accredited school of dentistry. It is not specified that they need a D.D.S. or D.M.D. or equivalent [Minnesota Administrative Rules 3100.1100]. Specialty dentists must graduate from a school of dentistry and a postdoctoral specialty program accredited by CODA [Minnesota Administrative Rules 3100.1120].

For initial licensure of dental hygienists, Minnesota requires a dental hygiene program accredited by CODA [Minnesota Administrative Rules 3100.1200].

#### **Summary of factual data and analytical methodologies:**

The Board reviewed Wisconsin Administrative Code chapter DE 2 to determine where changes were needed to update regulations on licensure requirements.

#### **Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

#### **Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis will be attached upon completion.

#### **Effect on small business:**

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

#### **Agency contact person:**

Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-267-0989; email at [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov).

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov). Comments must be received on or before the public hearing to be included in the record of rule-making proceedings.

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TEXT OF RULE

*Disclaimer: all of the below rule language is draft language.*

SECTION 1. DE 2.01 (1) (g) is amended to read:

**DE 2.01 (1) (g)** Verification from a board-approved testing service of successful completion of an examination taken within one year immediately preceding application. The board may waive this requirement for applicants who hold a post-graduate GPR or AEGD degree from an accredited school of dentistry.

SECTION 2. DE 2.04 (1) (a) 3. is created to read:

**DE 2.04 (1) (a) 3.** An American Dental Association-recognized specialty degree in dentistry from an accredited institution. This option is only available to practice as a dental specialist in the ADA specialty [with no disciplinary orders or active pending investigations][and may include practice under a license granted pursuant to Wis. Stats. § 447.04(c)].

*This option was discussed last meeting, but it has some potential issues.*

SECTION 2. DE 2.04 (1) (a) 3. is created to read:

**DE 2.04 (1) (a) 3.** An AEGD or GPR advanced or specialty degree in dentistry [of at least one year] from an accredited institution. This option is only available to applicants who also submit verification of licensed practice as a dentist in the United States or Canada [for a minimum of five of the past seven years][with no disciplinary orders or active pending investigations][and may include practice under a license granted pursuant to Wis. Stats. § 447.04(c)].

SECTION 4. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

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(END OF TEXT OF RULE)  
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This Proposed Order of the Dentistry Examining Board is approved for submission to the Governor and Legislature.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chair  
Dentistry Examining Board



**Dentistry Examining Board  
Rule Projects**

<b>Clearinghouse Rule Number</b>	<b>Scope #</b>	<b>Scope Implementation</b>	<b>Scope Expiration</b>	<b>Code Chapter Affected</b>	<b>Relating clause</b>	<b>Current Stage</b>	<b>Next Step</b>
EmR 2410	031-24	3/29/2024	9/18/2026	DE 1 to 17	Dental Therapists (Emergency)	Emergency rule effective on 7/26/24, first published in the Register on 8/12/24.	Emergency rule effective until permanent rule goes into effect.
24-094	031-24	3/29/2024	9/18/2026	DE 1 to 17	Dental Therapists	Rule effective 8/1/25.	Rule effective 8/1/25.
	053-24	7/16/2024	11/20/2026	DE 1 to 17	Dentist and Dental Hygienist Compact	Rule drafting paused until the compact rules and procedures become more clear.	Board approval of prelim rule draft.
	054-24	7/16/2024	11/20/2026	DE 5, 8, and 14	Informed Consent	Hold public hearing, discuss public comments and Clearinghouse comments.	Board approval of final rule draft and report to the legislature.
	004-25	3/7/2025	7/27/2027	DE 1, 5, and 6	Unprofessional Advertising	Rule drafting.	Board approval of prelim rule draft.
	021-25	5/7/2025	10/7/2027	DE 1 and 2	Licensure Requirements	Rule drafting.	Board approval of prelim rule draft.
				DE 1, 5, 8, 10, and 18	Dental Practice Record Management and Dental Franchising	Governor's Office review of scope statement.	Scope publication in the Register.

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

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Will Johnson, Executive Director</b>		2) Date When Request Submitted: <b>08/22/2025</b>  Items will be considered late if submitted after 4:30 p.m. and less than: ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others													
3) Name of Board, Committee, Council, Sections: <b>Dentistry Examining Board</b>															
4) Meeting Date:  <b>09/03/25</b>	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Standing Item: Dentist and Dental Hygienist Compact – Discussion</b>													
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:													
10) Describe the issue and action that should be addressed:  <b>Please keep this as a standing agenda item going forward. Thank you.</b>															
11) <span style="float: right;">Authorization</span>  <table style="width: 100%;"> <tr> <td style="width: 60%;">Will Johnson</td> <td style="width: 40%; text-align: right;">08/22/25</td> </tr> <tr> <td>Signature of person making this request</td> <td style="text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="height: 20px;"></td> </tr> <tr> <td>Supervisor (if required)</td> <td style="text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="height: 20px;"></td> </tr> <tr> <td colspan="2">Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date</td> </tr> </table>				Will Johnson	08/22/25	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	
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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 Board Admin Specialist prior to the start of a meeting.															