



IN-PERSON
DENTISTRY EXAMINING BOARD
Room S107, Marquette University, School of Dentistry, 1801 W Wisconsin Ave, Milwaukee
Contact: Will Johnson, (608) 266-2112
November 5, 2025

TOUR: MARQUETTE UNIVERSITY, SCHOOL OF DENTISTRY

9:00 A.M.

A quorum of the Dentistry Examining Board may be present; however, no Board business will be conducted.

HYBRID (IN-PERSON/VIRTUAL)
DENTISTRY EXAMINING BOARD
Room S107, Marquette University, School of Dentistry, 1801 W Wisconsin Ave, Milwaukee
Contact: Will Johnson, (608) 266-2112
November 5, 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

9:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Pledge of Allegiance**
- B. Adoption of Agenda (1-4)**
- C. Approval of Minutes of September 3, 2025 (5-7)**
- D. Introductions, Announcements and Recognition**
 - 1) Introduction and Welcome – DSPS Deputy Secretary Jennifer Garrett
- E. Reminders: Conflicts of Interest, Scheduling Concerns**
- F. 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

G. 9:30AM Preliminary Public Hearing on Scope Statement for DE 1, 5, 8, 10, and 18 relating to Dental Practice Record Management and Dental Franchising (8-9)

H. Administrative Rule Matters – Discussion and Consideration (10-30)

- 1) Discussion of Scope Statement on DE 1, 5, 8, 10, and 18 relating to Dental Practice Record Management and Dental Franchising **(11-12)**
- 2) Rule Drafting for DE 1, 5, and 6 on Unprofessional Advertising **(13-22)**
- 3) Rule Drafting for DE 1 and 2 on Licensure Requirements **(23-29)**
- 5) Pending or possible rulemaking projects **(30)**

I. Dentist and Dental Hygienist Compact – Discussion

J. WDA Licensure Work Group – Discussion and Consideration (31)

K. Legislative and Policy Matters – Discussion and Consideration

L. 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

M. 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.).

N. Credentialing Matters

- 1) **Application Review**
 - a. B.Q. – Renewal Application (IA-689019) **(32-109)**
 - b. D.H. – Renewal Application (IA-693954) **(110-132)**
 - c. S.V. – Initial Application (IA-673181) **(133-144)**
 - d. J.M. – Renewal Application (IA-696655) **(145-173)**

O. Division of Legal Services and Compliance (DLSC) Matters

- 1) **Proposed Stipulations, Final Decisions and Orders**
 - a. 23 DEN 028 – Mark E. Berger **(174-180)**
 - b. 24 DEN 0040 – Eric J. Meeker **(181-187)**
 - c. 24 DEB 0043 – Charles C. Anderson **(188-193)**
 - d. 25 DEN 0020 – Vishavdeep Singh **(194-199)**
- 2) **Administrative Warnings**
 - a. 25 DEN 0117 – P.L.W. **(200-201)**
- 3) **Case Closings**
 - a. 23 DEN 147 – A.S. **(202-213)**
 - b. 24 DEN 0063 – J.B.P. **(214-218)**
 - c. 24 DEN 0089 – S.E.D. and D.M.S. **(219-228)**
 - d. 24 DEN 0125 – N.N.S. **(229-233)**
 - e. 25 DEN 0027 – S.S.A. **(234-245)**
 - f. 25 DEN 0134 – O.A.M. **(246-248)**
 - g. 25 DEN 0136 – J.R.S. **(249-252)**

P. 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

Q. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

ADJOURNMENT

NEXT MEETING: JANUARY 7, 2026

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.

**TELECONFERENCE/VIRTUAL
DENTISTRY EXAMINING BOARD
MEETING MINUTES
SEPTEMBER 3, 2025**

PRESENT: Troy Alton, DDS; Lisa Bahr, RDH; Matthew Bistan, DDS (*excused at 9:55 a.m.*); Joan Fox, DDS; David Gundersen, DDS; Debra Kolste; Katherine Schrubbe, RDH (*arrived at 9:04 a.m.*); Peter Sheild, DDS

ABSENT: Shaheda Govani, DDS; Linda Jorgenson, RDH

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

Troy Alton, Vice Chairperson, called the meeting to order at 9:01 a.m. A quorum was confirmed with seven(7) members present.

ADOPTION OF AGENDA

MOTION: David Gundersen moved, seconded by Joan Fox, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 25, 2025

MOTION: Matthew Bistan moved, seconded by Joan Fox, to approve the Minutes of June 25, 2025, as published. Motion carried unanimously.

Katherine Schrubbe arrived at 9:04 a.m.

**9:00AM PUBLIC HEARING ON FINAL RULE DRAFT FOR DE 5, 8, AND 14
RELATING TO INFORMED CONSENT**

MOTION: Debra Kolste moved, seconded by Joan Fox, to affirm the Board has provided an opportunity for public comments on rule DE 5, 8, and 14 relating to Informed Consent and that no comments were received. Motion carried unanimously.

MOTION: David Gundersen moved, seconded by Katherine Schrubbe, to accept all Clearinghouse comments for rule DE 5, 8, and 14. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

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

MOTION: Debra Kolste moved, seconded by Lisa Bahr, to authorize the Chairperson or Vice Chairperson to approve the Final Rule Draft and Report to the

Legislature for rule DE 5, 8, and 14 relating to Informed Consent for submittal to the Governor's Office and Legislature. Motion carried unanimously.

Matthew Bistan was excused at 9:55 a.m.

CLOSED SESSION

MOTION: Katherine Schrubbe moved, seconded by David Gundersen, 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.). Troy Alton, Vice 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; Joan Fox-yes; David Gundersen-yes; Debra Kolste-yes; Katherine Schrubbe-yes; and Peter Sheild-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:53 a.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

MOTION: Katherine Schrubbe moved, seconded by Peter Sheild, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of the following cases:
23 DEN 085, and 24 DEN 0144 – Howard L. Crystal
23 DEN 173 – Mark J. Holzer
24 DEN 0102 – Manasa Rao
24 DEN 0167 – Selena Gray
Motion carried unanimously.

Administrative Warnings

MOTION: Joan Fox moved, seconded by David Gundersen, to issue an Administrative Warning in the following DLSC Cases:
23 DEN 067 – N.W.
24 DEN 0156 – Q.L.
Motion carried unanimously.

Case Closings

MOTION: Peter Sheild moved, seconded by Troy Alton, to close the following DLSC Cases for the reasons outlined below:
23 DEN 173 – C.J.N. – No Violation
23 DEN 192 – J.B. – No Violation
23 DEN 195 – J.A.T. – Prosecutorial Discretion (P1)

23 DEN 199 – A.J.S. – No Violation
23 DEN 200 – A.C.T. and H.T. – No Violation
24 DEN 0028 – S.D.M., J.K.K., B.J.W. and A.A.R. – No Violation
24 DEN 0051 – A.D. – Prosecutorial Discretion (P2)
24 DEN 0088 – A.A.P. – No Violation
24 DEN 0112 – P.T.B. – No Violation
24 DEN 0179 – M.P.M. – No Violation
25 DEN 0026 – R.J.A. – Insufficient Evidence
25 DEN 0034 – C.C.O. – Prosecutorial Discretion (P2)
Motion carried unanimously.

Monitoring Matters

Aaron Cwik – Requesting Order Modification

MOTION: David Gundersen moved, seconded by Joan Fox, to grant the request of Aaron Cwik for full licensure. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Lisa Bahr moved, seconded by David Gundersen, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 11:22 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Peter Sheild moved, seconded by Troy Alton, 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: Lisa Bahr, seconded by Katherine Schrubbe, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:24 a.m.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Jake Pelegrin Administrative Rules Coordinator		2) Date when request submitted: 10/23/25 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: 11/5/25	5) Attachments: ☒ Yes ☐ No	6) How should the item be titled on the agenda page? 9:00AM Preliminary Public Hearing on Scope Statement for DE 1, 5, 8, 10, and 18 relating to Dental Practice Record Management and Dental Franchising											
7) Place Item in: ☒ Open Session ☐ Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> ☐ Yes ☒ No	9) Name of Case Advisor(s), if required: N/A											
10) Describe the issue and action that should be addressed: Attachments: -Notice of public hearing													
<table style="width: 100%;"> <tr> <td style="width: 60%;">11)</td> <td style="width: 40%; text-align: right;">Authorization</td> </tr> <tr> <td><i>Jake Pelegrin</i></td> <td style="text-align: right;">10/23/25</td> </tr> </table> <table style="width: 100%;"> <tr> <td style="width: 60%;">Signature of person making this request</td> <td style="width: 40%; text-align: right;">Date</td> </tr> </table> <table style="width: 100%;"> <tr> <td style="width: 60%;">Supervisor (if required)</td> <td style="width: 40%; text-align: right;">Date</td> </tr> </table> <table style="width: 100%;"> <tr> <td style="width: 60%;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</td> <td style="width: 40%; text-align: right;">Date</td> </tr> </table>				11)	Authorization	<i>Jake Pelegrin</i>	10/23/25	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 Bureau Assistant prior to the start of a meeting.													

Notice of Preliminary Public Hearing

The Dentistry Examining Board announces that it will hold a preliminary public hearing on the proposed Scope Statement SS 056-25. This proposed scope statement addresses rules DE 1, 5, 8, 10, and 18 relating to Dental Practice Record Management and Dental Franchising. The hearing will be at the time and place shown below.

Hearing Information

Date: November 5, 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, email to 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 by calling (608) 266-2112.

This Notice of Preliminary Hearing on Statement of Scope is approved by:

Chair

Date

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Jake Pelegrin Administrative Rules Coordinator		2) Date when request submitted: 10/23/25 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: 11/5/25	5) Attachments: ☒ Yes ☐ No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Discussion of scope statement on DE 1, 5, 8, 10, and 18 relating to Dental Practice Record Management and Dental Franchising 2. Rule drafting for DE 1, 5, and 6 on Unprofessional Advertising 3. Rule drafting for DE 1 and 2 on Licensure Requirements 4. Pending or possible rulemaking projects									
7) Place Item in: ☒ Open Session ☐ Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> ☐ Yes ☒ No	9) Name of Case Advisor(s), if required: N/A									
10) Describe the issue and action that should be addressed: Attachments: -Scope statement on DE 1, 5, 8, 10, and 18 -Preliminary rule draft for DE 1, 5, and 6 -Preliminary rule draft for DE 1 and 2 -Dentistry Rules Chart											
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STATEMENT OF SCOPE

DENTISTRY EXAMINING BOARD

Rule No.: DE 1, 5, 8, 10, and 18

Relating to: Dental Practice Record Management and Dental Franchising

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 proposed rule is to consider updating and clarifying regulations on dental practice record management and dental franchising, which may include revisions to chs. DE 1, 5, 8, and 10. The board may also consider creating a new ch. DE 18 on dental franchising.

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:

Wis. Admin. Code ch. DE 8 governs patient dental record retention. The chapter requires patient records to be preserved for at least 10 years from the date of last entry. Section 447.02 (1) (c), Stats., allows the board to promulgate rules governing dental franchising, although currently there are no rules promulgated under this authority on this topic. The board has identified a need to consider updating and clarifying regulations on dental practice record management and dental franchising to protect patient health, safety, and access to records. The board has identified gaps in the current regulations that allow for situations where patients have difficulty getting access to their dental records, or where patients have difficulty getting recourse after adverse situations in dental franchise clinics. The board would like to update and clarify regulations on patient dental record retention in ch. DE 8, and this could also include updates to ch. DE 5, Unprofessional Conduct. The board may also consider creating a new ch. DE 18 on dental franchising, and this could also include updates to ch. DE 5, Unprofessional Conduct.

An alternative would be not to revise the code, which the board believes would continue gaps in the current regulations that affect patient health, safety, and access to records.

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

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 447.02 (1), Stats.: “The examining board may promulgate rules: (c) Subject to ch. 553 and s. 447.06 (1), governing dental franchising.”

Section 447.02 (2), Stats.: “The examining board shall promulgate rules specifying all of the following: (f) A requirement that a mobile dentistry program registrant establish procedures for a patient treated in the mobile dentistry program to access his or her patient records.”

Section 447.02 (4), Stats.: “In the course of investigating a violation of this subchapter, the examining board may require, by order or subpoena, that a person who manages or controls a business that offers dental or dental hygiene services, including management or control of a business through which the person allows another person to offer dental or dental hygiene services, produce patient health care records, as defined in s. 146.81 (4).”

Section 447.063, Stats.: “Preservation and transfer of patient health care records. (1) A person who manages or controls a business that offers dental, dental therapy, or dental hygiene services, including management or control of a business through which the person allows another person to offer dental, dental therapy, or dental hygiene services, shall preserve patient health care records, as defined in s. 146.81 (4), for an amount of time determined by the examining board by rule.

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

Approximately 100 hours.

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

Licensed dentists, dental therapists, dental hygienists, dental clinics, dental franchise clinics, and their patients.

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:

None.

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

The proposed rule will have minimal to no economic impact on small businesses and the state’s economy as a whole.

Contact Person: Jake Pelegrin, Administrative Rule Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-0989.

Approved for publication:

Approved for implementation:

Authorized Signature

Authorized Signature

Date Submitted

Date Submitted

STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD

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

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 (4) (intro.); and to **create** DE 6.02 (1) (a) to (f), (4) (c) (Note), and 1. to 3. relating to unprofessional advertising.

Analysis prepared by the Department of Safety and Professional Services.

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. 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, 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.

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. Comments must be received on or before the public hearing to be included in the record of rule-making proceedings.

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 equal to an American Dental Association specialty** when the dentist does not meet the requirements for that specialty in sub. (4) (c).

[**Note:** A dentist may describe training, experience, or ability that he or she has in an area of practice related to an ADA specialty, but if the dentist does not meet the requirements for that specialty in sub. (4) (c), he or she may not use the terms prohibited in sub. (4) (c) 1., and shall give the disclaimer required in sub. (4) (c) 2.]

OR

(c) Represent a dentist as **being credentialled** in an American Dental Association specialty when the dentist does not meet the requirements for that specialty in sub. (4) (c).

[**Note:** A dentist may describe training, experience, or ability that he or she has in an area of practice related to an ADA specialty, but if the dentist does not meet the requirements for that specialty in sub. (4) (c), he or she may not use the terms prohibited in sub. (4) (c) 1., and shall give the disclaimer required in sub. (4) (c) 2.]

(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 renumbered to 6.02 (4) (c) (intro.) and 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. Advertising or implying practice as a specialist in a non-American Dental Association-recognized specialty is prohibited. All of the following provisions also apply to dental advertising:

Potential edit to the highlighted sentence:

Advertising or implying practice as a specialist in a specialty not recognized by either the American Dental Association or the [American Board of Dental Specialties] **OR** [American Board of Oral Implantology/Implant Dentistry] is prohibited.

For the other specialties, could also do a disclaimer requirement: “This specialty is not recognized by the American Dental Association.” AND/OR “This specialty is recognized by the American Board of Dental Specialties.”

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

[Note: A dentist may describe credentials, training, experience, or ability that he or she has in an area of practice related to an ABDS specialty, but if the dentist is not credentialled for that specialty, he or she may not use the terms prohibited in sub. (4) (c) 1., and shall give the disclaimer required in sub. (4) (c) 2.]

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. to 3. 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 or communicates, 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 or communication 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. *Not sure if the note is necessary but could be helpful for readers' understanding.*

3. A dentist who advertises as a specialist shall avoid implying that other dentists associated with the same practice or clinic are also specialists unless the other dentists also meet all of the requirements of par. (c).

The above provision, 3., was previously in par. (c), but I moved it to this part for better organization of the rule.

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.

(END OF TEXT OF RULE)

This Proposed Order of the Dentistry Examining Board is approved for submission to the Governor and Legislature.

Dated _____

Chair
Dentistry Examining Board

DE 2.04 Endorsement.

(1) The board may grant a license as a dentist to an applicant who holds a valid license in good standing issued by the proper authorities of any other jurisdiction of the United States or Canada upon payment of the fee as determined by the department under s. 440.03 (9) (a), Stats., and submission of evidence satisfactory to the board that all of the following conditions are met:

(a) The applicant has graduated from an accredited school of dentistry or the applicant has graduated from a foreign dental school and holds one of the following:

1. A DDS or DMD degree from an accredited dental school.
 2. A dental diploma, degree or certificate from a full-time, undergraduate supplemental dental education program of at least 2 academic years at an accredited dental school. The program shall provide didactic and clinical education to the level of a DDS or DMD degree.
- (b) The applicant submits a certificate from each jurisdiction in which the applicant is or has ever been licensed stating that no disciplinary action is pending against the applicant or the license, and detailing all discipline, if any, which has ever been imposed against the applicant or the license.
- (c) The applicant has successfully completed a licensing examination that, in the board's judgment, is substantially equivalent to an examination administered by a board-approved testing service, or, alternatively, has successfully completed a board specialty certification examination in a dental specialty recognized by the American Dental Association.
- (f) The applicant has successfully completed a jurisprudence examination on the provisions of Wisconsin statutes and administrative rules relating to dentistry and dental hygiene.
- (g) The applicant possesses a current certificate of current proficiency in cardiopulmonary resuscitation, including the use of an automated external defibrillator, achieved through instruction provided by an individual, organization, or institution of higher education approved by the Wisconsin department of health services.
- (h) The applicant has disclosed all discipline which has ever been taken against the applicant in any jurisdiction shown in reports from the national practitioner data bank and the American Association of Dental Boards.
- (i) The applicant has presented satisfactory responses during any personal interview with the board which may be required to resolve conflicts between the licensing standards and the applicant's application.

DE 2.04 Endorsement.

(1) The board may grant a license as a dentist to an applicant who holds a valid license in good standing issued by the proper authorities of any other jurisdiction of the United States or Canada upon payment of the fee as determined by the department under s. 440.03 (9) (a), Stats., and submission of evidence satisfactory to the board that all of the following conditions are met:

(a) The applicant has graduated from an accredited school of dentistry or the applicant has graduated from a foreign dental school and holds one of the following:

1. A DDS or DMD degree from an accredited dental school.
2. A dental diploma, degree or certificate from a full-time, undergraduate supplemental dental education program of at least 2 academic years at an accredited dental school. The program shall provide didactic and clinical education to the level of a DDS or DMD degree.

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)].

(b) The applicant submits a certificate from each jurisdiction in which the applicant is or has ever been licensed stating that no disciplinary action is pending against the applicant or the license, and detailing all discipline, if any, which has ever been imposed against the applicant or the license.

(c) The applicant has successfully completed a licensing examination that, in the board's judgment, is substantially equivalent to an examination administered by a board-approved testing service, or, alternatively, has successfully completed a board specialty certification examination in a dental specialty recognized by the American Dental Association.

(f) The applicant has successfully completed a jurisprudence examination on the provisions of Wisconsin statutes and administrative rules relating to dentistry and dental hygiene.

(g) The applicant possesses a current certificate of current proficiency in cardiopulmonary resuscitation, including the use of an automated external defibrillator, achieved through instruction provided by an individual, organization, or institution of higher education approved by the Wisconsin department of health services.

(h) The applicant has disclosed all discipline which has ever been taken against the applicant in any jurisdiction shown in reports from the national practitioner data bank and the American Association of Dental Boards.

(i) The applicant has presented satisfactory responses during any personal interview with the board which may be required to resolve conflicts between the licensing standards and the applicant's application.

STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD

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

PROPOSED ORDER

A proposed order of the Dentistry Examining Board to ***amend*** DE 2.01 (1) (g); and to ***create*** DE relating to Licensure Requirements.

Analysis prepared by the Department of Safety and Professional Services.

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.

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. Comments must be received on or before the public hearing to be included in the record of rule-making proceedings.

TEXT OF RULE

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

Current code in DE 2.01:

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.

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

1. The board may consider an applicant holding a certificate of completion from a CODA accredited postdoctoral general dentistry GPR or AEGD program as evidence of successful completion of an examination from a board-approved testing service. Notwithstanding par. (g), the certificate of completion may be dated from up to X years preceding application.

(For the GPR or AEGD, how long of a time frame to allow?)

Current code in DE 2.04: Endorsement, or “Reciprocity” licensure

DE 2.04 Endorsement.

- (1) The board may grant a license as a dentist to an applicant who holds a valid license in good standing issued by the proper authorities of any other jurisdiction of the United States or Canada upon payment of the fee as determined by the department under s. 440.03 (9) (a), Stats., and submission of evidence satisfactory to the board that all of the following conditions are met:
- (a) The applicant has graduated from an accredited school of dentistry or the applicant has graduated from a foreign dental school and holds one of the following:
1. A DDS or DMD degree from an accredited dental school.
 2. A dental diploma, degree or certificate from a full-time, undergraduate supplemental dental education program of at least 2 academic years at an accredited dental school. The program shall provide didactic and clinical education to the level of a DDS or DMD degree.

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 (means CODA accredited). 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.

(END OF TEXT OF RULE)

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

Clearinghouse Rule Number	Scope #	Scope Implementation	Scope Expiration	Code Chapter Affected	Relating clause	Current Stage	Next Step
	053-24	7/16/2024	11/20/2026	DE 1 to 17	Dentist and Dental Hygienist Compact	Rule drafting paused.	Board approval of prelim rule draft.
25-052	054-24	7/16/2024	11/20/2026	DE 5, 8, and 14	Informed Consent	Legislative review.	Rule adoption.
	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.
	056-25		2/25/2028	DE 1, 5, 8, 10, and 18	Dental Practice Record Management and Dental Franchising	Hold public hearing on scope statement.	Scope implementation and rule drafting.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Will Johnson, Executive Director		2) Date When Request Submitted: 10/30/2025 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: Dentistry Examining Board															
4) Meeting Date: 11/05/25	5) Attachments: ☐ Yes ☒ No	6) How should the item be titled on the agenda page? WDA Licensure Work Group – Discussion and Consideration													
7) Place Item in: ☒ Open Session ☐ Closed Session ☐ Both		8) Is an appearance before the Board being scheduled? ☐ Yes (Fill out Board Appearance Request) ☒ No	9) Name of Case Advisor(s), if required:												
10) Describe the issue and action that should be addressed:															
11) Authorization <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">Will Johnson</td> <td style="width: 40%; border-bottom: 1px solid black; text-align: right;">10/30/25</td> </tr> <tr> <td style="text-align: right;">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 style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> </table>				Will Johnson	10/30/25	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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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 Board Admin Specialist prior to the start of a meeting.															